

# Business Permit Application Guidelines

January 2020









# Starting, growing or buying a business?

These guidelines have been designed to help you complete our **Business Permit Application**. They include background information about each section of the form and answer frequently asked questions.

## Sections of the guidelines

Not all parts of the guidelines will be relevant to you. Just choose the parts that relate to your individual business:

1	 <b>Applicant details</b>	For all applicants.
2	 <b>Register a food business</b>	For businesses and community groups serving food and drink, such as cafes, restaurants and child care centres.
3 to 5	 <b>Register a health/ accommodation premises</b>	For owners of health and accommodation-related businesses.
6	 <b>Footpath trading and activities permit application</b>	For all commercial activity on the footpath, such as selling goods, using signs or outdoor dining areas.
7	 <b>Application for a planning permit</b>	For anyone wanting to change the current use of any premises or land, carry out buildings and works, add a large or illuminated sign or change service conditions.
8	 <b>Application for a building permit</b>	For anyone wanting to build a new premises, renovate a building (including fence lines or permanent structures, such as shade sails) or provide building access to people with disabilities.



## Where to apply

You can apply either online or using our paper-based form. Visit our [website](#) and search for 'business permit application'.

## How do I pay for my application?

You do not have to pay for most permits and registrations until after you submit your application. However, a planning permit will only be assessed once payment has been made. You may use any of the following options:

- Over the phone by contacting us on **(03) 9705 5200**
- Drop into Bunjil Place 2 Patrick North East Drive, Narre Warren Customer Services Centre or Cranbourne Park Shopping Centre Shop 156 South Gippsland Highway Cranbourne
- Using a credit card authority form downloaded from our website and submitted with your application (search our website for 'credit card authority' to bring up the form).

## How to lodge your application

Once the hard copy application form has been completed including plans, you can submit it in three ways:

- Send it by post to City of Casey, PO Box 1000, Narre Warren VIC 3805.
- Email it to [caseycc@casey.vic.gov.au](mailto:caseycc@casey.vic.gov.au)
- Drop it in to one of our customer service centres.

## What happens after I submit the application?

Emailed submissions will receive an automatic response letting you know we have received your application. There will be no notification for postal submissions.

## Need help?

Contact us on **(03) 9705 5200** if you need help.

If you believe setting up your business may require multiple permits, or if you're new to the permit approvals process, you can request free assistance through our Business Permit Support Service.

We will get your application started by inviting you to meet with specialist team members to discuss your business proposal in detail.

# 1

## Applicant details



### Who needs to complete this form?

This section must be completed by all applicants. Please submit your personal details, the details of your business and your signature. Note you can include two sets of details if the application is made on behalf of the business owner.

### Frequently asked questions about this form

#### **What is a primary contact?**

If somebody is making an application on behalf of the business owner, such as a planning consultant, builder or food consultant, they are the primary contact.

#### **What is an ABN?**

An ABN is an Australian Business Number. To get an ABN, visit [business.gov.au](https://business.gov.au) and search for 'register for an ABN'.

#### **What is an ACN?**

An ACN is an Australian Company Name.

If you are unsure if you need to register as a company, please visit the [Australian Securities and Investments Commission website](https://www.asic.gov.au) and search for 'your business structure'. You can also register for an ACN on this website.

#### **I haven't chosen a business name yet. Can I still apply?**

Your business trading name will be included on all registrations and permit. If you do not yet have a trading name yet, please write 'to be provided'.

Note that you can register your business name through the Australian Securities and Investments Commission. Search for 'registering a business name' on their website.

# 2

## Register a food business



### Who needs to complete this form?

You must complete this form if you plan to serve food or drinks at a fixed premises, such as a café, restaurant, child care centre or factory. This applies to small business owners, community groups and not-for-profit organisations.

