TIMARU, WAIMATE AND MACKENZIE DISTRICT COUNCILS

MINUTES OF THE FOOD ACT FEES HEARING HELD IN MEETING ROOM 1, DISTRICT COUNCIL BUILDING, KING GEORGE PLACE, TIMARU ON FRIDAY 27 MAY 2016 AT 10AM

PRESENT

Timaru District Council
Clr Tony Brien (Chairperson) and Clr Peter Burt

Mackenzie District Council
Clr Graham Smith and Clr Noel Jackson

Waimate District Council
Clrs Sharyn Cain and Sheila Paul

IN ATTENDANCE

Timaru District Council - Environmental Services Manager (Paul Cooper), Corporate Planning Manager (Mark Low), Corporate Planner (Ann Fitzgerald), Ian Shaw (Director Food and Health Standards Ltd)(for public part of meeting), Council Secretary (Joanne Brownie)

FOOD ACT FEES

1 APPOINTMENT OF CHAIRPERSON
Nominations were called for the position of Chairperson of the Committee.

Proposed Clr Burt
Seconded Clr Jackson

“That Clr Brien be appointed Chairperson of the Food Act Fees Hearing.”

There being no further nominations the motion was CARRIED, Clr Brien was declared chairperson and took the chair.

2 WELCOME AND INTRODUCTIONS
Clr Brien welcomed everyone to the meeting and the panel and officers introduced themselves.

3 FOOD ACT FEES
Verbal Submissions
The following submitters spoke in support of their written submissions, providing further background to their submissions –

Written Submissions
The following written submissions were received –
Timaru Boys High School Thomas House, Red Lunch Box, Mount Cook Hotel Collection, Moreh Home, St Andrews Diner, Temuka Rugby Football Club and Makikihi Country Hotel & Hospitality Services Ltd.

The Committee acknowledged the concerns raised by submitters and confirmed that it understands the differences in the scale of food operators and the
complexities of the situation. However the responsibility is largely out of councils’ control, having been passed on to local authorities by central government.

Summary of Issues
The Committee concluded that the main issues arising from the submissions are:

- It seems a duplication of systems to require databases of food operators to be kept regionally rather than centralised nationally.
- Registered food operators should be required to display their compliance certificates at their premises (as per past practice).
- The Government should have been clear as to which premises would fall under the new legislation, before causing distress to operators who do not necessarily fall under the new legislation.
- There is concern from small operators that there is not enough differentiation for lower risk activities.
- Some food operators are concerned at the proposed fees and the apparent lack of justification, transparency and stepping of fees.
- Operators are concerned at the effect the legislation will have on their businesses.
- The costs involved in registration, compliance and monitoring will possibly increase the number of unregistered food operators.
- As the implementation of the Act proceeds local authorities will gain a better understanding of the situation for going forward.

Submission to Ministry for Primary Industries
The Committee agreed to send a letter to the Ministry of Primary Industries submitting that –

- Registration of food providers should be undertaken via a nationally centralised system, not regionally, as registering per region duplicates the registration system and ultimately increases costs for local authorities and food operators.
- Display of the compliance certificate should be compulsory.
- The government should have been certain as to which food premises would fall under the legislation, before it implemented the new Food Act.

4 EXCLUSION OF THE PUBLIC

Proposed Clr Cain
Seconded Clr Burt

“That the Committee resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Environmental Health Contractual Services
Section 7(2)(b)(ii) The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.”

MOTION CARRIED

Ian Shaw retired from the meeting.
5 READMITTANCE OF THE PUBLIC

Proposed Clr Cain
Seconded Clr Smith

“That the public be readmitted to the meeting.”

MOTION CARRIED

Ian Shaw returned to the meeting.

6 DECISIONS

The Committee reviewed the fee structure set out in the Statement of Proposal, taking into account the concerns raised by both oral and written submitters.

Proposed Clr Burt
Seconded Clr Jackson

“That the final set of Food Act 2014 fees be recommended to the Timaru, Waimate and Mackenzie District Councils for adoption, subject to –

1 “That for new registration fees, any additional hours over and above the first hour, be charged in ½ hour increments at $75 per half hour.

2 That the travel charges be zone based as per the Statement of Proposal.

3 That the verification charge be based on a 2 hourly rate as per the Statement of Proposal, and any additional hours over the first two hours be charged at 30 minute increments at $75 per half hour.

4 That a policy be investigated in 12 months time, and if appropriate based on the evidence, be developed to implement a tiered system of verification to reflect any significant savings to Council presented by low risk food businesses.

5 That it be recommended to Councils that display of the compliance certificate should be compulsory in food premises.”

MOTION CARRIED

The Chairperson thanked the committee members and officers for their work.

The meeting concluded at 1.15pm.

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Chairperson