Waitomo District Council

A Guide to

Developing a New Food Premises
Many people contact Council wanting to know what the requirements are for setting up a new food premises, either from scratch or by renovating an existing food premises.

This handout has been developed to simplify the procedures for establishing a new food premises and to make you fully aware of your responsibilities under the current legislation.

Certificate of Registration
Before you can open any food premises for business, a Certificate of Registration, issued by Council, is required under the Food Hygiene Regulations 1974. This certificate will only be issued when the premises complies with the standards set out in these Regulations.

Food Safety Programmes
If you have a registered Food Safety Programme (FSP) you may obtain an exemption from the Food Hygiene Regulations 1974. A written food safety programme, approved by the NZ Food Safety Authority (NZFSA) is an alternative to being registered and inspected by the local authority.

For information on what a FSP looks like and the processes involved please go to www.foodsafety.govt.nz.

Public Health and Safety Bylaw 2009
The objective of this bylaw is to ensure that all premises, where food is prepared for sale, employ persons that are adequately trained in food hygiene.

The bylaw makes it compulsory for all food handlers to undertake and complete a professional training programme in food hygiene:

It shall be the duty of the occupier of every food premise to ensure that food handling staff have passed an NZQA or are in the process of acquiring an NZQA approved basic food hygiene or food safety certificate.

Every food premise shall have at least one person employed in a supervisory and staff training capacity who is trained to the standard required, provided that Council may grant an exemption or partial exemption where full compliance may be unreasonable having regard to the site and the nature of the premises.

Establishing a New Food Premises
It is important that you check the feasibility and legality of your proposal with the relevant Council departments well in advance.

The list below shows the Council departments you will need to approach, and the aspects of your proposal they may be interested in.

Planning

Note: A resource consent may be required if your proposal is not a permitted activity.

Building
To check compliance with the Building Act 2004, building codes, fire prevention requirements and plumbing and drainage in regards to special requirements such as grease traps (see A Guide to Trade Waste in the Food Industry).

Note: If you intend changing the use of an existing food premises, alterations or building a new premises, you will need to apply for a Building Consent.

Environmental Health
To check compliance with the Food Hygiene Regulations 1974, Health Act 1956 and the Public Health and Safety Bylaw 2009.

Note: that you will need to apply for a Certificate of Registration or develop a Food Safety Programme which will need to be approved by the NZ Food Safety Authority.

Liquor Licensing
To check compliance with the Sale of Liquor Act 1989.

Note: You will need to apply for a liquor licence if you intend to serve alcohol.

Once all the necessary consents have been granted you can commence construction or make the alterations to your premises.

Before opening for business, a final inspection must be made by Council staff, including the Environmental Health Officer, to ensure the premises meets all the requirements. Registration must be applied for and fees paid. Your Certificate of Registration can then be issued.
This guide summarises the requirements of the Food Hygiene Regulations 1974 that apply to your premises. It is essential that this is thoroughly checked prior to commencing building. It is not intended to be a substitute for the requirements in the Food Hygiene Regulations 1974, but it is has been prepared to clarify the expectations of the Waitomo District Council, for compliance before the premises can be registered. Refer to the Food Hygiene Regulations 1974 (www.legislation.govt.nz) for full details of these requirements. Compliance with all relevant requirements of the Food Hygiene Regulations 1974 will be necessary before a Certificate of Registration can be issued and trading can commence.

For all Preparation, Food and Beverage Service Areas, Wash-up and Storage Areas

**Floors**

Durable, smooth, water-proof, easily cleaned, with a curved cove, a minimum of 75mm up wall. Pencil coving is not appropriate. Floor drain required in all wet areas e.g. dish washing, fish processing.

**Walls**

Internal surface light in colour (for light reflection), smooth, dustproof, non absorbent and able to be readily cleaned without damage to the surface.

