

WHANAKE PAKIHI TAKING CARE OF BUSINESS

How Masterton District Council can help you get started.



Masterton District Council wants to make it as easy as possible for you to set up a new business in our district.

A number of national and local legal requirements can apply to businesses, depending on their type – talking to us early in the process should be a priority. It can involve getting advice from a number of teams at the Council, including Planning, Building and Environmental Health, and we want to make this as seamless as we can.

Our friendly staff can guide you through the Council requirements and make sure you cover off everything required before you open your doors. Spend some time planning now and you will save yourself a lot of time, stress, and expense in the long run.

This guide provides an overview of what you need to think about when setting up a new business, from a home-based hairdresser to a licensed restaurant. This guide does not cover residential subdivision developments. For further information on subdivisions please contact Council's Customer Services team.

We look forward to helping you with your new business venture.

Masterton District Council

NGĀ HUA O ROTO

CONTENTS

Introduction.....	2
Initial Report Service.....	2
Choosing a location	3
Project information memorandum (PIM)	3
Resource consents.....	3
Setting up shop – fit-for-purpose premises.....	4
Building/renovating	4
Project management.....	4
Building consent application.....	5
Conversion of the property.....	5
Controls on signage.....	5
Vehicle crossing application	5
Servicing the site	5
Construction phase.....	7
Code Compliance Certificate	7
Licences and registration	8
Encroachment licence.....	8
Alcohol licence	8
Food premises registration.....	9
Health Act registration	9
Staying within the rules.....	10
Resource consent monitoring.....	10
Noise control	10
Compliance schedule.....	11
Rubbish collection	11
Business support.....	12
Helpful links	12
Useful information.....	12

Introduction

Getting a new business off the ground can be tough. Depending on the type of business, there can be a range of legal requirements to satisfy.

The approvals required will depend on your line of work, but you are likely to need at least some assistance from Council staff to set up shop. Once your business is up and running, you'll also need to be aware of the requirements so you can concentrate on keeping your customers happy.

Contacting the Council when you begin planning your venture will prevent delays. For our case management service, forms, guides, helpful information, and all enquiries:

Phone: 06 370 6300

Email: takingcareofbusiness@mstn.govt.nz

Website: www.mstn.govt.nz

Address: Masterton District Council, 161 Queen Street, PO Box 444, Masterton 5840

Initial Report Service

The Council provides a free service for new businesses and businesses that are expanding or changing in nature, creating a single initial report that will contain the required applications your business will need to get going.

The initial report service will:

- tell you about all the consents and licences you need
- let you know how long these will take
- help you make your applications in the correct order.

All applications will be treated as commercially sensitive to ensure confidentiality.

Please note: It's important you fill in all fields on the application to ensure an accurate report back.

For more information on this service, email: takingcareofbusiness@mstn.govt.nz



Choosing a location

Finding the right site for your business is key. In addition to normal business considerations, you need to be clear that your business is a permitted activity in the place you are thinking of operating.

Project information memorandum

The Council can issue a project information memorandum (PIM) to:

- let you know whether your planned development and building work meet District Plan rules
- alert you to possible site issues around heritage, notable trees and waahi tapu (sacred sites)
- inform you of natural hazards and any other identified significant hazards
- provide details of all water, stormwater, or wastewater requirements
- highlight all vehicle access requirements and any other issues with the utilities
- give details of all applications and approvals needed for your development
- inform you of any controls on signage that will relate to your project.

The Planning team can provide advice on whether or not you need a resource consent. A resource consent is required if your business activity is not a 'permitted' activity under the Wairarapa Combined District Plan.

Resource consent applications

The Wairarapa Combined District Plan has rules defining what is permitted in each zone in Masterton District. Activities or building work that fall outside of these rules may require a resource consent.

A resource consent may be needed when you want to:

- build closer to the boundary than what is allowed in relation to the District Plan
- build higher than the maximum permitted building height
- build on or near an historic or heritage site or wāhi tapu/site of significance
- use a temporary building (food cart/caravan)
- carry out a business and/or retail activity in a residential, rural, or industrial zone.

You may want to check your zone through our Local Maps on our website and refer to our Planning Guidelines on what is permitted within each zone for your business

Rates

Running a business from your home within the Masterton township may affect your rates. Please contact the Rates Department to discuss any potential impact.

Setting up shop – fit-for-purpose premises

Once you have established you have a site at which your business can operate, there are other physical factors to consider:

- The building.
- Signage.
- Road access.
- Services to the site.

