



Fixed Premises Food Business Operation & Construction Guidelines

About this Guide

Food safety is an important issue to the community. Customers expect that the food they buy is safe to eat. Becoming a food business operator comes with legislative responsibilities and a requirement to provide safe and suitable food for consumption. The correct construction, maintenance and operation of a food premises assists to ensure that customers of food businesses can feel confident that they are purchasing food that is safe to eat.

Council assesses and regulates food businesses in accordance with Food Standards Australia New Zealand's (FSANZ) Food Safety Standards and the *Food Act 2006* to ensure all food businesses meet their obligations in preparing and selling food that is safe to eat.

This guide has been developed to assist food businesses when submitting an application to licence their food business under the *Food Act 2006*.

What is a fixed food business?

Fixed premises for a food business, means a building or other structure, or part of a building or other structure that has a permanent address. Generally, this includes any café, takeaway shop, restaurant or similar food business at a permanent location.

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Food Laws

In Queensland, the *Food Act 2006* and the Food Safety Standards set out the legal requirements for preparing safe food for sale. Anyone operating a food business needs to comply with this legislation and depending on the type of food preparation, may need to hold a food business licence.

Food Act 2006

The main purpose of the *Food Act 2006* is to ensure food for sale is safe and suitable for human consumption. The *Act* manages food safety based on the level of risk that the food business presents to the community. The higher the level of risk, the higher the level of food safety regulation. The *Food Act 2006* requires council to assess and monitor the standard of operations in food premises. This is achieved by providing for the licensing of particular food businesses and regular monitoring whilst in operation.

The *Food Act 2006* requires all food businesses to have a nominated food safety supervisor. It also requires some higher risk food businesses to have accredited Food Safety Program. These requirements are intended to increase knowledge of food safety matters throughout the industry.

The Food Safety Standards

The Food Safety Standards set out in the Australia New Zealand Food Standards Code are designed to ensure food businesses produce food that is safe to eat and is based on a preventative approach to the incidence of food borne illness in Australia.

The Food Safety Standards have been incorporated into the *Food Act 2006* and have been adopted across Australia to provide nationally consistent laws. The Food Safety Standards are made up of 3 parts; Food Safety Programs, Food Safety Practices and General Requirements and Food Premises and Equipment Standards.

There is a new Food Safety Standard, 3.2.2A – Food Safety Management Tools. This Standard introduces new requirements for all food service, catering, and retail businesses that handle unpackaged, ready-to-eat, potentially hazardous foods. Generally, these include caterers, restaurants, cafes, takeaway shops, pubs, supermarkets and delis, food vans and other facilities serving food.

The standard requires relevant food businesses to demonstrate that specific food handling activities are being adequately managed. These businesses will need to implement either two or three of the following tools depending on their food handling activities. The tools are:

1. Mandatory food handler training - (Category 1 & 2 businesses)
2. Appointment of a certified food safety supervisor - (Category 1 & 2 businesses)
3. Substantiation of critical food safety controls - (Category 1 businesses only)

What category is my food business?

1. **Category 1 business** - A caterer or food service business that processes unpackaged potentially hazardous food into food that is both ready-to-eat and potentially hazardous food. The food is then served to a consumer to eat without any further processing. Category one (higher risk) businesses must implement all three management tools listed above.
2. **Category 2 business** - A retailer of potentially hazardous, ready-to-eat food, where unpackaged food is handled, but not made or processed onsite (other than slicing, weighing, repacking, reheating or hot-holding). Category two businesses must have a certified food safety supervisor and trained food handlers.

What is food handler training?

Food handler training must include safe handling of food, food contamination, cleaning and sanitising of food premises and equipment and personal hygiene. Food businesses must ensure all food handlers have completed a food safety training course, or have appropriate skills and knowledge, before they start handling high-risk foods. There are some links to free food handler training below.

What is a certified food safety supervisor?

A food safety supervisor (FSS) must be a person who has recognised, formal certification as a FSS, obtained in the past 5 years. They should have recent, relevant skills and knowledge to handle food safely, particularly high-risk food. For further information refer to the heading, Food Safety Supervisor.

What does “substantiation of critical food safety controls” mean?

Category 1 businesses must keep records or demonstrate that requirements for safely receiving, storing, processing, displaying and transporting potentially hazardous food, and for cleaning and sanitising are being met. These are called 'prescribed provisions'. The business must show how these have been achieved or verified. The business must make a record, unless it can show in another way it is meeting requirements and be able to demonstrate this to an authorised officer (food regulator). Further information attached - FSS 322A Evidence Tool (Records).

When do I need to implement the tools?

Relevant businesses have until the **8 December 2023** to comply with the new Standard.

Need more information?

1. A copy of Food Safety Standard 3.2.2A can be found here - [Standard 3.2.2A Food Safety Management Tools.pdf \(foodstandards.gov.au\)](#)
2. Free food handler training - [Food handlers | Health and wellbeing | Queensland Government](#) (Do Food Safety) or [Food safety training | Cairns Regional Council](#) (I'm Alert Food Safety Training)
3. Food safety record templates - [Appendix 8 - Template examples.pdf \(foodstandards.gov.au\)](#)
4. A complete guide to the Food Safety Standards - [Safe Food Australia](#)

Food Safety Supervisor

Your licenced food business must have a Food Safety Supervisor. This person must have the experience and skills relevant to day-to-day food safety handling. They should also have the authority to instruct all staff within the food business.

Who should be a Food Safety Supervisor

- The food safety supervisor should be in a position to oversee food handling and be involved in the day-to-day food handling operations of the food business.
- They must be 'reasonably available' as a point of contact for food handlers and authorised officers.
- 'Reasonably available' means the food safety supervisor works onsite and oversees food handling of high-risk unpackaged foods, or can be easily contacted (e.g. by phone).
- It is not considered reasonable for a business to appoint someone as a food safety supervisor who does not regularly handle food as part of their normal duties, or is never onsite at a food business.

Role of the Food Safety Supervisor

The food safety supervisor makes sure the business is handling food safely so if something goes wrong, food that may be unsafe to eat is not processed further or served to consumers. The role of the food safety supervisor is to:

- make sure food safety risks are managed and issues are prevented or corrected
- instruct staff, review and update business procedures, and inspect premises and food handling operations
- share their food safety knowledge with other food handlers
- foster a positive food safety culture, so food safety is a top priority in 'the way we do things here'.

The business needs to make sure the food safety supervisor is able to fulfil these duties.

What are the requirements?

From 8 December 2023, food service, caterer and related retail businesses in Australia need to meet new food safety supervisor requirements.

Under Standard 3.2.2A - 11, category one and two businesses must: appoint a certified food safety supervisor (FSS) before engaging in a 'prescribed activity' .

- The certificate must be from either a registered training organisation or an organisation recognised by the relevant food regulator .
- The certificate must have been obtained within the past 5 years
- The food safety supervisor is reasonably available to advise and supervise each food handler engaged in that prescribed activity.

Prescribed activities involve handling unpackaged potentially hazardous foods that are ready to eat, which are high risk.