Please be aware that some food businesses are managed by other authorities. These include:

Business type	Where to apply	For more information
Meat, poultry or seafood processing	PrimeSafe	<a href="http://www.primesafe.vic.gov.au">www.primesafe.vic.gov.au</a> <b>(03) 9685 7333</b>
Selling, producing, transporting, storing or preparing mainly dairy	Dairy Food Safety Victoria	<a href="http://www.dairysafe.vic.gov.au">www.dairysafe.vic.gov.au</a> <b>(03) 9810 5900</b>
Mobile food businesses, temporary food stalls, water transport vehicles or food vending machines	Department of Health	<a href="http://streetrader.health.vic.gov.au">streetrader.health.vic.gov.au</a>

If your business is any of the above, please apply directly to the listed authority.

### Is there any further information required?

When you complete your application form, please attach a floorplan of the premises and label all the relevant fixtures, fittings and equipment that can help us to assess your proposal against food regulations.

### How much does it cost to register a food business?

Food businesses must pay an annual registration fee prior to opening and fees vary depending on the business type. Our team will contact you after you submit your application to give you more detail.

## Frequently asked questions about this form

### **What is a food business class?**

The Department of Health and Human Services classifies all food businesses according to their food safety risk – from class 1 premises, which represent the highest risk, down to class 4, low-risk premises. To complete this form, you will need to understand what food classification your business falls into. For more information about this, check that application form or go to [www2.health.vic.gov.au](http://www2.health.vic.gov.au) and search for 'food business classification'

### **What is a food safety program?**

A written plan that explains what you will do to make sure that the food your business sells is safe to eat. It is only required for Class 1 and 2 food businesses and can be downloaded for free or developed by someone with expertise in this area.

### **What is a food safety supervisor?**

Class 1 and 2 food businesses must nominate a food safety supervisor for the business. This person in this role is responsible for recognising, preventing and alleviating hazards associated with food handling.

For more information about the role and the necessary training, please go to [www2.health.vic.gov.au](http://www2.health.vic.gov.au) and search for 'food safety supervisor'.

### **What is required of class 3 and 4 businesses?**

While class 3 and 4 food businesses do not need a food safety plan or food safety supervisor, some class 3 businesses may need to maintain certain records. If your business falls into this group, we will notify you after assessing your application.

### **What are the construction and fit-out requirements for my business?**

For further information on the construction and fit-out requirements of your proposed food business, please go to Chapter 3 of the Australia New Zealand Food Standards Code by visiting [www.legislation.gov.au/Series/F2008B00577](http://www.legislation.gov.au/Series/F2008B00577)

### **How do you classify a community group as it applies to food handling?**

For the purposes of food registration, a community group is classified as either:

- (i) a not-for-profit body or
- (ii) an individual or unincorporated group undertaking a food handling activity solely for the purposes of raising funds for charitable purposes, or for a not-for-profit body.

Examples of a community group might include canteens on sporting grounds, fundraising cake stalls, sausage sizzles and school fairs where food and drinks are sold.

If you are a member of a community group and need help to classify your food handling activities, please contact us on **(03) 9705 5200**.

### **Is there anyone else I need to get approval from?**

Depending on your food business type, you may need to install a grease trap and obtain a trade waste consent from [South East Water](#).

For more information about this please contact them on **13 16 94**.

3  
to  
5

## Register a health/ accommodation premises



### Who needs to complete this form?

If you plan to operate any of the following businesses, you must complete this application form:

Accommodation businesses	Health businesses
Hotels/motels Rooming houses* Hostels Student accommodation Holiday camps Residential accommodation.	Tattooists and body piercing Beauty parlour Body waxing Colonic irrigation Dry needling/acupuncture Nail treatments Hairdresser

\* For four or more occupants

The following types of accommodation do not need to be registered:

- A house under the exclusive occupation of the occupier; or
- A self-contained flat under the exclusive occupation of the occupier; or
- Any house, building or structure to which part 4 (Caravan Parks and Movable Dwellings Residency Rights and Duties) of the Residential Tenancies Act 1997 applies; or
- Any vessel, vehicle, tent or caravan; or
- Premises in which, other than the family of the proprietor, five persons or fewer are accommodated and which is not a rooming house; or
- Public Hospitals or health services establishments (registered); or
- Retirement villages.

