# APPLICATION FOR A SEAFOOD LICENCE – SHELLFISH CULTIVATION OR HARVEST
## Food Regulation 2025

Licensing & Accreditation Services office hours: 9.30am – 4.30pm Monday – Friday Phone: 1300 552 406
NSW Food Authority **ABN 47 080 404 416** PO Box 232 TAREE NSW 2430

Certain food businesses are required to hold a NSW Food Authority licence to operate. Businesses that operate without the appropriate licence from the NSW Food Authority are committing an offence under the *Food Act 2003* and may be prosecuted.

Did you know … if you are applying to licence a business and do not hold a current NSW Food Authority licence, you can now lodge your application online by going to the online application form link at ***www.foodauthority.nsw.gov.au*** (Please note: conditions apply for use of online applications).

**Seafood businesses that need to be licensed**

Under the Food Regulation 2025, food businesses must have a NSW Food Authority licence if they produce, store or process Shellfish as defined under Section 122 of the Seafood Safety Scheme (Part 8 of the Regulation) and defined as a "seafood business" under Section 124 and perform the following activities:

- the culture, harvesting or collecting of shellfish;
- the depuration of shellfish;
- the cultivating of spat.

Licensing under this Regulation is used to ensure that a business has the capacity to produce safe food before the food is supplied to the market. A licence is not transferable from one person or business to another.

**What do I need to comply with?**

Any businesses that hold a licence must comply with the following:

- Food Regulation 2025
- Food Act 2003 (NSW)
- Food Standards Code
- Development and implementation of an adequate food safety program under the Food Regulation 2025 based on Standard 3.2.1 of the Food Standards Code or Codex HACCP. The program must accurately outline the hazards associated with the food business' operations. Assistance material is available from the NSW Food Authority's web site at www.foodauthority.nsw.gov.au
- NSW Shellfish Industry Manual published by NSW Food Authority
- Where a Food Safety Program (FSP) is required for businesses under the legislation, failure to have a FSP available for review at the compliance inspection may result in the non issue of a licence to operate.

**What do I need to do next?**

- Complete the licence application form and return it with payment to: NSW Food Authority, PO Box 232, Taree NSW 2430.
- You must not commence operations until the above steps have been completed and you are informed that your licence application has been processed. If the premise is found to be operating without a licence, enforcement action will be taken.
- Prior to the approval of a licence, a licensing assessment will be carried out to ensure compliance with the Food Standards Code and Food Regulation 2025. If the result of the assessment is unacceptable, the licence may not be approved and the licence application may be rejected. It is highly recommended the applicant refer to the Authority's website for information relating to the assessment process and industry sector requirements.

**Processing times**

The Authority will review your application **within 10 working days** of receiving your licence application and you will be notified if any further information is required. If your application is complete the Authority will write to you to let you know your licence application has been processed and provide you with a time frame for completion of the licensing assessment that is required.

**IMPORTANT NOTES**

- If you have more than one premises, copy page 6 and complete for each premises. If the application forms are submitted at the same time only one application fee will be required.
- Please ensure that each page of the application is completed (where applicable) and checked before it is returned as failure to provide all information or signature(s) will delay processing and issuing of the licence.
- For more further information or assistance please contact NSW Food Authority's Licensing & Accreditation Services on 1300 552 406 (business days, 9.30am - 4.30pm) or go to the NSW Food Authority website at http://www.foodauthority.nsw.gov.au/industry/food-standards-and-requirements/licensing

## APPLICANT DETAILS

- **Complete Section A(i) for sole trader/ partnership details**
- **Complete Section A(ii) for company/ trust/ association details**

