

POL	FOOD ACT 2008 – FEE EXEMPTION	APD66
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DIRECTORATE:	Planning and Development
BUSINESS UNIT:	Development Services
SERVICE UNIT:	Health Services
RESPONSIBLE OFFICER:	Manager, Environmental Health
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	12 September 2013	10 December 2015

BACKGROUND:

The *Food Act 2008* and *Food Regulations 2009* came into effect in October 2009 replacing Part VIII of the Health Act 1911 and the City of Cockburn Eating House By-laws.

The *Food Act 2008 Section 107* requires all premises selling food (as defined under the Act) operating within the municipality to notify the City. All food businesses are then subject to a risk assessment and may be required to register under *Section 110 Food Act 2008*. If inspections are required (based on the risk classification) an Annual Assessment Fee will be charged.

The Food Act gives autonomy to Local Government to impose and recover fees under the *Local Government Act 1995 Part 6 Division 5 Subdivision 2* for functions such as notification, registration, assessments, transfers etc.

PURPOSE:

To provide guidelines for situations in which the requirement for charging a Notification fee and/or Annual Assessment Fee for Registered premises can be waived.

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An exemption for charging a Notification Fee and Annual Assessment Fee under the Local Government Act will be applied to the following categories of food premises

- (1) Food Businesses run by Charitable or Community Organisations – Environmental Health Officers (EHO) will still conduct assessments of these premises unless they are classified as very low risk.

An exemption for charging an Annual Assessment Fee under the Local Government Act will be applied to the following categories of food premises

- (2) Very Low Risk Food Premises – Premises will not be subject to an annual inspection as they pose minimal risk to the public.
- (3) Family Day Care Centres – These premises will not be inspected by EHO. However all operators must attend the City of Cockburn Safe Food Handler Training conduct by Health Services.

Definitions

Very Low Risk Food Premises - those premises selling only pre-packaged, shelf stable food which does not support microbial growth.

Charitable Organisation - raise money solely for purposes that are of a charitable nature. These organisations must be a registered charity with the Australian Taxation Office.

Community Organisations. – Those organisations that are run by not-for-profit groups e.g. School canteens run by the Parent and Friends Associations; local sporting group canteens run by volunteers.

Family Day Care Facility - refers to a private dwelling used for the purpose of providing a child care service for up to seven (7) children in a family or domestic environment in accordance with the *Education and Care Services National Law (WA) Act 2012 and Regulations*.