## Is there any further information required?

All health and accommodation businesses: Please submit a floor plan of your premises. Accommodation businesses must show the number and size of all the rooms.

Rooming house operators: You will require a license from [Consumer Affairs Victoria](#). For more information, go to their website and search for 'rooming house operators'.

If your accommodation business is located in a building which previously had a different use: You may need a building and planning permit before you can start operating. Please contact our Business Permit Support Service on **(03) 9705 5200** for further information.

## How much does it cost to register a health or accommodation business?

All health businesses will be charged varying fees, please see application form which lists the required fees payable. This fee covers the costs associated with assessing your application, plus an on-site inspection. Accommodation business fees vary depending on how many people your business will accommodate. Please note that all fees must be paid prior to opening.

## Frequently asked questions about this form

### Can I operate a mobile health business?

Mobile businesses offering low-risk activities, such as hairdressing, are eligible to register. High-risk activities, such as tattooing, colonic irrigation and body piercing, must be operated from a fixed premises.

### How do I work out my maximum capacity?

Your maximum capacity is determined using the information you provide about the number of rooms and maximum number of guests.

### Where can I find out more information about starting a health or accommodation businesses?

Detail	Information available
Infection Prevention and Control Guidelines for Hair, Beauty & Skin Penetration Industries	Information about infection prevention and control guidelines for hair, beauty and skin penetration industries (search for 'personal care and body art')
Legislation that guides accommodation business registration in Victoria.	<a href="#">Public Health and Wellbeing Regulations 2009</a>
Consumer Affairs Victoria rooming house information	To find out how to apply for a license to operate a rooming house in Victoria (search for 'rooming house operators')



# 6

## Footpath trading and activities permit applications



Council must provide a safe environment for all people who use footpaths in Casey. Council manages footpath trading activities to ensure safe access for pedestrians.

These guidelines help business owners understand footpath trading requirements.

Business owners need a permit for trading on community footpaths. This includes:

- advertising signs
- display of goods/ products for sale
- tables and chairs
- windbreaks (e.g. café screens, planter boxes, full screens etc.)
- umbrellas
- heaters

These guidelines comply with best practice guidelines issued by the Human Rights and Equal Opportunity Commission and the City of Casey Council Local Law 2018.

### Trading zones and areas

Council must provide a clear and unobstructed path for pedestrians. To achieve this, we divide footpaths into specific zones and areas. Each footpath has different requirements to manage. This creates both opportunities and restrictions.