Food Safety Supervisor certificate

- The certificate will show the participant has completed the required units for the food safety supervisor course.
- Details of food safety supervisor competency units are available on the national register of vocational education and training website at training.gov.au
- Some training organisations may offer refresher courses for those who have received the qualification previously.
- Alternatively, the complete FSS course will need to be repeated every five years.
- The food safety supervisor should be able to provide their certificate to an authorised officer, if requested.

Food Safety Supervisor requirements for non category 1 or category 2 businesses

Food safety supervisors are still required for non category 1 and category 2 businesses, however the mandatory training and the obligation to undertake a refresher course detailed under Standard 3.2.2A are different.

You need to advise Council:

- the name and contact details of the Food Safety Supervisor within 30 days of the licence being issued. There is no fee for this.
- the name and contact details of any new Food Safety Supervisors within 14 days of the person becoming a Food Safety Supervisor
- if there is any changes to the contact details of the food safety supervisor within 14 days of the change
- if a person ceases to be a Food Safety Supervisor within 14 days of the change

You can notify Council of your Food Safety Supervisor by:

phoning on 1300 69 22 47

email to regadmin@ Cairns.qld.gov.au or

mail to Cairns Regional Council, PO Box 359, Cairns QLD 4870

Obligations

Your role

Whether you require a licence or not, as a food business operator, you have a responsibility to ensure that any food for sale and/or prepared at your business is safe and suitable for human consumption. This is a legal requirement of the *Food Act 2006*.

If you need a food business licence, you must submit the required application to Council with the relevant application fee. You will not be able to commence operation of the food business until your application has undergone assessment, you have had a satisfactory inspection and you received a food business licence from Council.

Our role

Cairns Regional Council has a responsibility to regulate food businesses to ensure all legislative responsibilities under the *Food Act 2006* and the Food Safety Standards are met. This includes assessment of food business licence applications, monitoring compliance, providing education and advice and taking enforcement action when needed.

Licensing Requirements

Who needs a food business licence?

A food business is any business, enterprise or activity that involves the handling of food intended for sale or the sale of food. It does not matter whether the business, enterprise or activity concerned is of a commercial, charitable or community nature and whether it involves the handling or sale of food on one occasion only.

Some food businesses require a food licence to be able to operate lawfully. The *Food Act 2006* defines a licensable food business as a food business that:

- involves the manufacture of food; or
- is carried on by an entity, other than a non-profit organisation, and involves the retail sale of unpackaged food (café/restaurant, takeaway food bar); or
- is carried on by a non-profit organisation and involves the sale of meals on at least 12 occasions each financial year.

If you intend to operate at more than one location, you will be required to hold a food business licence for each premises. A food business may be fixed, temporary or mobile. If you wish to operate a temporary or mobile food business, please refer to the Temporary Food Premises Guidelines or Mobile Food Business – Operation & Construction Guidelines.

When a licence is not required

The *Food Act 2006* exempts certain food businesses from requiring a licence. Although these operations are exempt from licensing they still need to comply with the requirements of the Food Safety Standards.

The following food businesses do not require a licence:

- sale of meals by a non-profit organisation that operates less than 12 days in a financial year
- production of primary produce under an accreditation granted under the *Food Production (Safety) Act 2000* – including meat, dairy, seafood and egg schemes
- sale of unpackaged snack food, that is not potentially hazardous, such as biscuits, cakes, confectionary, nuts and potato or corn chips
- sale of whole fruit or vegetables
- sale of seeds, spices, dried or glazed fruit, dried herbs, tea leaves, coffee beans or ground coffee
- grinding of coffee beans (excluding roasting of coffee beans)

- sale and preparation of drinks including tea, coffee, soft drinks and alcohol (other than fruit or vegetable juice processed at the place of sale)
- sale of ice, including flavoured ice, such as slurpees and snow cones or bags of party ice (manufacturing of ice is not exempt from food licensing)
- provision of meals by a non-profit organisation that are pre-prepared by another entity and are stored and heated or otherwise prepared by the organisation in accordance with the directions of the meal's manufacturer
- sale of a meal by a non-profit organisation, that is prepared as part of an educational or training activity conducted by the organisation involving food preparation, hospitality or catering
- sale of meals by a non-profit organisation, that consists only of fruit, cereal, toast or similar food; or the consumer of the meal helps to prepare it.

Please note there are specific definitions that have been used, for further information refer to the *Food Act 2006*. If you have any queries regarding whether you are a licensable food business, please contact Council on 1300 69 22 47.

Priority Classification System

Cairns Regional Council uses the nationally recognised FSANZ Priority Classification System to categorise licensed food businesses. The system calculates a score based on the type of food handled, activities of the food business, method of processing, size of the business and the customer base. A high, medium or low priority classification is assigned to the business based on this assessment score. The priority classification of your food business is calculated at the time of application and may be used to determine the risk, licence type and whether an accredited Food Safety Program is required.

Some examples of priority classifications are listed in the table below.

Priority	Example
HIGH	Catering company, hospital caterer, aged care facility, child care
MEDIUM	Takeaway food shop, cafe or restaurant
LOW	Packing/repacking dried foods, toasting of bread

What is a Food Safety Program?

Certain food businesses are required to have a Food Safety Program as stated in the *Food Act 2006*. A food safety program is a written document indicating how a food business will identify and control the food safety hazards associated with the food handling activities of the business.

A food safety program is a program that assists business in identifying food safety hazards, control measures for these hazards and provides systematic monitoring of food safety hazards. Record keeping is an integral part of a Food Safety Program as it assists food

businesses in demonstrating compliance with the Food Safety Program. It is important to undertake a regular review of the program to ensure it continues to accurately reflect the activities and needs of the food business.

Council is responsible for accrediting Food Safety Programs and all food businesses have the opportunity to apply to have a Food Safety Program accredited.

Who needs a Food Safety Program?

Section 99 of the *Food Act 2006* states which food businesses require an accredited Food Safety Program and section 100 enables other food businesses to have a voluntary Food Safety Program.

The Act currently requires the following businesses to have an accredited Food Safety Program:

- a food business involving off-site catering
- a food business where the primary activity of the food business is on-site catering at the premises or part of the premises stated in the licence
- a food business is carried on as part of the operations of a private hospital under the *Private Health Facilities Act 1999*
- a food business that:
 - involves the handling of potentially hazardous food or other food that is reasonably likely to pose a risk to public health or safety; and
 - is a food business prescribed under a regulation, if that is;
 - a facility that processes or serves potentially hazardous food for at least 6 persons in the facility's care at a time; or
 - a food business processing ready-for-consumption, potentially hazardous food for service to at least 6 persons at a time
 - a food business whose principal activity is processing ready-to-eat, potentially hazardous food for delivery by a delivered meals organisation if the food is delivered to at least 6 persons at a time.

*Example – a residential aged-care facility or childcare centre that **prepares** and/or **serves** meals for persons in its care.*

Example – a cook–chill facility that processes food for service to patients in a private hospital.

Example – a Meals on Wheels branch that cooks meals for delivery to frail or aged persons

If you need any further information regarding Food Safety Programs please contact Council to discuss the requirements for your business on 1300 69 22 47 or refer to [QLD Health](#).

Food safety programs for caterers

If you are operating a catering business you must be licensed with Council as a food business.

