



SOUTH WAIRARAPA
DISTRICT COUNCIL
Kia Reretahi Tātau

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REGISTERING A FOOD BUSINESS?

From **1 July 2025**, there are new changes to fees for all food business operators registered under the Food Act 2014.

MINISTRY OF PRIMARY INDUSTRIES (MPI) FOOD LEVY:

The Food Business Levy comes into effect from 1 July 2025 and will pay for additional support from MPI including:

- robust and modern risk management through improved rule setting, while easing rules that place unreasonable regulatory burden on food businesses
- timely and additional advisory and education support for food businesses to meet their regulatory requirements
- oversight and coordination of regulatory partners to support a nationally aligned, fair and consistent approach to food businesses that more appropriately reflects the level of risk of individual business operations
- monitoring to provide assurance the system is working well, and also to identify systemic issues that need managing.

More information can be found on:

<https://www.mpi.govt.nz/legal/legislation-standards-and-reviews/legislation-fees-and-charges/food-act-2014-fees-charges-and-levies/>

INTRODUCTION:

(Note: The given information is intended as a general guide only and is not to be considered as a prescriptive requirement. If you have any questions, please contact the Environmental Services Team on (06 306 9611 or email health@swdc.govt.nz)

The procedures below are designed by South Wairarapa District Council in its role as a Registration Authority to provide a quick and easy guide for potential applicants and proposed food premises with regards to the design and construction of the business, food registrations, food verifications, and other related licences.

The design and construction of the facilities used in the food business must meet the requirements of the Food Regulations 2015 and meet requirements of the New Zealand Building Code. The Regulations require that the design, construction, and location of the place of food business enable food to be safe and suitable.



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PROCEDURES:

When considering the requirements, the following matters may be relevant:

BEFORE YOU APPLY

If you're setting up a new food business and submitting the design of your proposal, you should speak to the following teams at Council for advice:

(1). RESOURCE CONSENT

Check with Council's District Planner for compatibility with the Wairarapa Combined District Plan. There may be District Plan requirements like operating hours or car parking provisions.

(2). BUILDING CONSENT

The Council's Building Team should also be approached if structural alterations, grease traps, plumbing, or gas fitting (LPG) is contemplated. There may be building requirements you need to meet depending on the type of food you are preparing.

(3). ENVIRONMENTAL SERVICES

Check with Council's Environmental Health Officer for suitability of proposed buildings (if existing), physical aspects, trade wastes, and for information on legal requirements of food.

(4). ALCOHOL LICENCE

If you are planning to sell alcohol, check with the Alcohol Licensing Inspector for information on legal requirements for the sale and supply of alcohol.

(5). OTHER AGENCIES TO CONSIDER AND CONSULT ARE:

- **Ministry for Primary Industries**
For information on Food Safety, Regulators, and Verifiers
- **Greater Wellington Council**
For information regarding consents on discharge to land or air
- **Wellington Water**
For information regarding drinking water and wastewater
- **Fire Services**
For information regarding Fire Exits, Fire-fighting Equipment

FOOD SAFETY RULES YOU NEED TO FOLLOW

If you are making or selling food, you need to be operating under either a template Food Control Plan (FCP) or National Programme (NP).

You can use The Ministry for Primary Industries (MPI) [Food Safety Rules](#) to find out what you need to do.



FOOD ACT AND FOOD REGULATIONS REQUIREMENTS

The operator must ensure that the design, construction, and location of the food business keeps food safe and suitable by:

- ✓ Identifying and managing risks posed to the safety or suitability of food.
- ✓ Providing adequate space for:
 - producing, handling, and processing food
 - fixtures, fittings, and equipment
- ✓ Ensuring that the design of the premises enables staff and visitors to move, and food to flow in a way that prevents and manages risk.
- ✓ Providing easy access for cleaning and maintenance.
- ✓ Ensuring the design, construction, and location of the premises:
 - excludes dirt, dust, fumes, smoke, and other contaminants
 - stops pests entering and staying.
- ✓ Making sure materials used in the construction of the premises aren't capable of contaminating food.