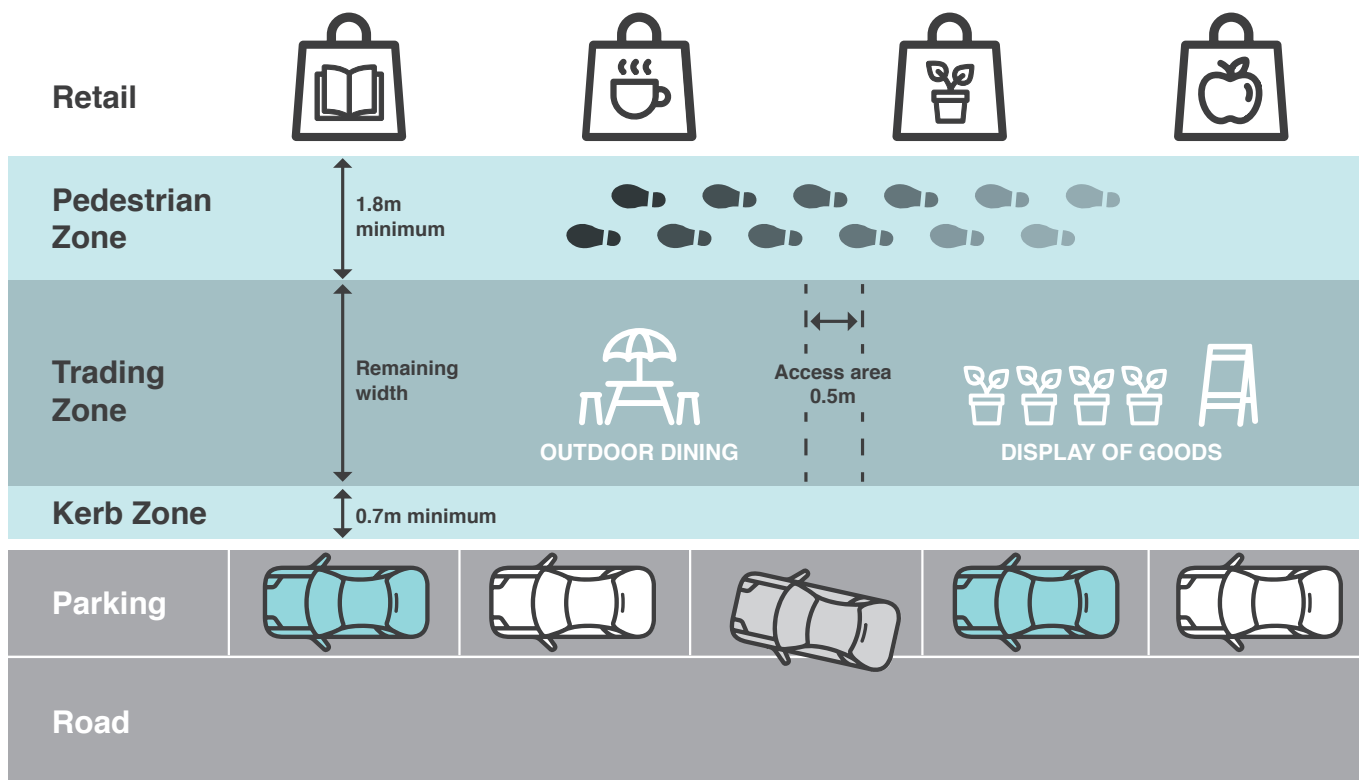
Footpaths of a width of 2.9 metres and greater need to follow the guidelines for:

- pedestrian zones
- trading zones
- kerb zones
- access areas
- corner exclusion areas

Permit holders must place displays, goods or items *in the trading zone only*. Council has the right to request traders remove all or part of their goods when necessary. The permit holder must also maintain the cleanliness of the trading zone.



*Business owners cannot trade on footpaths with a width less than 2.9 meters.*



### Trading zone

The trading zone is the only area of the footpath you can place goods, café furniture and extra items.

*If the business is next to an intersection, the trading zone must not extend into the corner exclusion zone.*

Location of items within the trading zone is subject to conditions.

### Access area

When there are neighbouring shops with outdoor trading, there must be space between each outdoor trading area. This space should be no less than 0.5 metres. This is to enable pedestrian access from the kerb/parking zone to the footpath. *You cannot place items in the access area.*

### Kerb zone

The kerb zone must be 0.7 metres (unless there are special requirements). This is to allow access to and from parked vehicles. *You cannot place items in the kerb zone.*

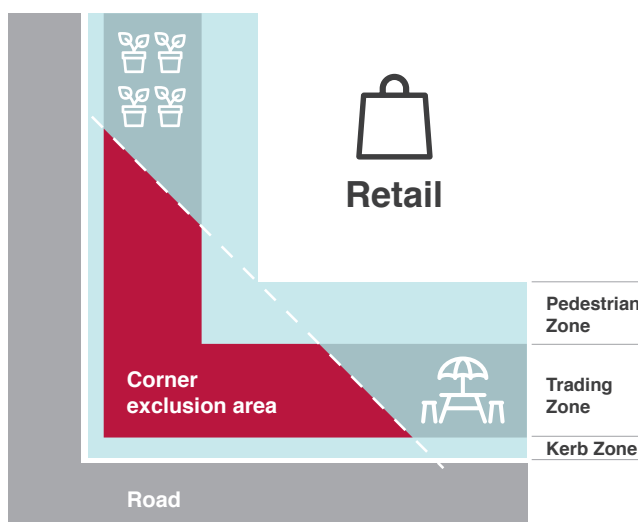
If near a disabled parking bay, the kerb zone must be 1.5 metres. It must be 1 metre when beside a loading zone.