Licensable food businesses in Queensland must have a food safety program accredited by Council if:

- the food business involves off-site catering.

- the primary activity of the food business is on-site catering at the premises stated in the licence.
- the primary activity of the food business is on-site catering at part of the premises stated in the licence.

Off-site catering

Off-site catering is when you serve potentially hazardous food at a place other than the principal place of business. It does not include:

- delivering food under an arrangement with or on the order of a consumer, such as delivering pizzas from a takeaway pizza shop.
- the sale of food from mobile premises or temporary premises, such as the sale of ice-creams from a mobile ice-cream van.

Examples of when an off-site catering food safety program is required

- a spit-roast catering company partially prepares food at one place (their principal place of business), then finishes preparations and serves potentially hazardous food at another place (such as in a local park, on a beach or in a hired hall).
- a charter boat company prepares food, including potentially hazardous foods such as chicken, cold meat and salads, in a licensed fixed premises (their principal place of business). The charter boat company transports and then serves the food as a buffet for lunch (either on the boat or on land at a designated or random stop).

On-site catering

On-site catering means preparing and serving potentially hazardous food to all consumers at the premises from which the business is carried out, under an agreement where the food is:

- of a predetermined type (this may be product specific or include a particular type of food);
- for a predetermined number of persons (this includes a group of people attending a particular event);
- served at a predetermined time (this may include a specific day or days and normally specify a time); and
- for a predetermined cost (the cost is agreed prior to the preparation and service of the food).

On-site catering **does not** include:

- preparing and serving food at a restaurant, café or similar food business that involves the preparation and service of food on the order of a person for immediate consumption by the person
- preparing and displaying food for self service by consumers, such as a buffet at a restaurant.

Examples of when an on-site catering food safety program is required

Where on-site catering is the primary activity at the premises stated in the licence.

- *a function hall prepares and serves potentially hazardous food for functions including conferences, weddings, birthday parties and reunions where food is ordered for an agreed cost prior to the function for a specific number of people to be served at a set time.*

Where only part of the premises is used primarily for on-site catering.

- *a restaurant in a hotel has an additional dining room with extra seating. The room is used more than 11 times in a year to cater for more than 199 people.*

All food being prepared must be prepared at an approved premise and/or at the event if your business involves off site catering. If you are transporting food you must advise Council of all the food transport vehicles involved in the catering operation.

Caterers are required to apply to Council for accreditation of their Food Safety Program.

If you would like any further information for your catering business, please contact Council on 1300 69 22 47.

Applying for a Licence

Where do I start?

When constructing a new food business, it is essential that certain approvals are obtained before others. You can reduce the possibility of costly mistakes by obtaining all the required approvals before starting the Suitability of Premises assessment stage.

Before you lodge your application for a food business licence, check that the following approvals have been obtained:

- Development approval – you will need to check that you are able to use the intended premises for the activity you are proposing to conduct on the site. You can contact Council's Development Services team for advice on whether a development approval is required on 1300 69 22 47.
- Building approval – you may need to obtain building approval to carry out minor or major building works. Works that may require a building approval include partition changes, structural changes, mechanical exhaust ventilation, internal layout changes or alterations to the shop front. You will need to obtain building advice from a private building certifier.
- Plumbing approval – before carrying out any plumbing or drainage works, please contact Council's Plumbing Services on 1300 69 22 47 for more information.
- Trade waste approval – you may require Council approval for trade waste and grease traps if required for your food business. Please phone Council on 1300 69 22 47 for further information on trade waste approvals.

Food Licensing Assessment

Obtaining a food business licence is a two-stage assessment process. Stage one is a suitability of premises assessment and stage two is the food business licence application assessment. You will need to apply to Council for both approvals. Unless you anticipate any delays in construction, it is recommended you apply for your food business licence at the same time as the assessment of suitability of the premises. This may entitle you to a reduced, combined application fee if both application forms are lodged together.

Before a food business licence can be issued, your application must meet the requirements of the *Food Act 2006* and Food Safety Standards. If your application does not meet these requirements, assessment may be delayed or your application could be refused. The following information will assist in limiting delays in the assessment phase.

Stage 1 – Suitability of Premises Assessment

When constructing a new food premises, you must ensure that the design meets the requirements of the Food Safety Standards. Food safety begins at the earliest planning stages which is why it is important to get it right from the start.

The 'How to prepare plans for a Suitability of Premises Application' section of this Guide has been prepared to assist you in making decisions on the design of your food premises and the

construction material you intend to use. Queensland Health also provide resources such as the [Design and fit-out guide](#) to assist in correct construction and fit-out.

Step 1 – Prepare your plans. In order to assess your suitability of premises application, **a copy** of the following plans (drawn to scale not less than 1:50) must be provided:

- floor plans detailing the layout including the location of equipment, work flow direction and waste disposal facilities;
- elevations of each food preparation room/area; and
- mechanical exhaust ventilation (exhaust systems must comply with AS1668.2- 2012. Specifications of all equipment being serviced by the mechanical exhaust ventilation must be included).

Step 2 – Complete the Application for [Suitability of Premises Assessment \(Fit-out Assessment\) form](#), submit it to Council with the required plans (ensure they are the most current) and payment of the relevant fee. This can be completed by a designer, builder or contractor.

Council will assess your design against these Standards and may provide you with advice on any additional requirements to ensure the fit-out of your premises complies. Council will provide an approval with conditions which must be met prior to finalising the fit-out of your premises and before requesting a final inspection by Council's Licensing and Approvals Environmental Health Officer.

Step 3 – Construct and fit-out your premises in accordance with your approved plans and any conditions imposed by Council.

Stage 2 – Food Business Licence Assessment

Once you obtain your approval for suitability of premises, if you have not already done so, you must apply for a food business licence at least 30 days prior to commencing trade. You may apply for both the suitability of premises and food business licence at the same time, however if you do, you must advise Council no less than 30 days before you intend to open for trade. This will ensure that Council has enough time to assess your food business licence application. It is important to note that you cannot open for trade until Council has undertaken a final inspection and issued you with a licence.

Step 1 – Complete the [Food Business Licence Application](#), attach the [relevant fee](#) and return to council. This application assesses the suitability of the operator and whether they have the required skills and knowledge (including the right training) to safely prepare and sell food to the public. Once the application has been paid, you will receive an acknowledgement which includes a Final Inspection Checklist to assist you in being ready for an inspection.

The applicant for a licence must be a legal entity, i.e. a person or company. A business name or trading name is not a legal entity and cannot be the licence holder. The applicant applying for the food licence should be the person or company intending on operating the food business not the contractor building the food premises.

Step 2 – Assessment of application. Once your food licence application has been submitted to council with the appropriate fee it will be assessed by an Environmental Health Officer (EHO). Time frames for assessment may vary, however, please allow a minimum of 30 days for

a full assessment. Further time may be required if the application does not meet the assessment requirements.

Step 3 – Final inspection. Once you have completed the fit-out of your premises and before you start trading, contact Council to arrange for an EHO to carry out the final inspection of your food premises. The EHO will need to be satisfied that the construction has been completed in accordance with the suitability of premises approval. Otherwise, your licence may not be granted and you will not be able to commence trading.