Food operators need to ensure that the design, construction and location of their facilities, equipment and essential services enable food to be safe and suitable. This includes:

- ✓ Ensuring facilities, equipment, and essential services aren't operated beyond their capacity or capability.
- ✓ Water used for producing, processing, handling food, and for personal hygiene and cleaning:
 - is suitable for purpose;
 - doesn't adversely affect the safety and suitability of food; and
 - that there's an adequate supply of cold and hot water for your food business.

TRAINING REQUIREMENTS

It is recommended and good practice for at least one person (preferably the manager) to have completed a basic food safety course.

If you're operating under a Template Food Control Plan (FCP), the day-to-day operator or manager of the food business needs to understand and implement all FCP procedures relating to the food business. They need to complete a staff training record for themselves as well as any staff members.



COMMERCIAL HOME KITCHEN REQUIREMENTS

Every home kitchen is different. It's important that you give us as much information on what you are planning to do so we can give you appropriate advice. If you are renting the property, do you have permission from your landlord to operate from the site?

Domestic kitchens are not designed for commercial use and so might need some alteration to comply with the Food Act 2014, Food Regulations 2015, and other Council legislation such as the Building Act, District Plan and Trade Wastes Bylaw, as well as very careful planning in regard to how to use the shared space for both domestic (home) and commercial activities.

There are three key questions to consider when deciding whether or not to operate a commercial food business from a home kitchen:

1. *Can commercial food be produced safely?*
2. *What type of food will be produced?*
3. *What does the business need to consider/put in place to achieve this?*

MOBILE FOOD PREMISES REQUIREMENTS

Food trucks – also known as mobile food premises – are licensed, motorised vehicles used to sell food. They often contain all the facilities required to prepare and cook food safely on-board.

Food trucks are like any other food business and need to be registered and verified to ensure they're preparing and selling safe food.

Mobile food premises will need to comply with Code of Compliance Requirements including:

- all food trucks connecting to power must have an up-to-date electrical Warrant of Fitness
- all electrical equipment /appliances brought on site must have a current electrical safety test tag
- all food trucks that have cooking or reheating appliances must have a fire extinguisher and/or fire blanket, and a first aid kit as part of their equipment.

Food Truck(s) must also:

- make sure all surfaces (floors, walls, ceiling, shelving, and benches) are smooth, waterproof, and easy to clean
- provide ventilation to maintain comfortable conditions for people working in the truck, prevent condensation and remove bad odours
- have enough space for everyone who'll be working in the truck, and to be able to clean effectively
- provide sinks and hand wash basins, with enough hot water to allow effective cleaning and hand washing
- drain wastewater to a big enough holding tank, and dispose of it into the sewerage system or through a sink attached to a grease trap

If there is not enough space to prepare food, you can use an alternative preparation kitchen. You'll need to make sure this preparation kitchen is covered by your registration.



Once your mobile operation is registered you can operate anywhere in New Zealand, as long as you have permission from landowners, and trading from that land fits with permitted activities in the District Plan. You do not need a mobile trading licence (hawking licence) to trade from private land.

If you want to trade in a public space (refer to the Combined Wairarapa District Plan or otherwise submit a written proposal to Council for consideration on a public space you want to trade in), you'll need to apply to the Council for a hawking licence.

Food Stall Licence and Hawking Licence

Any food business looking to trade in the South Wairarapa district is encouraged to contact Council to ensure you comply with local Council Bylaws. Depending on the nature of your stall you may require either a Food Stall Licence or a Hawkers Licence.

Selling food at fairs, markets, and occasional events (Food Stalls)

Food stalls are temporary structures used to sell or give away food at events, fairs, or markets. For Event Organisers, if you're running an event where there will be food stalls, you need to make sure stallholders have a certificate.

Major events like festivals can require any or all of our licenses and consents. Visit our [Events Management](#) page to see which licenses and consents may apply.

An event organiser is responsible for ensuring that all food stalls at the event have the right documentation. They should either be registered or have a Council Food Stall form (if the operator of a food stall is operating a temporary stall or is exempted from registration).

Any person who sells food must ensure it is safe and suitable. As such, food stall holders must ensure standard food hygiene requirements are followed such as handwashing, thorough cooking etc. If you have a registered food business, please attach a copy of your registration certificate to your food stall application. For more information, refer to the Food Stall Information Sheet below.