**SECTION A (i): SOLE TRADER/ PARTNERSHIP BUSINESS STRUCTURE (please tick appropriate box)**

☐ **Sole Trader** ☐ **Partnership**

| | | | |
|---|---|---|---|
| **LAST NAME** | | **FIRST NAME** | |
| **LAST NAME** | | **FIRST NAME** | |
| **LAST NAME** | | **FIRST NAME** | |
| **LAST NAME** | | **FIRST NAME** | |
| **TRADING NAME (if applicable):** If operating under a trading name, please provide copy of Business Name Certificate issued either by Fair Trading NSW (if before 28/5/2012) or ASIC (if registered after 28/5/2012) | | | |
| **ABN** | | | |
| **POSTAL ADDRESS** | | | |
| **SUBURB/ TOWN** | | **STATE** | **POSTCODE** |
| **PHONE** | ( ) | **FAX** | ( ) |
| **MOBILE** | | **EMAIL** | |

**AUTHORISED CONTACT DETAILS (if different to information provided above eg Manager, QA, Admin, etc)**

☐ **Mr** ☐ **Mrs** ☐ **Miss** ☐ **Ms** ☐ **Dr** ☐ **Professor** ☐ **Other**

| | | | |
|---|---|---|---|
| **NAME** | | | |
| **POSITION** | | | |
| **PHONE** | | **FAX** | |
| **MOBILE** | | **EMAIL** | |

**DO YOU HAVE AN EXISTING NSW FOOD AUTHORITY LICENCE?**

☐ **NO** ☐ **YES** – please give details (eg Licence number or customer no.)

**SECTION A (ii): COMPANY/ TRUST/ ASSOCIATION BUSINESS STRUCTURE (please tick appropriate box)**

☐ **Company** ☐ **Trust** ☐ **Association** ☐ **Other**

**COMPANY NAME (if applicable)** If a company, please provide a copy of full ASIC Company Statement (showing names of public officers/ directors)

**ACN**

**CONSENT TO CONDUCT COMPANY SEARCH ON BEHALF OF APPLICANT/S**

If it is not possible for supporting documents to be provided during the application process, an applicant may give consent to the NSW Food Authority, to conduct a company search on their behalf.

Failure to supply supporting documents may result in delays in processing applications and issuing of the licence.

☐ I/We, the applicant/s conducting the food business for which this form is being submitted, give consent for a NSW Food Authority representative to conduct a company search on our behalf.

☐ I/We agree to pay the fees applicable to this service, as per the fee schedule enclosed in this application.

**TRUST NAME (if applicable):** If a trust, please provide name(s) of nominated person(s) to receive correspondence

**ASSOCIATION NAME (if applicable):** If an association, please provide a copy of the Certificate of Incorporation.

**ABN**

**TRADING NAME (if applicable):** If operating under a trading name, please provide copy of Business Name Certificate issued either by Fair Trading NSW (if before 28/5/2012) or ASIC (if registered after 28/5/2012)

| | | | | | |
|---|---|---|---|---|---|
| **POSTAL ADDRESS** | | | | | |
| **SUBURB/ TOWN** | | **STATE** | | **POSTCODE** | |
| **PHONE** | ( ) | **FAX** | ( ) | | |
| **MOBILE** | | **EMAIL** | | | |

**AUTHORISED CONTACT DETAILS**

☐ **Mr** ☐ **Mrs** ☐ **Miss** ☐ **Ms** ☐ **Dr** ☐ **Professor** ☐ **Other**

| | | | |
|---|---|---|---|
| **NAME** | | | |
| **POSITION** | | | |
| **PHONE** | | **FAX** | |
| **MOBILE** | | **EMAIL** | |

**DO YOU HAVE AN EXISTING NSW FOOD AUTHORITY LICENCE?**

☐ **NO** ☐ **YES** – please give details (eg Licence number or customer no.)

## Is the business under this application being taken over from an existing licence holder?

☐ **NO** – Please proceed to communication section below.

☐ **YES** – If possible, please arrange for the previous owner to complete the 'Consent of Present Licensee' section below:

**CONSENT OF PRESENT LICENSEE(S) (if applicable)**

- I/we hereby certify that I am authorised to submit this form on behalf of this business.
- If a company, show capacity of person signing

I/We, the current licensee(s), will/will not continue to conduct a food business using the premises and agree/do not agree to the cancellation of the licence for the premises. My/Our licence number is _____

| **SIGNATURE(S)** | X | **DATE** | / / |
|---|---|---|---|

## BUSINESS ACTIVITY DETAILS

**Is the business relocating from an existing site?**

☐ **NO** – Please proceed to business activity and location section below.