Building or renovating?

Your building may have ‘good bones’ but still require renovations, or it may just need a few upgrades to the drainage and plumbing.

Before you start any renovations, you should get advice from design and building professionals and check if you need a building consent for the work.

If your business needs to comply with the Health Act 1956, Food Act 2014, or Sale and Supply of Alcohol Act 2012, it is advisable to talk to our Environmental Services Team before you finalise plans for your building consent application. Legislation may require your premises to have specific building layout requirements.

It is also worth remembering that an alcohol licence can only be issued if the Code Compliance Certificate (CCC) for the work has been issued, or a Certificate of Public Use (CPU) or Certificate of Acceptance (COA) has been obtained.

Project management

Once you know what you want to do and where you want to do it, consider employing a project manager. They can help you liaise with your contractors, the Council, and any other agencies, smoothing the path to your business launch date.

Doing it yourself

If you want to manage your own project, you will still need help from various professionals to meet Council requirements. These commonly include:

- **Architect/Designer:** Prepares and develops options for the business which also meet planning, building and infrastructure requirements.
- **Engineer:** Checks buildings are structurally sound and can accommodate your planned alterations or intended uses. This is especially important for older brick and masonry buildings.
- **Other professionals:** Noise management, traffic and parking, subdivision or resource consent applications may also lead you to consult other subject specialists.

The Council already has good working relationships with these professionals.

Building consent application

A building consent confirms that the proposed building work, based on the plans and documentation provided, complies with the New Zealand Building Code. The consent helps make sure buildings are safe and hygienic. A building consent cannot be issued for unauthorised work that has already been completed. A change of use to an existing building will also require an upgrade to the current consent.

You should not start any building work until a building consent is issued and other permissions, such as resource consents, have been granted.

Conversion of the property

Various consents, licences and permissions may be needed to bring your selected property up to scratch. These may include upgrades to meet health and safety standards and/or change of use requirements. Not all locations or sites may be appropriate for your business so it's important to check the planning maps to ensure it's in zone or talk to our Health and Planning teams before you decide on the location. A building consent, resource consent and licences may also be needed before you can convert a site into a functioning business.

Controls on signage

Masterton District Council administers the District Plan and Council bylaws which both cover the display of advertising signs. The rules are meant to avoid problems with neighbours and prevent obstructions or dangerous traffic distractions. There are different rules for signs depending on zoning and these can sometimes be quite complex. Please phone the Council for further information. Identifying these issues early will help you make good decisions and save time and money in the long run.

Vehicle crossing application

You will need a suitable vehicle crossing to provide legal access to your property. The type of crossing and its location are decided by the Council, and it must be built to Council standards by approved contractors. A temporary crossing is normally needed during construction.

Servicing the site

Most business activities will need an approved water supply, stormwater and wastewater system. Before construction starts, you should contact the Council to check if there are existing connections or to find out what's needed to connect to existing services. This information is also available on your PIM.

Water supply:

Every new building within the District's urban area needs to have a separate water connection. If the reticulation network is not available to the property, an alternative water supply, such as a well, is needed. This supply will need to meet the requirements of the Building Act and will be specified in your building consent. A potable supply of water and portable on-site waste disposal will also be required during the construction phase.

All connections to the Council's water supply are required to be fitted with a backflow prevention device at the point of supply. The type of device required is set out in our Backflow Prevention Policy based on the level of risk related to the on-site activity. If the nature of the activity is changing, this may require the backflow prevention device to be upgraded. Our Utilities Team can advise you on the specific backflow requirements.

Wastewater disposal:

Buildings fitted with toilets or other plumbing will need to provide hygienic waste disposal. If wastewater services are not available at the property, an on-site wastewater disposal system, such as a septic tank, will be needed. This must meet Building Act and Resource Management Act requirements and will be specified in your building consent. If wastewater generated from within your site includes discharges other than standard household/office water use, you may need to apply for trade waste permit from Utility Services department.

Stormwater management:

The stormwater from your building and property must be managed to avoid problems with flooding. On-site management, usually with storage tank and soak holes, is the typical method used. Where on-site management is not possible you can apply for a stormwater connection from the Council. The solution must meet Building Act requirements and will be specified in your building consent.

Discharge of trade waste:

To protect the public, the environment and the sewerage system, the Council controls what is discharged into the sewers. Businesses that usually require a trade waste consent are:

- bakeries, cafes, restaurants, or takeaways
- mechanical workshops and service stations
- meat and fish processing businesses.