To limit delays, use the Food Business Final Inspection Checklist that was emailed to you to confirm that all essential works have been completed before the date of your final inspection.

Approval

At your final inspection, the Environmental Health Officer will advise of any outstanding requirements that need to be attended to prior to opening. Depending on the outcome of the inspection, it may result in:

1. Your application being approved and a Food Business Licence issued; or
2. Your application being approved and a Provisional Food Business Licence* being issued; or
3. Your application being refused. Please note should this occur, you will not be able to commence operating. You may also need to reapply and pay the application fee again.

** A provisional licence can only be issued for a maximum of three (3) months and will only be considered in circumstances where the Environmental Health Officer is satisfied that safe food can be prepared and the outstanding, minor issues can be attended to within the term of the provisional licence. If the outstanding requirements are not met within the term of the provisional licence, it will expire. Continuing to operate beyond this point will then become an offence for which penalties do apply.*

It is important to remember that applying for a food business licence does not eliminate the need to also apply for any building, plumbing, trade waste or development approvals that may be required. These approvals should be obtained prior to applying for a food business licence to avoid unnecessary delays (refer to the 'Starting a new food business Assessment Checklist' below).

After the food business licence is issued, a compliance inspection of the food business will be conducted within 6 months to ensure the business is operating in compliance with the *Food Act 2006* and the Food Safety Standards.

Your food business licence will remain current until the expiry date noted on your licence which is currently 30 September each year (irrespective of when you apply), except in the circumstances where a provisional licence is issued. Food Licences must be renewed annually. You will receive a renewal notice each year prior to the expiry of your licence. It is important that you renew your licence and pay the applicable fee by the due date to ensure that you are able to continue lawfully operating.

A Food Businesses Licence must be displayed in a prominent position at the premises so that it is easily visible to persons at the premises.

Application Checklist

The following checklist can be used as a reference when making an application for new food premises. This will assist you with providing Council with all the relevant and correct information to process your application quickly.

Starting a new food business Assessment Checklist

Before you proceed with your food business licence application, you should determine if any other approvals are required for your business. This may include:

- Development Assessment approval (Council)
- Suitability of Premises Assessment (Council)
- Building approval (Private Certifier)
- Trade Waste approval (Council)
- Plumbing approval (Council)

Other approvals to consider if required:

- Liquor Licensing (QLD Government)
- Footpath Dining (Council)
- Advertising Devices (Council)

Existing Premises

Buying an existing food business

When buying a food business that is already operating, please be aware that the food business licence cannot be transferred and you will be required to apply for a new food business licence. Council understands the importance of uninterrupted trading of a food business whilst it is changing hands to a new operator. However, it is important that the new operator does not start operating in their own right until they have been issued with a food business licence. Council will make every effort to accommodate a smooth transition of ownership, however please note that this may not always be possible.

eg. Mr X has agreed to purchase a food business from Mrs K with settlement due on 1 July. Part of the agreement is that Mr X will receive a week's training in the business prior to the sale being finalised. In this example, Mr X is not able to legally operate the food business as Mrs K remains responsible as the licensee of the food business until such time as Mr X has been issued with his food business licence.

As part of the assessment of your application when taking over an existing food business, a Council Officer may undertake an inspection to assess the suitability of the premises. It is important to remember that once the new licence is granted, the new licensee is responsible for any outstanding requirements that may apply to the premises.

Renovating or altering existing premises

If you intend to renovate or alter the food premises, you will need to contact Council for advice prior to making any changes. You may need to lodge a Suitability of Premises application with Council for assessment. For more information on the application process, see the [Applying for a Licence](#) section of this guide.

Pre-Sale Search

Council offers a service, referred to as a 'Pre-Sale Search', that allows potential purchasers to request an inspection of the food premises to determine the compliance state of the food business.

A Pre-Sale Search can be requested prior to buying a food business to assist in determining the current state of the food premises. If you are intending to take advantage of this service, it is recommended that you do so before the contract of sale is finalised. The inspection report will list any identified food safety requirements or breaches against the *Food Act 2006* at the time of inspection. It is important to note that any identified breaches still outstanding after finalisation of the sale, will become your responsibility to rectify.

An application for a Pre-Sale Search can be made via Council's website. The application must be lodged with the appropriate fee and must include an authority to release information signed by the current owner before the Pre-Sale Search can be carried out. The application must be lodged at least 10 working days before the report is required.

Operating your food business

It is your responsibility to conduct your food business in a safe manner. This includes having appropriate knowledge including, but not limited to, the following:

- health and hygiene requirements of food handlers
- appropriate waste management
- avoiding cross-contamination
- implementing temperature control measures
- effective cleaning, sanitising and maintenance
- preventing food poisoning
- pest management
- food disposal
- food recall; (refer to further information for [Food Recall Protocol](#) and [Food Recall Plan Templates](#))

Other Considerations

Advertising and Signage

Council's Local Laws specify when approvals are required for advertising material. For further information about whether your business's advertising devices need a permit, please contact Council for advice. You can also obtain further information on Councils' website under [advertising signs](#).

Footpath Dining

Before placing any tables, chairs or any other furniture on the footpath, you will need to obtain a permit from Council for footpath dining. For further information, refer to the [Best Practice Use of Footpaths Policy](#) and Council's website.

Liquor Licensing

Liquor licensing permits are obtained from the Office of Liquor and Gaming Regulation. The Liquor Licensing Division is part of the Department of Justice and Attorney-General and can be contacted on (07) 4048 9977 or visit their website on www.business.qld.gov.au

Queensland Health

Queensland Health can provide information about Food Standards that relate to labelling and food composition requirements. They can be contacted on (07) 3234 0111 or visit their website www.health.qld.gov.au

Single Use Plastics Reduction

Council recognises that the avoidance of single-use plastics is an effective way to reduce unnecessary landfill and the impacts of litter in the land and sea environment. Find out more about [Single Use Plastics Reduction](#).

Additional Information

Additional information can be obtained from Food Standards Australia New Zealand (FSANZ). FSANZ promotes safe food through developing national food safety standards. Contact FSANZ on 02 6271 2222 or visit www.foodstandards.gov.au

Appendix 1 - How to prepare plans for a Suitability of Premises Application

The suitability of premises assessment allows for your plans to be assessed so that the construction and/or fit-out of the food premises complies with the Food Safety Standards. To obtain a suitability of premises assessment approval you will need to submit:

- a completed application form
- the appropriate fee
- plans and drawings (refer to the examples in Appendices 2, 3 and 4 at the back of this guide).

It is important to remember that the plans, application form and fees must be lodged and approval obtained before you begin construction. Council will assess the design against the Food Safety Standards and will issue a conditional approval specifying any alterations that you need to make to ensure compliance with the Standards. This approval enables you to begin 'fitting out' the food premises, however, please note it does not allow you to operate the food business as you require a food business licence before you can legally operate your food business.