### Pedestrian zone

The pedestrian zone is 1.8m (minimum) from the shop front. This zone must always be free of obstructions. *You cannot place items in the pedestrian zone.*

### Corner exclusion area

*You cannot have trading in a road corner* (as shown in the diagram). A 45-degree corner exclusion area is the minimum rule. This is to ensure safe vehicle and pedestrian movements around corners. Council may increase this exclusion area for safety reasons.



## Trading spaces outside your premises

Your permit allows you to have tables and chairs and goods/services outside your premises only. They must not encroach on neighbouring properties or be within the 0.5-metre access area. You can seek an exemption to your permit from Council.

## Existing public infrastructure

Kerb zones must allow for existing public infrastructure and public street furniture. Kerb zone space must be:

- 0.5 metres – bollards, telecommunication pits, planters, poles and trees.
- 1-metre – fire hydrants, bins, payphones, public seats, bike stands and loading zones.
- 1.5-metres – disabled parking bays.
- 2-metres – pedestrian crossings, tram crossings, tram stops and front and rear.

You must allow space for passengers to alight from buses and trams. Council can review this distance if goods don't interfere with safe pedestrian movement.

Public infrastructure on footpaths always has priority over footpath trading. As a rule, you cannot move or reposition established public infrastructure if there is no space to trade. If there is existing infrastructure at the front of your shop, you can apply to update your permit requirements. Council may remove or relocate the infrastructure at its discretion. The person applying for the permit must cover all costs for removal or relocation. Traders should take this into account when selecting a site.

You cannot use existing street furniture and infrastructure for any trading purposes. This includes for business signage or displays.

## Alfresco dining

### Tables and chairs

- Tables and chairs must remain within the trading zone. You must remove them at the close of business.
- Tables and chairs must be of a high standard and style and keep with the amenity of the area.
- They must be made from high-quality materials that are safe and durable. Chair legs must not cause tripping points for pedestrians.
- Table and chair legs should have 30-millimetre (minimum) rubber stoppers.
- You can place tables and chairs outside your premises only.

### Screens/windbreaks/awnings

- You must provide windbreak or screening barriers. These must suit the amenity of the area.
- Windbreaks or screening barriers should protect all tables and chairs.
- Do not place barriers in the access areas. You must allow a 0.5-metre gap between each outdoor trading space.
- Barriers may have commercial advertising on no more than 33 per cent of the total surface area and no more than 20 per cent on each panel. You may need a planning permit.
- You must submit details of any proposed signage on screens, windbreaks or awnings with any application for footpath trading.
- You must fix or weigh down all barriers and screens.
- You will need a permit requirement to lock or fix in devices. These need the approval of Council's Asset Engineering Department.
- Council always remains entitled to access and use the footpath. The permit holder must stop footpath trading and remove the permitted items if directed by Council to do so.
- If the permit holder fails to follow any such direction, Council may remove the items at the cost and risk of the permit holder.

## Planter boxes

Planter boxes may be approved on application. Conditions apply. For further information contact Council's Customer Service Centre at **(03) 9705 5200**.

## Umbrellas

- You can use umbrellas where there are no canopies overhead or where the use of the umbrella will not interfere with or damage existing items.
- Umbrellas must be at least 2.2 metres above footpath level.
- You must remove all umbrellas at the close of business.
- Umbrellas must not extend into the kerb zone or parking bays. They must be sturdy and always secured.
- You must fix or weigh down umbrellas to prevent dislodgement. You must remove or close them in times of strong winds or storms.
- You may display the name or logo of a business on an umbrella if it covers no more than 33 per cent of the total area of panels. This may be subject to planning approval.