- Cooking areas – needs to be heat resistant e.g. stainless steel and aluminum sheet between cooking equipment and vent hood.
- Wash up areas – walls surrounding sinks and wash-hand basins, dishwashers and glass washers are to be plastic laminated sheeting (or alternative approved surface), 2 metres from the floor.
- Storage areas – gloss (polyurethane) painted or, stopped and finished gib or equivalent or mdf board.

**Ceilings**

- Smooth, dust-proof, non-absorbent, light in colour, that permit thorough and efficient cleaning without damage to the surface – includes supports.
- Any exposed trusses or beams need to be completely enclosed.

**Lighting**

- Sufficient intensity to enable effective inspection and cleaning of the premises, particularly in the bar areas – 215lux in all preparation and wash-up areas. Dimmer switches may be fitted to provide subdued lighting during trading hours and increased lighting for cleaning.
- Suitable easily cleaned covers.
- Sufficient in the ventilation hoods, in the walk-in coolers and freezers.

**Ventilation**

- Sufficient to maintain comfortable conditions for persons on the premises by preventing air from becoming excessively heated, by preventing condensation and excess moisture on floors, walls and ceiling and to remove objectionable odours, fumes and impurities.
- Over all cooking equipment. Ensure adequate lighting is available, under the hood, on all work/cooking surfaces.
- The system is to comprise of, a hood enclosure, fan of sufficient capacity, grease filters, condensate channels and ducting to remove cooking vapours to the exterior of the premises. The extract system is to discharge in a manner that will not create a nuisance and is to be constructed of durable materials which will facilitate cleaning.
- No discharges to air that are noxious dangerous, offensive or objectionable at or beyond the legal boundary of the food premises’ property. These discharges include odour and dust. To avoid a nuisance situation, the ventilation system discharge point is to be situated at the buildings highest point, in an area removed from opening windows and air intake points. Neighbouring doors, windows and air intakes and the property boundary are to be clear of discharge point by at least 6 metres.
- System to comply with noise levels set out in the District Plan.
- Acceptable solution for the ventilation of kitchens is AS1668.2-2002.
- Commissioning results proving compliance must be provided before Registration.

**Customer Numbers**

Not able to be increased without prior Health and building permission as this affects toilet numbers, food storage, kitchen requirements, fire reports.
Staff Numbers
The number of staff determines the size of the kitchen, the number of toilets and if change facilities are required. Any increase in kitchen staff (beyond the numbers you have indicated) will influence these factors.

Kitchen Space
Floor space, of not less than:
Number of workers multiplied by 3m² or minimum of 9.5m², whichever is the greater. This space is for food preparation, cooking and cleaning of food utensils and is to be clear of furniture fittings and stored goods.

Lockers and Change Rooms
Lockers for the storage of clothing and personal belongings of workers. Located out of preparation areas to avoid contamination, convenient to the workers.
For more than 4 staff changing rooms are required. If staff of each sex are employed then separate sex changing rooms will be necessary.

Food Storage
• Customer self service food is to be protected by a cabinet, display case, screen or other protective device, that can be easily cleaned.
• Every self service opening shall be designed in such a way to protect food from unnecessary handing by customers. (This requirement is to include sauces or condiments.)
• Where in the opinion of the Environmental Health Officer the arrangement of food and protection provided against contamination is inadequate such additional precautions as the officer may direct shall be taken to protect the food against contamination.
• All readily perishable food that has been cooked is to be maintained at a temperature not exceeding 40°C, or alternatively at a temperature not less than 60°C except during necessary periods of preparation and service and where the food is displayed for a maximum period of 2hrs.
• All benches, shelves and rails used or intended to be used for storage of food must be constructed and placed in order to be capable of being readily cleaned. They must have an impervious, smooth finish which is free from imperfections.

Dishwasher / Glass Washer
• Required if re-usable plates, crockery, glasses used.
• Automatic detergent dosing system, an accurate thermometer and suitable backflow prevention device.
• 60°C for the wash cycle and 77°C for a minimum of 10 seconds for the rinse cycle. Temperatures are measured inside the washing cabinet.