Construction phase

Keeping on good terms with your neighbours is important and you should be considerate during your construction.

Things to be aware of include:

- noise from construction or related machinery
- chemical odours
- dust
- untidy outdoor storage
- parking
- traffic management plans
- vibration from works.

During your construction you will need to consider:

- **Traffic management plan** – If you need to use a crane, hiab, scissor lift or a cherry picker that will sit on a road or footpath during construction, you will need to get a traffic management plan first. You will also need this permit if you erect scaffolding. A traffic management plan is required as part of your application in order to minimise disruption and to ensure site safety.
- **Public parking spaces** – If you are building within certain key business areas or one of our town centres, you may need to reserve parking spaces for construction vehicles. You can apply for temporary parking permits through the Council's Environmental Services team.
- **Hoardings** – Appropriate hoardings will be needed to make footpaths near the construction site safe. Our Roading Unit can advise you on the appropriate steps to take.
- **Building inspections** – At key intervals throughout the construction phase, you will require building inspections to ensure the building works have been undertaken to the correct standard. Even though you might have an engineer providing on-site inspections, it is important to ensure Council Inspectors have checked work has been carried out in accordance with the building consent.

Code Compliance Certificate

Prior to public use of your building, a Code Compliance Certificate will be required. The Certificate can be obtained when all building work and accompanying documentation has been completed, which illustrates the building is safe to be used for the general public. A Certificate of Public Use (CPU) can be applied for and obtained before CCC is issued.

Licences and registration

When all your building work is completed and your Code Compliance Certificate has been obtained, you can begin to arrange the permits and approvals you need to allow your business to start trading.

If your business needs to comply with the Health Act 1956, Food Act 2014 or Sale and Supply of Alcohol Act 2012, it is advisable that you talk to our Environmental Services Team before you finalise plans for your building consent application. Legislation may require your premises to have specific building layout requirements.

It is also worth remembering that an alcohol licence can only be issued if the Code Compliance Certificate (CCC) for the work has been issued, or a Certificate of Public Use (CPU) or Certificate of Acceptance (COA) has been obtained.

The Council administers several licences and certificates that you may need before you can lawfully operate.

Encroachment licence:

An encroachment licence application is needed when a business wants to use a public space.

Common examples include:

- a café which uses the footpath for outdoor dining
- a balcony that extends over the footpath
- fences or gardens which extend to a road reserve
- signage.

The application process ensures a safe and convenient solution in public areas. The licence is usually issued subject to conditions and attracts an annual lease fee.

Alcohol licences:

Under the Sale and Supply of Alcohol Act 2012, any premises used for any of the following activities needs to first obtain an alcohol licence:

- serving drinks and providing corkage or glasses. This typically includes hotels, taverns, nightclubs, restaurants, or BYO operations.
- selling alcohol for consumption off the premises. This typically includes bottle stores, supermarkets, and those that manufacture alcohol or sell alcohol using the Internet.

The different types of alcohol licence needed to sell or supply alcohol are:

- an on-licence which authorises the holder to sell or supply alcohol on their premises. No alcohol can be removed from the site.
- an off-licence which authorises the holder to sell alcohol for people to take away. No alcohol can be consumed on the premises.
- a club licence which is specifically for chartered clubs, sports clubs and other clubs.

Food must always be available where alcohol is being consumed on-site. In most cases, those serving food will also need a food premises registration. Resource consent may also be needed where the premises either is located within or borders a residential area.

All building work needs to be completed and a Code Compliance Certificate, Certificate of Public Use, or Certificate of Acceptance issued, before an alcohol licence can be granted. An alcohol licence application must be accompanied by a certificate from the Council confirming that the proposed use of the premises meets the requirements of the Resource Management Act and the Building Code.

Food premises registration

All premises used to manufacture, prepare, package or store food for sale must obtain registration under the Food Act 2014 and associated regulations. Common examples of businesses which should register as a food premise include restaurants, bars, cafés, takeaways, bakeries, home based food businesses, dairies, grocers, supermarkets, and service stations.

Health Act registration

The Health Act and associated regulations require occupiers of premises used for hairdressing, camping grounds, funeral parlours, and offensive trades to get registration from the Council before they start trading.

Hairdressing

All premises used for hairdressing must first obtain registration under the Health (Hairdressers) Regulations.

Beauty therapy, tattooing and skin piercing

The owner or operator of a premise (including a mobile or temporary premise) must apply to the Council for a licence if they intend to use it for beauty therapy, tattooing or skin piercing.