## Heaters

- The Australian Gas Association must certify any heating device. You must install heaters following the relevant Australian Standards.
- Heaters must be covered by the trader's public liability insurance.
- Heaters need approval as part of a permit.
- You can place heaters within the trading zone only. They must be clear of passing pedestrians.
- You must remove free-standing heaters at the close of business. You must fix heaters to the awnings or verandahs where possible. You may need a planning permit for this.
- Installation, training and use of portable heaters must follow the safety guidelines for staff and employers prepared by Energy Safe Victoria.
- For further details, contact Energy Safe Victoria on **(03) 9203 9700** or visit [www.esv.vic.gov.au](http://www.esv.vic.gov.au)

## Trading goods and displays on footpaths

- Trading goods and displays on footpaths must not exceed a height of 1.5 metres. You may request an exemption from Council.
- They must not be more than 0.75 metres wide. They must also meet safety considerations. Larger displays need approval from Council, who will review if the stand enhances the amenity of the streetscape.
- You must place trading goods and displays within the trading zone only.
- You must place trading goods and displays on the footpath during normal business hours only. They must only be placed outside your premises.
- You must make sure goods are secured, protected and displayed within an approved barrier. They must not be displaced by wind or other elements. They must also not create an unsightly display on a public thoroughfare.
- Displays must enhance the amenity of the streetscape and meet all safety considerations.
- You must not fix goods and displays to any footpath, building, asset, pole or other structure. You may seek approval from Council for approved methods to fix displays to the footpath.
- They must be easy to see to assist the vision impaired.

## **Display furniture design**

- Display furniture must enhance the amenity of the streetscape.
- Display furniture must be made to a high standard of quality materials. They must be safe, durable and protected from the wind.
- All goods on footpaths need protection by a windbreak or barriers.

## **Portable advertising signs (a-frames)**

- Council will consider only one sign per premises in a permit. You may submit a request for more signs to Council.
- Maximum sign size must comply with the following street speed zone restrictions:
  - 0–60 km p/h 1200 mm height x 600 mm width
  - 61–80 km p/h 1400mm height x 700mm width
  - Over 81 km p/h 1600mm height x 800mm width
- Signs must be secure and windproof.
- You cannot use portable electric, illuminated or flashing inflatable, revolving/spinning signs.
- You can display signage during normal business hours and remove them at the close of business.
- Signs cannot be placed on a road, roundabout or medium strip.
- You cannot fix A-frames or advertising signs to any footpath, pole or other structure.
- Council may grant permission for signage when the business has no street frontage. In this case, the owner of the premises must know where to place the sign. Council will provide written permission. You must renew permission each year or on change of business ownership.
- Traders must have public liability that covers the goods/sign.
- You must not place A-frames within a corner exclusion area or within 2 metres of a pedestrian crossing, bus or tram zone. Special requirements may be requested.
- A-frames must have 0.5-1 metre space from public infrastructure.

## **Advertising**

- Council allows for identification and promotional signs. These support the business and add to the amenity of the streetscape for the whole community.
- You can display the name or logo of a business on each panel of a café screen or umbrella. The size and/or cover must be no more than 33 per cent of the total area of the panels. It must also be no more than 20 per cent of the surface area on each panel.
- Please note: you may need a planning permit.
- You cannot place commercial advertising on chairs or tables. You can use your business logo or similar, placed in an unobtrusive way to identify the business.
- You need a planning permit for advertising on any awnings or blinds fixed to the building. Heritage buildings may need a planning permit for any form of advertising or attachments. Contact Council for future advice.

# 7

## Application for a planning permit



### Who needs to complete this form?

A planning permit allows permission for you to use or develop land. Examples of reasons why you might need a planning permit include:

- to change the current use of your land or building
- to carry out buildings and/or works including to increase the internal floor area of a building
- to add a sign that is illuminated, or bigger than 8 m<sup>2</sup>
- to change any areas in the business where alcohol can be service, or increase the operating hours
- to increase the operating hours of an existing business
- to increase patron numbers
- to change the number of parking spots available.

Please be aware that a planning permit is a legal document that sets out permit conditions and may include a set of plans.

### How much does it cost to apply for a permit?

Planning fees are calculated based off the class in which the proposal falls. For more information, go to our website and search for 'planning fees' or call us on **(03) 9705 5200**.

### Frequently asked questions about this form

#### What is a copy of title?

A title is your written deed that shows ownership of land. You can obtain a copy of your title online by visiting the [Landata Victoria website](#). You will need to know the exact address of the property or other land.