☐ **YES** – Please confirm existing site address and then proceed to business activity details and location sections below:

**LOCATION OF EXISTING SITE**

### BUSINESS PREMISES ACTIVITY INFORMATION

If licensing more than one premises, please photocopy this page, complete and return with other pages of application form

**Please tick and specify what operations are carried out at this premises:**

| | |
|---|---|
| **Shellfish aquaculture?** | ϒ **Farm oysters** ϒ **Farm Blue mussels** |
| **Depurate oysters?**<br>NB: Mandatory depuration training must be completed before a licence application can be processed | ϒ **No**<br>ϒ **Yes** **Please specify DP number _____ and complete specification sheet for DP on next page** |
| **Open oysters?** | ϒ **Open oysters** ϒ **Bottle oysters** ϒ **Other** _____ |
| **Wet store shellfish?**<br><br>**NB: This application must be returned along the completed wet storage proforma at:** https://www.foodauthority.nsw.gov.au/sites/default/files/2025-05/FA6812505_Wet_Storage_System_Application_Pro_Forma_Final.pdf | ϒ **Oysters**<br>ϒ **Mussels** |

| | |
|---|---|
| **Nominated commencement of trading date:** | |
| **Lease information:** | |
| **DPI Fisheries aquaculture permit number:** Please provide copy of your NSW Fisheries Aquaculture Permit with this application | |
| **Total hectares as listed on permit** | |
| **Please specify the estuary/ies where leases are held:** | |

### BUSINESS ACTIVITY LOCATION DETAILS

**Is the site address same as for postal address provided previously?**

☐ **NO** – Please complete location section below.

☐ **YES** – Please proceed to fee schedule and payment section

| | |
|---|---|
| **Street address of building or premises:** | |

**SPECIFICATION SHEET FOR DP_____**

| | |
|---|---|
| Number of tanks | |
| Type of tank (pool, tray or stacked box) | |
| Construction material | |
| Length of water area (mm) | |
| Width of water area (mm) | |
| Depth of water area (mm) | |
| Gross tank capacity (L) | |
| Water volume with oysters (including pipe work (L)[1] | |
| Pump make and model | |
| Pump capacity litre/hour (calculated) | |
| Filter present | |
| Type (cartridge, sand etc) | |
| Make and model | |
| Disinfection unit make and model | |
| No. of disinfection units | |
| Lamp type | |
| Lamp life (batches) | |
| Total disinfection unit capacity (L/h) | |
| Heating present | |
| Cooling present | |
| Storage tank ϒ No ϒ Yes<br>If yes, capacity | |
| Basket capacity per layer | |
| No. of layers | |
| Basket type used | |
| Bag capacity[2] | |
| Water source | |

**Comments:** Pumping capacity calculated with spray bar removed. Flow rate would be slightly less with the spray bar attached due to head loss of spray bar.

[1] Calculated by deducting 65L per bag from the gross water volume

[2] A nominal figure. A bag may contain from 1,000 to 1,600 oysters. 1 bag = 80 litres (gross)

| | |
|---|---|
| **If farming oysters, are you a spat only farmer (ie oysters are sold for on-growing to another oyster farmer licensed with the NSW Food Authority)?** | If yes, please complete the declaration below: |

**DECLARATION – SPAT ONLY HARVESTING**

I/We …… do solemnly and sincerely declare as follows:

***I/We cultivate shellfish solely for the purpose of selling to other shellfish producers for on-growing for a period greater than 60 days.*** I/We do not harvest shellfish for either direct human consumption or for depuration and human consumption. I/we do not depurate shellfish for myself/ourselves or any other seafood businesses as defined in Food Regulation 2025. I/We will advise the NSW Food Authority should this situation change in the future.