Camping grounds

A current certificate of registration needs to be produced for any land you wish to run a camping ground. The Camping Ground Regulations also apply.

Funeral parlours

Funeral Directors and Mortuary need to be registered under the Health Act 1956 and Health (Burial) Regulations 1946 before starting business.

Offensive trades

Offensive trades need to be registered by the Council under the Health Act. Offensive trades include cleaning of fish, refuse collection and disposal, septic tank cleaning activity, animal slaughter for any purpose other than human consumption, tanning, wood pulping and wool scouring. Other trades can also be classed as offensive and there is a list of activities in the District Plan that are deemed offensive, that need a Resource Consent and others that are prohibited.

Staying within the rules

Receiving the final approvals before opening your business may be just the first step.

Depending on the nature of your business and the conditions on your resource consent (if you have one), you need to make sure that your business continues to comply with Council requirements.

Council approvals that need to be renewed are:

- alcohol licences
- food premises registrations
- skin piercing, tattoo and beauty therapy registration
- trade waste consents
- street encroachment agreements
- building warrant of fitness
- registrations issued under the Health Act, e.g. funeral parlour, offensive trade, etc.

Resource consent monitoring

Resource consents generally specify conditions that reduce potential adverse effects on the environment and people. Some of the following conditions that may be included in your consent are:

- landscaping or screening requirements.
- hours of operation
- noise levels
- lighting
- vehicle parking and movement
- scale of activity.

The consent holder pays for the cost of monitoring.

Noise controls

The Council defines noise as a sound which is loud, unpleasant, or unwanted. Noise is controlled by the Resource Management Act and Health Act. Specific noise controls are in the Wairarapa Combined District Plan, and the Council's general powers designed to control excessive or unreasonable noise.

The District Plan has different noise standards for different areas. Lower noise limits apply in residential environments as opposed to industrial areas, and there are lower limits for noise at night in residential areas. Noise limits are measured where the sound is received. Construction noise is generally permitted at specified times as it is considered a temporary inconvenience.

Excessive noise - this is noise that is under the control of any person which unreasonably interferes with the peace, comfort, and convenience of anyone else. Generally, the noise is very loud, goes on for long periods and can be clearly heard from inside a building with its doors and windows closed.

Unreasonable noise - this exceeds the District Plan noise standards, but it is not loud enough to be classed as excessive.

For more information on specific noise limits see the District Plan noise controls which are available on the Council website. You can also call the duty planner at the Council to find information on the site you are interested in. For further technical assistance, you will need to contact an acoustics specialist.

Compliance schedule

A compliance schedule is a Council document that lists a building's safety features and essential services, such as fire safety systems and lifts. These must be checked regularly to ensure the building is safe for people to use and a Building Warrant of Fitness (BWoF) must be always displayed.

Rubbish collection

The Council provides a kerbside collection service for recycling and official Council rubbish bags in urban areas around Masterton, Castlepoint and Riversdale Beach. If your business needs a rubbish bin collection then the owner/operator will need to contact a private rubbish collection contractor to arrange the service.



Business support

Helpful links:

- www.business.govt.nz
- www.ird.govt.nz/situations/i-am-starting-a-new-business
- www.newzealandchambers.co.nz
- www.mbie.govt.nz
- www.building.govt.nz
- www.eeca.govt.nz
- All businesses that play music — from cafes, bars and nightclubs to stores, offices, gyms, hairdressers and more — need permission (a licence) from music creators to use their music. Visit OneMusic New Zealand at www.onemusicnz.com to apply for a OneMusic Licence or email them at: info@onemusicnz.com

Contact Information

New business enquires: takingcareofbusiness@mstn.govt.nz

Resource consents: planningadmin@mstn.govt.nz

Health licences: health@mstn.govt.nz

Building consents: buildingadmin@mstn.govt.nz

Phone: 06 370 6300

Website: www.mstn.govt.nz

Physical address: Masterton District Council, 161 Queen Street, Masterton

Postal address: Masterton District Council, PO Box 444, Masterton 5840



Phone

06 370 6300 - 8am to 5pm except Tuesdays 9am to 5pm

06 378 7752 after hours

Email

takingcareofbusiness@mstn.govt.nz

Call into

Masterton District Council
161 Queen Street, Masterton
9am - 4pm

Write to

Masterton District Council
PO Box 444, Masterton 5840
www.mstn.govt.nz

MSTN.GOV.T.NZ

 [@MastertonDC](https://www.facebook.com/MastertonDC)