Water and Sewerage
If either the water supply or the sewage connection are not town supply prior Health approval is necessary. Back-flow prevention will be necessary on new or replacement fittings that connect directly with the water supply – coffee machines, dishwashers, sausage makers connected by a hose, post mixes.

Toilets
• Number required detailed in Acceptable Solution G1 of Building Act 1991.
• Numbers of customers, including out-side seating is not able to be increased unless sufficient toilet facilities are provided.
• Conveniently located to the customers and workers for whom it is provided (i.e. within your premises or building).
• Accessible to both the customers and workers at all times the premises are in use.
• Suitable signage required indicating the availability and location of toilets. If it is your intention to is use keys for these facilities, ensure that there are enough keys and that they are conveniently located.
• Toilets/urinals cannot be in an area opening directly into a food/beverage/dining area. A lobby is generally required.
• Doors on both the lobby and each toilet area/compartment need self-closers.
• Each compartment, including lobby needs to be vented to the exterior.

Wash Hand Basins
• Required in each bar and kitchen area – in the same room as the work area without accessing through a door.
• To be supplied with piped hot and cold running water at a temperature of between 38°C and 55°C.
• To be installed not greater than 6m from any work station and is to be supplied with soap, nail brush and suitable hand drying facilities (e.g. disposable paper towels).

Sinks
• Preparation sink – for washing food – connected directly to waste.
• Dish wash sink – for washing dishes – connected to grease trap.
• Cleaner’s sink – for emptying/filling buckets used to clean large appliances, floors and toilets.
• All sinks must have a continuous supply of piped hot water the entire time the premises is used.
• The minimum water temperature is 63°C for all sink units and 83°C for dishwashing units.
Grease Trap
- Grease trap or other suitable grease pre-treatment facility, of sufficient capacity, is required if there is a likelihood of grease from your operation entering the sewer.
- It will need a Trade Waste Consent under the Waitomo District Council Trade Waste Bylaw.
- The grease trap must be cleaned or treated such that compliance with the Trade Waste Bylaw is achieved and no nuisance is caused (Health Act s29). Contact Councils Trade Waste Officer.
- A hot water hose-fitting tap adjacent to the grease trap enables easy cleaning of the surroundings during emptying.
- Any grease trap installed at or below ground level must be installed such that there is no inflow of surface water to the trap.
- Dishwashers must not be installed so as to discharge through the grease trap.
- Grease converters and grease removers shall be installed so that there is adequate space for removal of a lid or other parts for cleaning and maintenance operations.

Kitchen Waste
- The installation of a commercial kitchen waste grinder is not permitted unless approved by the Council.

Pest Control
- Fly screening of all windows and entrances, self closing doors, properly directed air currents or other suitable control measures are required to keep out birds and flies.
- All joints with plumbing or other fittings must be sealed to prevent entrance or harborage for rodents.

Yard
Outside yard or working areas drained and paved with an impervious and washable surface area.

Refuse Storage
Storage for refuse both inside the kitchen and waiting collection – with lids and washable containers – sealed flooring and walls if inside.

Cleaning Chemicals
A suitable area for the storage of cleaning chemicals and cleaning equipment to be provided at each site – to avoid contamination of food.

Type of Business
- Any change in the type of food served or the way the business is operated will require prior Health approval. Any change to the layout, particularly plumbing or partitions will require a Building Consent.
- Please note only food prepared or cooked in these premises or on an alternative registered premises may be offered for sale.
- For a premises to operate under a Registration Exemption the Food Safety Programme must be approved before trading starts. If that approval has not been granted Registration will be required until the programme is approved.

Existing Food Premises
If you are purchasing an existing registered food premises and do not intend to structurally alter the building, or change the type of operation carried out on that premises, then all you need do is change the Certificate of Registration into your name and appropriate details. Once completed, and a transfer of ownership fee paid, a new Certificate of Registration in your details will be issued. This new Certificate will then be valid until the original registration period expires. Prior to expiry, an invoice for the next registration period will be forwarded to you for payment.

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