

BUSINESS APPROVALS GUIDELINES



Starting a new business or buying an existing business

If you are starting a new business or buying an existing business you may need to obtain certain permits from Wyndham City Council before you commence trading.

The units related to the business approval process include:

- Economic Development
- Planning
- Building
- Environmental Health
- City Amenity

Sections of these guidelines (not all parts) will be relevant to your application.

1	Applicant details	For all applicants
2	Transfer of food, accommodation or health business	For buyers/sellers of food, accommodation or health businesses
3	Register a fixed-location food business	For anyone looking to open a food related business
4	Register an accommodation business	For owners of an accommodation businesses
5	Register a health/beauty related business	For owners of a health/beauty related businesses
6	Register for footpath trading	For use of tables/chairs, signage and selling goods on the footpath
7	Planning permit	For anyone wanting to change in use and/or development of land
8	Building permit	Please contact the Building department to discuss your requirements

How to lodge your application

By email	In person	By mail
mail@wyndham.vic.gov.au	Wyndham City Council 45 Princes Hwy, Werribee VIC 3030 8.00am to 4.30pm Monday to Friday	P.O Box 197 Werribee VIC 3030

For assistance completing your application please contact the Small Business Liaison Officer:

By email	In person	By phone
smallbusinesspermits@wyndham.vic.gov.au	Please arrange an appointment prior to arriving at the Civic Centre	03 9742 0916 or 0438 354 979

Fees and payment methods

Once your application is lodged, we will send you an invoice for the fees. Payment options will be included on the invoice



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 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 and search [Registering a Company](#).

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 Company](#) on their website.

2 - Transferring a food, accommodation or health related business

Who needs to complete this section?

If you are buying or selling an existing food, accommodation or health business and transferring the City's environmental health registration of that business to your new business, **the current business owner** must complete this section to confirm the transfer.

What businesses can't be transferred?

Hairdressing businesses cannot be transferred as they require the proprietor to have a one-off, ongoing registration.

What needs to be included on the application?

To transfer a business successfully, you must submit the details of the current business owner (or owners if there is more than one), their signature and the proposed date of settlement.



Who needs to complete this section?

You must complete this form if you plan to serve food or drinks at fixed premises, such as a café, 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	www.primesafe.vic.gov.au 9685 7333
Selling, producing, transporting, storing or preparing mainly dairy	Dairy Food Safety Victoria	www.dairysafe.vic.gov.au 9810 5900
Mobile food businesses, temporary food stalls, water transport vehicles or food vending machines	Department of Health	streatrader.health.vic.gov.au

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 business 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, click this link www.health.vic.gov.au/foodsafety/foodclass/index to see what applies to your business otherwise please contact the Environmental Health Unit on 9742 0777.



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 will need to be 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. The 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 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.

How do you classify a community group?

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

- a not-for-profit body or
- 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, 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 9742 0916.

Is there anyone else I need to get approval from?

You will need to contact City West Water on telephone 132 642 to determine whether a grease trap is required to be installed at your business and obtain trade waste consent. If required, please consult with the Environmental Health Unit to discuss the most suitable location. Refer to the City West Water application guide here:

https://www.citywestwater.com.au/business/trade_waste.aspx

Sale or consumption of liquor

If you plan on selling liquor at your food business, please contact Council's Town Planning Department to discuss any further approvals that may be required. If you are a liquor shop you will also need to notify the Environmental Health Unit.



What fees are required?

You are required to pay an initial registration fee. This fee is pro-rata and will be worked out based on your food classification and the location of the business.

Once registered you will be required to pay a renewal of registration each year.

Plan assessments require an assessment fee. Plan assessments are optional however we strongly consider you request a plan assessment.

What if I have a food mobile or temporary food stall I want to register?

If you are wanting to register a temporary or mobile food premises you need to register on Streatrader www.streatrader.com.au



Who needs to complete this section?

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

Accommodation businesses

Holiday camps
Hotels/motels
Residential accommodation
Rooming houses
Student accommodation

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
- 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?

Please submit a plan of your premises including the number and size of all the rooms. These plans will be assessed by the Environmental Health Unit.

Rooming house operators

In addition to your registration with the Environmental Health Unit, 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 within a building which previously had a different use

You may need a building and planning permit before you can start operating. Please contact our Small Business Liaison Officer on 9742 0916 for further information.

Frequently asked questions about this form

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.

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Who needs to complete this section?

If you plan to operate any of the following you must complete this section:

Health businesses

Beauty parlour
Body waxing
Colonic irrigation
Dry needling/acupuncture
Hairdresser
Nail treatments
Tattooists and body piercing

Is there any further information required?

For mobile businesses, please attach a detailed plan of your business proposal including equipment storage and cleaning processes.

Premise floor plans, drawn to scale with dimensions and showing every part of the premise including yards and outbuildings.

Indicate specific use/work processes to be carried out in each room or part of the establishment

Include the location and type of all fitting and fixtures, surface finishes, furniture, shelving, benches etc

What other fees need to be paid?

You will need to pay a one-off or annual registration fee depending on your business activities. Please find further information from the Victorian Government here: <https://www2.health.vic.gov.au/public-health/infectious-diseases/personal-care-body-art-industries>

What businesses cannot be operated?

Mobile businesses offering high-risk activities, such as tattooing, colonic irrigation and body piercing, must be operated from a fixed premise. Mobile skin penetration and/or beauty practices are not permitted.



Who needs to complete this section?

If you would like to offer outdoor dining at your business, you will need to apply for a permit. These permits apply to outdoor dining, advertising signs, display of goods and street activations on the footpath.

You will need to read our [Footpath Trading Guidelines](#) before you apply. These can be found by searching our website.

Is there any further information required?