Types of plans required

You will need to submit **a copy** of the following types of plans/drawings:

- **Floor/Layout plans** – (must be drawn to scale of not less than 1:50)
 - The floor plan must show the layout of the food premises and the locations of all equipment, fixtures and drainage facilities. It must clearly identify the work flow, each work station and each sink use.
 - The floor plan should also include what materials will be used for floors, walls, ceilings and equipment. For example, floor – tiled, sinks – stainless steel, bench tops – stainless steel. An example of a floor plan can be found in Appendix 3 at the back of this guide.
- **Sectional elevations drawings**– (must be drawn to scale of not less than 1:50)
 - A sectional elevation drawing should show the ceiling height, wall and floor clearances of benches, equipment and fixtures (including plumbing works and scullery facilities). Examples of a sectional elevation drawing can be found in Appendices 3 and 5 at the back of this guide.
- **Mechanical exhaust ventilation plans and elevations** – (must be drawn to scale of not less than 1:50)
 - Where the installation of mechanical exhaust systems is required, you will need to lodge a QBCC Form 15 (and at completion a Form 16); this needs to be accompanied by plans and elevation drawings to show that the proposed system is compliant with the relevant provisions of the Australian Standards AS1668.2 – 2012. This will include a site plan showing the height and location of

the discharge point in relation to the property boundary and any existing or proposed outside air inlets of the property where the food premises are located and those of the adjoining property that are within 6 metres of the discharge point.

- Information on Australian Standards AS 1668.2 - 2012, can be obtained from Standards Australia through the website www.standards.com.au or phone 1300 654 646.

- **Site plan – (must be drawn to scale of not less than 1:200)**

- The site plan should show details of staff toilet facilities, waste storage and collection areas, waste water disposal, grease trap (where one is required) and adjacent land uses.

- **Hydraulic plan – (must be drawn to scale of not less than 1:100)**

- The drainage system of the kitchen, particularly the floor drain and the scullery facilities that leads to the grease trap must be shown on the plan.

Details required on plans

The following details for your premises should be included on the plans to allow for Council to complete the assessment:

- finishes to floors, walls and ceilings
- layout of all equipment, benches, fittings and fixtures, and mechanical ventilation
- door and window openings
- where seating is provided for diners, the number of square metres of floor space available for dining and the number of persons to be catered for in this area
- customer and staff toilet details (if detached, provide the distance to the facilities and the number available for use)
- mechanical exhaust ventilation
- process flow, from product received through to end-product delivered

For more information for design and construction requirements, see Queensland Health's [Design and fit-out guide for food businesses](#). This guide provides fit-out and design solutions in detail based on three concepts; food safety outcomes, minimum requirements and best practice.

Appendix 2 – Food Premises Fit-Out Checklist

This checklist has been designed to assist those submitting plans for a food business. It includes 'performance criteria' and 'acceptable solutions'.

The “**Performance Criteria**” give prescriptive design requirements as set out in the Food Safety Standards (FSS) found in the document titled Safe Food Australia (SFA).

The Food Safety Standards and Safe Food Australia can be found at www.foodstandards.gov.au. Safe Food Australia is the guideline to the legally binding Food Safety Standards.

The “**Acceptable Solutions**” provide examples of solutions to meet the performance criteria. Any proposal that is not listed in this section may require documented proof that the design and construction will not affect the production of safe food.

Sufficient information must be provided on the plans to enable an assessment against the given criteria.

WALLS		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 3 Clause 11	<ul style="list-style-type: none"> <input type="checkbox"/> Appropriate for activities to be carried out <input type="checkbox"/> Provided to protect food from contamination <input type="checkbox"/> Sealed to prevent entry of dirt, dust and pests <input type="checkbox"/> Impervious <input type="checkbox"/> Easily & effectively cleaned <input type="checkbox"/> Unable to provide harbourage for pests 	<ul style="list-style-type: none"> <input type="checkbox"/> Ceramic tiles <input type="checkbox"/> Gloss painted Fibre Cement sheeting <input type="checkbox"/> Impervious panelling <input type="checkbox"/> Smooth finish provided <input type="checkbox"/> Splash backs provided to sinks and benches <input type="checkbox"/> Heat resistance material behind cooking equipment
Indicated on Plans: Yes No		

FLOORS		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 3 Clause 10	<ul style="list-style-type: none"> <input type="checkbox"/> Designed and constructed in a way that is appropriate for the activities conducted <input type="checkbox"/> Able to be effectively cleaned <input type="checkbox"/> Impervious <input type="checkbox"/> Laid so that there is no ponding of water <input type="checkbox"/> Unable to provide harbourage for pests 	<ul style="list-style-type: none"> <input type="checkbox"/> Coving provided <input type="checkbox"/> Ceramic tiles <input type="checkbox"/> Concrete & epoxy layer <input type="checkbox"/> Commercial grade continuous vinyl <input type="checkbox"/> Treated concrete <input type="checkbox"/> Other documented flooring demonstrating compliance with performance criteria
Indicated on Plans: Yes No		

CEILINGS		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 3 Clause 11	<ul style="list-style-type: none"> <input type="checkbox"/> Appropriate for activities to be carried out <input type="checkbox"/> Provided to protect food from contamination <input type="checkbox"/> Sealed to prevent entry of dirt, dust and pests <input type="checkbox"/> Impervious <input type="checkbox"/> Easily & effectively cleaned <input type="checkbox"/> Unable to provide harbourage for pests 	<ul style="list-style-type: none"> <input type="checkbox"/> Suspended ceiling <input type="checkbox"/> Gloss painted Fibre Cement Sheeting <input type="checkbox"/> Impervious panelling <input type="checkbox"/> Smooth finish provided
Indicated on Plans: Yes No		

FOOD TRANSPORT VEHICLES		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 5 Clause 17	<ul style="list-style-type: none"> <input type="checkbox"/> Must be designed and constructed to protect food if there is a likelihood of contamination during transport <input type="checkbox"/> Easily and effectively cleaned <input type="checkbox"/> Food contact surfaces to be designed and constructed to be easily & effectively cleaned and sanitised 	<ul style="list-style-type: none"> <input type="checkbox"/> Smooth impervious surfaces to the compartment
Indicated on Plans: Yes No		

WATER SUPPLY		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 2 Clause 4	<ul style="list-style-type: none"> <input type="checkbox"/> Adequate quantity <input type="checkbox"/> Potable water <input type="checkbox"/> Appropriate temperature 	<ul style="list-style-type: none"> <input type="checkbox"/> Hot Water System in adequate capacity for the activities on the premises including during peak times <input type="checkbox"/> Council water supply <input type="checkbox"/> Tank water (Lab certification stating compliance with NHMRC guidelines)
Indicated on Plans: Yes No		

SEWAGE AND WASTE WATER		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 2 Clause 5	Must have a sewage and waste water disposal system that:- <ul style="list-style-type: none"> ❑ Effectively disposes of all sewage and waste water ❑ Constructed and located so that there is no likelihood of the sewage and waste water polluting the water supply or contaminating the food 	<ul style="list-style-type: none"> ❑ Council sewerage system ❑ Trade waste agreement ❑ Septic system and absorption trenches - in unsewered areas ❑ Aerated Septic system (ie Biocycle) – in unsewered areas
Indicated on Plans: Yes No		