Trading in Public Place (Hawking)

Any person who carries around goods for sale (usually on foot) is sometimes referred to as a hawker. This includes Mobile Food Premises who reside and hold food premises registrations in another district, (mobile premises secondary registration). Hawking, also referred to as itinerant trading, is governed by Council's Trading in Public Places Bylaw and requires a licence.

If you would like to set up a stall to sell things in public places, please complete the Hawkers Licence form, two weeks before you intend to set up. Contact Council's Environmental Services Department on 06 306 9611 or email health@swdc.govt.nz for more information.



FOOD PREMISES REGISTRATION

WHAT ACTIVITIES REQUIRE A REGISTRATION?

Any food for sale must be made, stored, and sold by a registered business. This includes but is not limited to activities like cafés, restaurants, day care centres that provide food, supermarkets, bakeries, caterers, makers of preserves and jams, confectionary, olive oils, and any other items prepared for consumption as food.

WHY DO I NEED A REGISTRATION?

The purpose of registration is to notify and record the existence of your food business with the local Council and Central Government (MPI). It also informs Council and MPI what risk-based measure your business is following in order to meet the requirements of the current Food Safety legislation, regulations, standards, and Council bylaws.

It is an offence to operate a food business without a certificate of registration or qualifying for an exemption. Food operators that are exempt from registration requirements are outlined in [Schedule 3 of the Food Act 2014](#).

HOW DO I REGISTER MY FOOD BUSINESS?

All food businesses must register under the Food Act 2014 unless covered by the Animal Products Act 1999 or the Mine Act 2003. Failure to register will result in your business trading illegally and enforcement action.

The Food Act 2014 introduces the new term “risk-based measure” to describe food safety processes such as National Programmes and Food Controls Plans.

A registration under the Food Act 2014, will be for one of the risk-based measures described above. In order to register your food business with Council, you must have the processes relevant for the appropriate “risk-based measure” ready to be operate in your premises.

WHO REGISTERS MY BUSINESS?

Food Control Plans and National Programmes must be registered by either a local Council or MPI. The following form shows who the registration authority is for each type of food business. [Refer to MPI Information for authorities that register food businesses](#).

FOOD CONTROL PLANS (FCP)

Written plans that manage food safety matters on a day-to-day basis typically for higher risk food businesses. There are two types of food control plans; a Custom Food Control Plan written by the food business and registered with MPI or a Template Food Control Plan, a template provided by MPI and registered with Council.

NATIONAL PROGRAMMES (NP)

Food safety rules that need to be followed and are typically for medium and low risk food businesses. There are three levels of National Programmes which cover different types of food businesses according to their risk (medium or low risk).

If Council is your registration authority, please download and/ or print, and complete the Premises Registration form. This form should be supplied to Council along with the requested information and payment in order for Council to register your food business.



SCOPE OF OPERATIONS

You will need to complete a Scope of Operations form to accompany your registration. The Scope of Operations records your business details and information about the types of food handling carried out by your business. You will need to have your scope filled out in order to complete your Registration.

Make an appointment to come into Council and see a member of the Environmental Services team. Bring your Premises Registration form and Scope of Operations and we will check these with you and answer any queries you may have. Your Registration Certificate will be sent to your premises.

Note: There are certain types of food businesses who will require slightly different food safety registrations such as Custom Food Control Plans or Risk Management Programs (RMP) which must be registered with MPI – please contact the Council Environmental Services team or MPI for more information.

HOW DO I RENEW MY FOOD REGISTRATION?

Premises registrations are required to be renewed. This is a flat fee paid to Council (See [Fees](#) below). The time frame for renewal is usually every **12 months for FCP** and **24 months for NP** from the date of the last registration.

Registration renewal is conducted by **re-submitting the same information as required for the first registration but should be updated to reflect the current and relevant operations** of the food business.

FOOD CONTROL PLAN VERIFICATION

If you are applying for a National Programme (NP) registration, you can choose a MPI approved external verifier. A list of recognised verification agencies can be found on the MPI website www.mpi.govt.nz under “[Public Register Recognitions](#)”. The law requires Councils to verify businesses registered under the Template Food Control Plan. South Wairarapa District Council is unable to verify National Programmes.

NEW FOOD BUSINESS:

New food businesses registered for the first time will need to have their Food Control Plan or National Programme verified within six (6) weeks of registration. Extensions may be granted with a valid reason e.g.: business has not started trading.