You must include a plan showing how you will use the space outside your premises and a current public liability insurance certificate, if required.

How much does it cost to apply for a permit?

Costs vary depending on the type of permit you are applying for and more information is available on the application form.

Frequently asked questions about this form

What does my public liability insurance need to cover?

It is essential that you have current and relevant insurance cover. Your public liability insurance must cover a minimum of \$20 million and you will need to provide a copy of the certificate of currency with your application. If you don't have this, please speak to your insurance company directly.

I would like to put a permanent barrier around my outdoor furniture. Is this covered by the permit?

Placing permanent fencing or barrier structures around your outdoor furniture may require a report and consent building permit. The Small Business Liaison Officer will facilitate your enquiry with the Building department in Council.

What about other furniture, like umbrellas and heaters?

The design and placement of all tables, chairs, advertising and additional furniture, such as umbrellas, heaters and pot plants, must be to the satisfaction of our officers and must be maintained in accordance with the permit conditions.

7 – Apply for a planning permit

(New permits or amendments to existing permits)



Who needs to complete this section?

Planning permission may be required for a change in use and/or development of land.

Prior to completing this form, please contact Town Planning to discuss your proposal and determine whether you require planning permits. A permit may be required if you will:

- Use the building land for a different purpose to how it is used now
- Develop or undertake external buildings and works or internal works to a building/site with special planning controls (e.g. heritage)
- Display external signage (e.g. business identification sign(s) or illuminated sign(s))
- Change access from a main road, including modified/new crossovers or a more intensified use/access to the land
- Change the areas in your business that alcohol can be served or increasing serving hours
- Reduce the number car parking or bicycle facilities available on your land

How much does it cost to apply for a permit?

Planning fees are calculated on the estimated cost of the works. For more information please call us on 9742 0777.

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.

7 – Apply for a planning permit (New permits or amendments to existing permits)



My application is for a minor change. Is there an easier way to get my permit approved?

[VicSmart](#) is a planning permit process that allows all local councils to assess and make decisions on minor planning permit applications more quickly. VicSmart has a number of advantages, such as:

- a simplified application processing
- no advertising of applications
- information to be submitted is pre-set
- decisions are (generally) made within 10 business days.

Planning applications which may be eligible for VicSmart assessment include:

- minor buildings and works in a heritage overlay (this may include external painting)
- small advertising signs
- reduction of car parking requirements – some developments require several parking spaces, if the number of parking spaces cannot be provided on the site, you may still receive a permit, however you would have to apply for a reduction or waiver of the parking requirements
- constructing a building or works of a smaller scale.

To help work out whether you are eligible for the VicSmart process, call us on 9742 0777.

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.

Our heritage advisor can provide advice on any external building works or extension you wish to undertake on a heritage building. For more information call us on 9742 0777.

Do I need a Town Planning permit to run my small business from home?

You can run a business from your home without a planning permit, if it meets the requirements specified in [Clause 52.11-1 of the Wyndham Planning Scheme](#).

If the home occupation requirements cannot be met, a planning permit may be granted to vary some of these requirements or the business may need to be relocated to operate from a suitable commercial area.

7 – Apply for a planning permit

(New permits or amendments to existing permits)



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 visit our website and search for [Wyndham 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
- Our planning team can discuss the specific requirements for this application and provide you with a planning permit checklist.
- You can meet with the Small Business Liaison Officer who can organise a pre-app meeting with the various officers involved in assessing your application. To arrange an appointment, contact us on 9742 0916.



Who needs to complete this section?

You will require a building permit if you:

- Build a new premise
- Make any internal or external changes to the building on which your business will be located (this includes the fence lines or installation of permanent structures such as shade sails)
- Change the number of people that can occupy your building at any one time
- Require alterations to buildings to make an easier accessible option for mobility in accordance with AS 1428.1 (e.g. front entrance level with footpath, wheelchair accessible toilets)

While we can issue permits and provide general advice on whether you need a permit, you also have the option of engaging a private building surveyor to assess your proposed works and issue your building permit.

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

Building permit and inspection fees are based on the total cost of the building works proposed and includes government levies.

Is there any further information required?

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

Frequently asked questions about this form

I would like to improve access to my premises for people with disabilities. Do I need a permit?

To comply with the *Disability Discrimination Act* you may require a building permit if you are making changes to an existing building. When we assess your application, we will check to make sure your proposed works meet the requirements.

What is an occupancy permit?

An occupancy permit is a document that signifies that a building surveyor is satisfied that the completed building work and it is ready for use. A building permit will specify whether you require either an occupancy permit or a certificate of final inspection before you move back into the building. We will give you this information when you apply for your permit.

My proposed building works vary slightly from the building regulations. What should I do?

Sometimes building works will vary to the building regulations. This is called a 'report and consent' and may include these types of works:

- building over an easement or in a flood prone area
- fire safety
- setback from the street
- building above or below public facilities
- siting of a building.

For more information, please contact Wyndham Building Permits on 9742 0718

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What are essential safety measures?

When building works are complete, the owner and occupant is responsible for upkeep and maintenance of the building and safety features, known as essential safety features. This requirement applies to all 'non-dwelling' buildings and covers items such as smoke alarms, exit doors and signs, fire extinguishers and sprinkler systems.

For more information, go to the Victorian Building Authority website and search for [essential safety measures](#).

Where can I get more help?

If you need help, please contact us in one of the following ways:

- email mail@wyndham.vic.gov.au
- visit us at 45 Princes Hwy, Werribee (for technical advice)

Where can I find out more information about applying for a building permit?

Detail	Information available
Wyndham City Council website for information about the building permit process	Building Permits
Victorian Building Authority (VBA)	For detailed information about building permits and their requirements (search for building and planning permits).