GARBAGE AND WASTE STORAGE		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 2 Clause 6	Must have facilities that:- <ul style="list-style-type: none"> ❑ Adequately contain the quantity and type of waste and recyclable matter ❑ Enclose the garbage or recyclable matter, if necessary to keep pests and animals away ❑ Designed and constructed to be easily and effectively cleaned 	<ul style="list-style-type: none"> ❑ Wheeled refuse container ❑ Commercial (bulk) refuse container ❑ Approved storage area ❑ Serviced by an approved contractor ❑ Lidded containers within the premises ❑ Plastic or similar material
Indicated on Plans: Yes No		

LIGHTING		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 2 Clause 8	Provides sufficient light to enable food handlers: <ul style="list-style-type: none"> ❑ To readily check areas/equipment are clean ❑ To detect signs of pests ❑ To clearly see the food and equipment they are handling 	<ul style="list-style-type: none"> ❑ Natural light ❑ Artificial – recessed & diffuser ❑ Artificial – Ceiling mounted & diffuser
Indicated on Plans: Yes No		

FIXTURES AND FITTINGS		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 4 Clause 12	<ul style="list-style-type: none"> ❑ Adequate for the production of safe and suitable food ❑ Fit for the intended use <p>Designed, constructed and installed so that:-</p> <ul style="list-style-type: none"> ❑ There is no likelihood that they will cause food contamination ❑ They are able to be easily and effectively cleaned ❑ Adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively cleaned ❑ They do not provide harbourage for pests <p>Food contact surfaces must be:-</p> <ul style="list-style-type: none"> ❑ Able to be easily cleaned and effectively cleaned & sanitised ❑ Impervious ❑ Made of material that will not contaminate the food 	<p>Fittings, fixtures, shelving & equipment:-</p> <ul style="list-style-type: none"> ❑ easily moved ❑ castors fitted & flexible connections ❑ 150mm legs & clear of walls ❑ sealed to plinth & surfaces ❑ sealed to floor &/or adjacent surfaces ❑ 75mm above bench & clear of the wall ❑ No false backs or bottoms <p>Food contact surfaces:-</p> <ul style="list-style-type: none"> ❑ stainless steel & underside sealed ❑ fully laminated ❑ laminated top & underside sealed
Indicated on Plans: Yes No		

VENTILATION		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 2 Clause 7	<ul style="list-style-type: none"> <input type="checkbox"/> Sufficient <input type="checkbox"/> Effectively remove fumes, smoke, steam and vapours <input type="checkbox"/> Easily and effectively cleaned 	<ul style="list-style-type: none"> <input type="checkbox"/> Mechanical ventilation – for cooking equipment where one or more of the following applies: <ul style="list-style-type: none"> - electrical input for single cooking equipment exceeds 8KW or gas input exceeds 29MJ/h; or - deep fryer appliance; or - More than one electrical apparatus with total input exceeding 0.5KW/m² (or 1.8MJ/m² for gas appliances) of floor area <input type="checkbox"/> Natural ventilation –where mechanical ventilation not required (as indicated above) and provided there is little or no cooking that generates steam or greasy air <input type="checkbox"/> Provide written certification that Mechanical Ventilation is in compliance with AS1668.2 -2012 (Form 15 & Form 16) <input type="checkbox"/> Mechanical Ventilation – alternative design with documentation demonstrating compliance with Performance Criteria
Indicated on Plans: Yes No		

WASHING FACILITIES (PREPARATION AND CLEANING PURPOSES)		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 4 Clause 12	<ul style="list-style-type: none"> ❑ Cooking equipment, eating & drinking utensils must be able to be easily & effectively cleaned & sanitised 	<ul style="list-style-type: none"> ❑ Double bowl sink, or ❑ Single bowl sink & dishwasher ❑ Glass washer provided
Indicated on Plans: Yes No		

STORAGE FACILITIES		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 5 Clause 15	<ul style="list-style-type: none"> ❑ Adequate storage facilities for the storage of items that are likely to be source of contamination of food, including chemicals, clothing and personal belongings ❑ Located where there is no likelihood of stored items contaminating food or food contact surfaces 	<ul style="list-style-type: none"> ❑ Separated staff room ❑ Clearly designated shelf/cupboard – staff items ❑ Separated chemical/cleaning items storage room ❑ Clearly designated shelf/cupboard – chemical/cleaning items storage ❑ Locker Storage
Indicated on Plans: Yes No		

TOILET FACILITIES		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 5 Clause 16	<ul style="list-style-type: none"> ❑ Appropriate number of toilets are available for the use of food handlers (see BCA) 	<ul style="list-style-type: none"> ❑ Internal staff toilet: ❑ Double air lock & self-closing doors; ❑ Single door & mechanical ventilation & self-closing doors ❑ Adequate external staff toilet located within a reasonable distance ❑ Adequate external common toilet located within a reasonable distance
Indicated on Plans: Yes No		

CLEANING AND SANITISING		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.2 Division 5 Clause 20	<ul style="list-style-type: none"> ❑ Ensure all food contact surfaces of equipment and/or utensils are in a clean & sanitary state ❑ Heat and/or chemicals or other processes applied to those surfaces and/or utensils, so that the number of micro-organisms on the surfaces and/or utensils has been reduced to a level that:- <ul style="list-style-type: none"> ❑ does not compromise the safety of the food which it may come in contact with; and ❑ does not permit the transmission of infectious disease. 	<p>Cleaning</p> <ul style="list-style-type: none"> ❑ Sink <ul style="list-style-type: none"> • water at 54-60°C and detergent ❑ Dishwasher <ul style="list-style-type: none"> • water at 74°C • water at 66-71°C and detergent • Glass Washer • water at 54°C and detergent <p>Sanitising</p> <ul style="list-style-type: none"> ❑ Chemical sanitiser ❑ Hot water sanitising – reaching at least 77°C ❑ Dishwasher – use of commercial dishwasher used in accordance with manufacturer's instructions and capable of reaching temperatures of at least 77°C
Indicated on Plans: Yes No		

HAND WASHING FACILITIES		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 4 Clause 14	<ul style="list-style-type: none"> ❑ Located in an easily accessible location for all food handlers <ul style="list-style-type: none"> • within areas where food handlers work if their hands are likely to be a source of contamination of food; and • if there are toilets on the food premises – immediately adjacent to the toilets or toilet cubicles ❑ Permanent fixture ❑ Connected to or provided with a supply of warm running potable water (between 22°C and 48°C) ❑ Warm & cold water delivered through a common spout. ❑ A size that allows easy and effective hand washing ❑ Clearly designated for the sole purpose of washing hands, arms & face ❑ Supply of soap maintained at basin ❑ Single use paper towel provided at basin ❑ Waste container provided at basin for collection of used towel ❑ Must be connected to the sewerage or waste water disposal system 	<ul style="list-style-type: none"> ❑ Adequate size basin provided in the area where the food handlers are working to enable easy and effective washing of hands, arms and face ❑ Adequate number of hand wash basins provided in the food preparation area to ensure food handlers have ease of access to the hand wash basin. ❑ Soap & paper towel provided to each basin ❑ Waste container provided to each basin ❑ Connected to sewer or septic tank or aerated septic tank system.
Indicated on Plans: Yes No		