EXISTING FOOD BUSINESS:

The verification booking shall be done depending on the previous verification frequency and outcome.

National Programs are verified by an External verifier. The appropriate registration authority (MPI or Council) will be notified of your verification outcome.

MULTI-SITE FOOD BUSINESS:

Multi-site means there is more than one address where food is prepared or traded, and you would like to register all sites under one application. If your business is operating as a multi-site, each of the sites need to be verified.



BOOKING YOUR VERIFICATION

Food Control Plans are verified by Council. Contact the Environmental Health Officer(s) on 06 306 9611 or email health@swdc.govt.nz to arrange a verification.

If operating under a National Programme or operating under a Template Food Control Plan but operates outside South Wairarapa, or operating under a Custom Food Control Plan, you will need to find an external verifier. An external verifier can be found using the link below.

Verification Process

Your verifier will come and assess your business against your Food Control Plan/National Programme. Please ensure records are available on site for the verifier. The day-to-day manager of your Food Control Plan/National Programme should be on site and prepared to discuss any topics as required by the verifier. The verification will cover your Processes, Records, Food Safety Management, Hygiene, Cleanliness, and Sanitation of your premises.

After Verification

Following your verification, a report will be sent to you outlining any Corrective Actions Requirement(s) (CARs), Recommendation(s) (Areas for Improvement), and general feedback from your verifier. The report will state the **Outcome of your Verification**, your **Verification Frequency** going forward, and the agreed **Close-out Date** to complete and submit any evidence of requested Corrective Action(s).

For Template Food Control Plan businesses, part of the close-out process is the payment of the verification invoice. Your verification will not be closed out until this is paid. Failure to close-out your verification can result to an Enforcement Action.

Your Verification Outcome, Frequency and Corrective Actions Required are reported directly to MPI for their national database.

Premises who achieve two consecutive Acceptable verification outcomes will see a decrease in the verification frequency (longer time between verifications). Premises that receive an Unacceptable verification outcome will have an increase in their verification frequency.

Quick Steps to Successfully Register:

Step 1: Download and / or Print your Plan or Programme

Download or print your FCP or NP, this document must be available on site and followed up. The FCP will need to be filled out and tailored to your business, you can remove any pages which are not applicable. However, you cannot alter any legal wordings of your Food Control Plan.

FCP only: Download the blank Food Business Records. These are the records that you will need to fill out regularly e.g.: temperature records.

Step 2: Find a Verifier to Check your Business

A new business will need to be verified within six weeks after registering. Extensions may be granted with a valid reason, such as the business has not started trading.



If you are operating under a NP, you will need to find an MPI external verifier. If you are waiting for NP external verification, you can submit to Council a letter of confirmation from your preferred MPI approved verifier.

Step 3: Register your Food Business(ES)

Food Control Plans and National Programmes must be registered by either a local Council or MPI.

Making Changes to Your Food Control Plan or National Programme

It is possible to change aspects of your food business after you have initiated your FCP or NP and registered your food premises.

Significant Amendment:

Some changes will be deemed “Significant Amendments” and will require you to re-register your FCP or NP.

A significant amendment is any change that introduces new food safety risks to your food, requiring your current FCP or NP to be amended to control these new risks e.g.: renovating your premises, making a new type of food, changing the equipment you use.

Other smaller scale changes will not require you to re-register your current FCP or NP, for example updating your contact details or changing your external verifier. We recommend getting in touch with Council to discuss your proposed changes before you make them. More information is available on the MPI website.

Changes To Registered FCP:

You must notify Council if you are selling your food business to enable the registration details to be updated in the Council and on the MPI records. If you purchase an existing food business, there is a fee to transfer the registration into your name. The transfer must be completed within 14 days of the purchase of the premises for the registration to remain valid.

Suspend, Surrender, or Amend of Registration:

If you wish to suspend, surrender, or amend your registration, please contact Council as soon as possible. The Environmental Services Team prefers to have a written statement requesting any changes to your business.

WHAT HAPPENS ONCE YOU’VE APPLIED

We will process your application once you have contacted the relevant teams, and you have sent us:

- your Food Registration Application
- the site plan(s)
- proposal(s)
- completed checklist(s)

For new businesses, once your application and design are approved, the Environmental Services Team would prefer to have your site and commercial kitchen visually pre-inspected and visited before the intended opening of the new business.