Please note, when requesting a copy of title through Landata there will be a fee charged. A copy of a lease is not a sufficient substitute for the title.

#### I want a planning permit, but I'm not the owner of the land. Can I still apply?

The applicant for a planning permit doesn't need to be the owner of the property. However, the owner must be notified of the application as part of the declaration.

#### Who is the owner of the land?

The owner of the land is the person or entity listed as owner on the title. If the applicant is not the owner of the land, the current owner of the land must be notified of the permit application.

### **I want to make some changes to an existing planning permit. Can I do this?**

If a planning permit has previously been issued, you can apply to amend the planning permit conditions and/or plans that were endorsed. The final, endorsed plans must match the development you go ahead with.

### **What do I include in the estimated cost of development?**

Please provide an estimated cost of the development. It does not include those costs of development not being applied for in this permit application. You may be asked to verify the cost.

### **What should I include in the description of the proposal?**

Please describe what you want to do with the land. (e.g. Use of land to sell or consume liquor, advertising signage). It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

### **How do I find out if my property is heritage listed? What does this mean for my application?**

To check if your property is listed with Heritage Victoria, search the [Victorian Heritage Database online](#). Heritage properties have certain restrictions on them to protect and preserve the history of the site. Restrictions might affect what you can do to the inside and outside of your business.

For more information call us on **(03) 9705 5200**, to get further information on the heritage controls on your property.

### **I want to serve alcohol on my premises. Who do I apply to?**

You must get permission from us, via a planning permit application, prior to seeking a liquor license from the [Victorian Commission for Gambling and Liquor Regulation](#).

Be aware that you may be asked to define a 'red line area' on your application. This is the area on your site plan where you propose to serve alcohol.

### **I want to install some signs. What are the restrictions?**

There are a number of restrictions that apply to signs and advertising. To find out more about this, please go to google and search 'Casey Planning Scheme'.

### **I'm not sure I have everything I need for my application. Can you help me?**

While insufficient or unclear information may delay your application, there are a few places you can go to get help:

- General information about the planning process is available at [www.planning.vic.gov.au](http://www.planning.vic.gov.au)
- Our planning team can discuss the specific requirements for this application and provide you with a planning permit checklist.
- Contact our Business Permit Support Service to organise a joint meeting with the various officers involved in assessing your application. To organise an appointment, contact us on **(03) 9705 5200**.

# 8

## Application for a building permit



### Who needs a building permit?

If you are wanting to undertake any of the below works, then it is likely that a building permit will be required:

- Any internal fit outs or alterations on your premises;
- Any external addition to the premises.
- Any structural alteration to the exterior of the building (including increasing window and door sizes);
- Increasing the number of people that can occupy your building at any one time;
- Altering any essential safety measures (i.e fire hydrants, fire hose reels, exit signs, emergency lighting or paths of travel to an exit).
- Changing the building use

You will need to engage a private building surveyor to assess your proposed works and issue your building permit.

### What if my business needs a building permit for change of use?

To assist you in determining if your business requires a building permit for change of use, state the buildings current use and the proposed use. Listed are some typical building uses: dwelling, rooming / boarding house, hostel, office, shop / retail services (incl. home based), commercial storage facility, manufacturing / processing facility, assembly building, aged / health care facility.

Buildings existing Use \_\_\_\_\_

Buildings proposed Use \_\_\_\_\_

If the existing and proposed building uses are different, it is likely a Building Permit for change of use will be required. If you do need to change the use of the building, you should seek professional advice in relation to what modifications may be required for the proposed use along with the practical aspects of this work and associated costs.

Some aspects to consider include locations and number of patrons/staff sanitary facilities, equitable access to the building and facilities (i.e. access for people with disabilities), upgrades to fire safety equipment and ability to install necessary fixtures (i.e. grease traps and commercial kitchen fues). It is recommended that you engage a building surveyor or designer to provide project feasibility and advice prior to committing to a building or tenancy (leasing or buying).

### Where can I find further information?

See the [Victorian Building Authority website](#) for detailed information about building permits and their requirement.