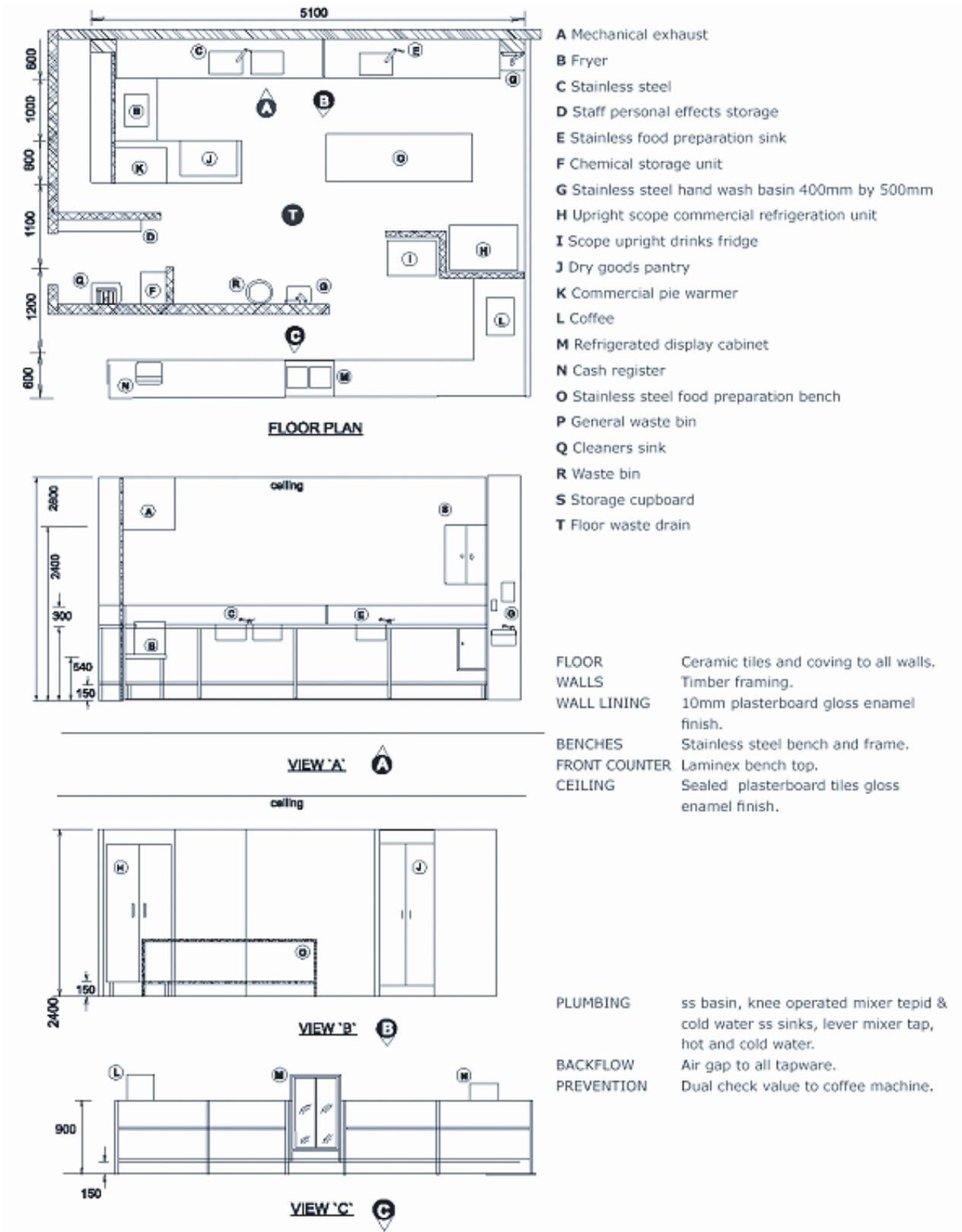
FOOD STORAGE / DISPLAY		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.2 Division 3 Clause 6 & 8	<ul style="list-style-type: none"> ❑ Protected from the likelihood of contamination ❑ Store/display potentially hazardous food under temperature control ❑ Capable of being easily and effectively cleaned 	<ul style="list-style-type: none"> ❑ Protective sneeze barrier provided to an approved design ❑ For self-services– separate utensils are provided for each food or other dispensing methods are used to minimise the likelihood of food being contaminated ❑ Hot display unit <ul style="list-style-type: none"> • minimum of 60°C • Another temperature – with no adverse effect demonstrated ❑ Cold display unit/ Coldroom <ul style="list-style-type: none"> • maximum 5°C • Another temperature – with no adverse effect demonstrated • Freezer units – food remains frozen
Indicated on Plans: Yes No		

GENERAL PROVISIONS		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.3 Division 2 Clause 3	<ul style="list-style-type: none"> ❑ Be appropriate for activities to be performed ❑ Adequate space ❑ Permit effective cleaning and sanitising ❑ Exclude dirt, dust, fumes, smoke and other contaminants <p>Not permit the entry or harbourage of pests/vermin</p>	<ul style="list-style-type: none"> ❑ Appropriate location in relation to other activities ❑ Adequate floor space ❑ No cracks or crevices ❑ Vermin proof construction ❑ Vermin proof strip to external doors ❑ Insect screening to windows or similar ❑ Insect screening to doors or similar ❑ Ceiling entries vermin proof ❑ Conduits vermin proof
Indicated on Plans: Yes No		