FOOD PREMISES COMPLAINT(S):

COMPLAINT(S) REGARDING FOOD POISONING

If you are feeling unwell and suspect that food poisoning has been caused by eating or drinking contaminated food or drink from a food outlet, then:

- seek medical attention from a doctor
- contact the [Regional Public Health](#). The Public Health Unit staff will notify MPI if there is evidence that the illness was caused by food, and they will need to know:
 1. what you ate;
 2. when you ate it;
 3. when symptoms started;
 4. where you bought it from; and
 5. anyone else who ate there with you.

COMPLAINT(S) REGARDING FOOD HYGIENE AND SAFETY

Contact us with complaints about food premises that include:

- Cleanliness and Sanitation
- Unacceptable Disposal of Rubbish
- No Food Trading Licenses
- Pest Infestation (Cockroaches, Flies, Rodents)
- Uncooked and Unsafe Food
- Public Safety Concern (Noise, Odour, Smoke)

Complaints about the taste or presentation of the food, or the quality of service should always be discussed with the manager of the food premises.

SALE OF ALCOHOL

If you intend to sell alcohol on your premises or have patrons, bring it in for consumption on the premises while dining, you will need to apply for the appropriate licence as a requirement of the Sale and Supply of Alcohol Act 2012. Visit our [Alcohol Licensing](#) page to find out which licence you need.

SMOKE-FREE ENVIRONMENTS AMENDMENT BILL 2003

As of 10 December 2004, people may not smoke in the indoor area of a hospitality venue. This includes indoor workplaces, cafes, eateries, casinos or gaming machine rooms and licensed premises. Open decks, verandas, gardens, and open-sided gazebos are permitted smoking areas if the proprietor wishes.

SMOKE-FREE ENVIRONMENTS AMENDMENT BILL 2020

The Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020 commenced on 11 November 2020. The provisions of the Act are being phased in over a 15-month period. Please refer to the timeline flow chart from the Ministry of Health website.



FEES (AS OF 1ST OF JULY 2025)

Food Registration, Verification, & Other Related Fees	
Food Act Registration – Renewal or Amendment of Food Control Plan	\$ 150.00
Food Act Registration – New	\$ 250.00
Food Verification (Template Food Control Plan) (single site)	\$ 442.00
Food Verification (Template Food Control Plan) (multi-site)-per site	\$ 442.00
Other Food Trading Licences Fees:	
Food Stall Licence	\$ 32.00
Hawking Licence (Street Stall)	\$ 156.00
Hawking Licence (Food Truck)	\$ 200.00
Trade Waste (Grease Trap) Discharge Permit Fees:	
Trade Waste Permit Application Fee	\$ 150.00
Trade Waste Re-inspection Fee	\$ 100.00
Commercial Premises	
High Risk	\$ 460.00
Moderate Risk	\$ 225.00
Low Risk	\$ 105.00
Large Industrial Food Premises	
Volume (Flow)	\$ 0.56/m³
Organic Strength (BOD)	\$ 0.59/kg
Solid Content (Suspended (Solids))	\$ 0.61/kg
Enforcement Fees	
EHO Hourly Rate for Compliance Enforcement	\$ 150.00
MPI Food Business Levy	
MPI Domestic Food Business Levy Payable Under the Food (Fees, Charges and Levies) Regulation 2015	\$ 63.13
MPI Domestic Food Business Levy Collection Costs	\$ 12.65

If you have any queries or questions in regard to the above information, please contact the Council Environmental Services team, we are always happy to help you.

USEFUL LINKS:

MPI WEBSITE

<https://www.mpi.govt.nz/food-safety/food-act-2014/>

FOOD ACT 2014 LEGAL TEXT

<http://www.legislation.govt.nz/act/public/2014/0032/latest/DLM2995811.html?src=qs>

FOOD REGULATIONS 2015 LEGAL TEXT

http://www.legislation.govt.nz/regulation/public/2015/0310/latest/whole.html%3Fsearch=qs_act%2F40bill%2F40regulation%2F40deemedreg_food%2Fregulations%2F2015_resel_25_h%26p=1

REGIONAL PUBLIC HEALTH

<https://www.rph.org.nz/contact-us/how-to-get-in-touch/>



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