I/We, the undersigned, certify that the information given in this form is correct at this date.

Signature/s: _____

Name/s (please print): _____

Position: _____

Date: _____

**PROCESSING INFORMATION**

All shellfish licences will be processed in the following manner:

1. New shellfish application submitted with $50.00 application fee, ASIC documents and AP listing (if applicable).
2. An invoice will be issued for annual licence fee and local levy fee/s upon determination of lease area and estuary/local program/s.
3. Upon receipt of payment of licence and local levy fees, application will be processed and relevant paperwork forwarded to applicant to allow commencement of operations.
4. Assessment audit or inspection will be carried out within 60 days.
5. An acceptable assessment will enable the licence to be issued, however an unacceptable assessment may result in rejection of the application.

**Please note: Failure to pay the annual licence fees and local levy fees by the due date on the invoice may result in rejection of the application.**

| | | |
|---|---|---|
| **APPLICATION FEE** | $85.00 | $85.00 |
| **SHELLFISH CULTIVATION OR HARVEST** | Invoices for annual licence fee and local levies will be forwarded upon receipt of licence application, for payment prior to application being processed. | TBA |
| | **SUBTOTAL (Application Fee + Licence Fee)** | $ |
| **Additional chargeable items** | Company search administration fee ($50.00) | |
| | **TOTAL FEE PAYABLE** | $ |

**DECLARATION**

**SIGNATURE(S) OF ALL APPLICANT(S) – Please sign below with name clearly printed underneath**

- I/we hereby certify that all information provided on this form is true and correct.
- I/we hereby certify that I am authorised to submit this form on behalf of this business.

| | | | |
|---|---|---|---|
| **SIGNATURE(S)** | X | | |
| **PRINT NAME(S)** | | **DATE** | / / |
| **POSITION WITHIN ORGANISATION** | | | |

## PAYMENT METHODS

### A. PAYMENT BY CHEQUE OR MONEY ORDER

Please mail money order or cheque (crossed 'Not negotiable' and made out to NSW Food Authority) along with completed application form to PO Box 232, Taree NSW 2430

### B. PAYMENT BY CREDIT CARD

NB: There are no merchant surcharge fees for credit card transactions.

Please debit my: ☐ MasterCard ☐ Visa card

Card number: . . . . . .

Cardholder's name: . . . . . .

CVV number: . . . . . .
(the final three digits of the number printed on the signature strip on the back of your card)

Expiry date: . . . . . .

Payment amount: . . . . . .

Cardholder's signature: . . . . . .

### C. PAYMENT BY BPAY®, INTERNET BANKING OR TELEPHONE

If you wish to make payment by BPAY®, Internet Banking or Telephone, please submit your completed application form without payment to Licensing & Accreditation Services by:

- Post to PO Box 232, Taree NSW 2430
- Email to **bfs.admin@dpi.nsw.gov.au**

An invoice will then be forwarded to you for payment.

Please note: We do not accept American Express.

**CHECKLIST**

To avoid any delays in the processing of your application, please ensure all relevant documentation is submitted with this application form.

- ☐ Application form completed and signed
- ☐ ASIC Company Statement showing the name/s of the Director/s attached (where applicable)
- ☐ Certificate of Registration of business name attached (where applicable) issued either by Fair Trading NSW (if registered before 28/5/2012) or ASIC (if registered after 28/5/2012)
- ☐ Wild shellfish harvest endorsement/licence issued by NSW Fisheries (where applicable)
- ☐ Aquaculture permit issued by NSW Fisheries (where applicable)
- ☐ Invoices for annual licence fee and local levies will be issued upon receipt of application, for payment prior to the processing of the application
- ☐ If applying for depuration plant, ensure Depuration Specifications Sheet is submitted with application.
- ☐ If applying for wet storage of shellfish, ensure completed proforma is submitted with application.

**Application submission methods for return of completed pages:**

- **Email: bfs.admin@dpi.nsw.gov.au**
- **Post: NSW Food Authority, PO Box 232, TAREE NSW 2430**