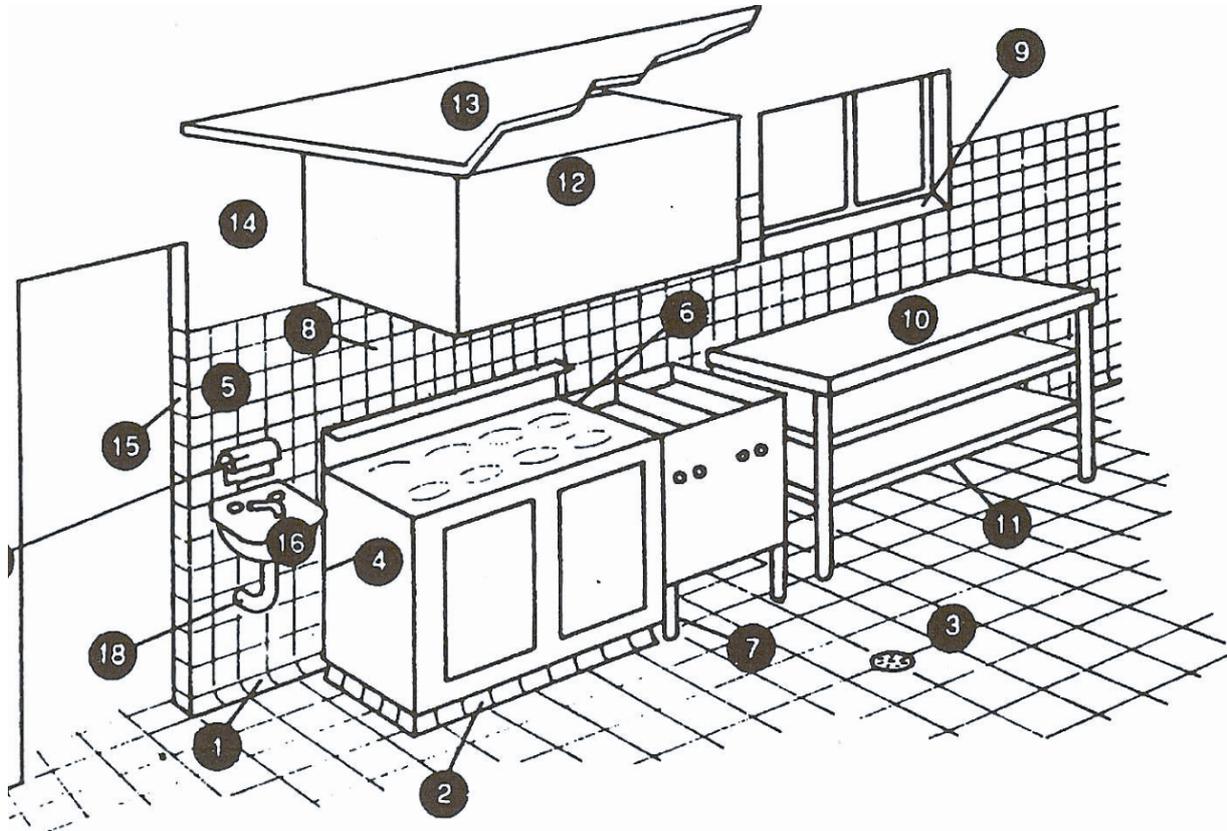
TEMPERATURE MEASUREMENT		
Relevant Standard	Performance Criteria	Acceptable Solutions
FSS 3.2.2 Division 6 Clause 22	<input type="checkbox"/> Must have a temperature measuring device to accurately measure the temperature of potentially hazardous food to +/- 1°C	<input type="checkbox"/> Thermostat & gauge provided to all units; and <input type="checkbox"/> Single mobile device eg. probe thermometer
Indicated on Plans: Yes No		

Note: If you handle **potentially hazardous foods** you **must** have a thermometer as described above. **Potentially hazardous food** means food that has to be kept at certain temperatures to minimise the growth of any pathogenic micro-organisms that may be present in the food or to prevent the formation of toxins.

Appendix 3 – Example Plans and Sectional Drawings



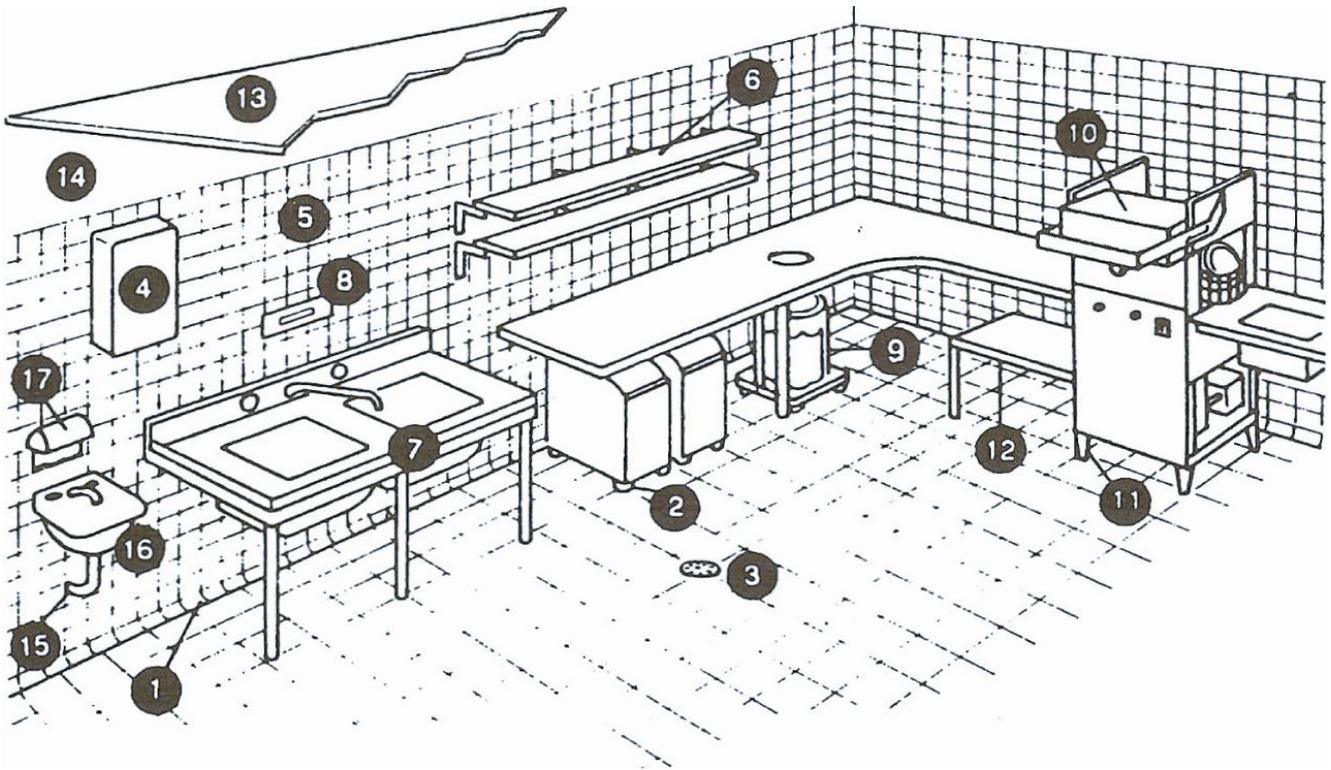
Appendix 4 – 2D Example Elevation (food prep area)



Requirements – typical food preparation area

1. Floor/wall coving as per section 6
2. Plinth
3. Impervious floor graded and drained
4. Fittings sealed to wall
5. Walls finished as per section 7
6. Sealing between fittings
7. Legs to allow effective and easy cleaning
8. No storage shelves below canopy
9. Splayed windowsill
10. Preparation bench
11. Bottom shelf height above the floor to allow effective and easy cleaning
12. Mechanical exhaust ventilation canopy
13. Rigid smooth faced ceiling
14. Smooth trowelled cement (polished surface)
15. No timber door frames
16. Hand basin, hot and cold water mixing set
17. Soap and towel dispenser
18. Water and drainage pipes concealed in wall

Appendix 5 – 2D Example Elevation(wash up area)



Requirements – typical wash-up area

1. Floor/wall coving
2. Casters to under-bench storage
3. Impervious floor graded and drained
4. Hot water heater sealed to wall
5. Walls finished as per section 7 of this guide
6. Shelving
7. Sink unit
8. Thermometer
9. Garbage receptacle
10. Dishwasher with temperature indicating device
11. Legs to allow effective and easy cleaning
12. Bottom shelf height above the floor to allow effective and easy cleaning
13. Rigid smooth faced ceiling
14. Smooth trowelled cement (polished surface)
15. Water and drainage pipes concealed into walls
16. Hand basin, hot and cold water mixing set
17. Soap and towel dispenser