

Policy Type

Council

Policy Purpose

To provide guidelines for situations in which the requirement for charging a Notification fee and/or Annual Assessment Fee for Registered *Food Act 2008* (Food Act) food businesses can be waived.

Section 107 of the Food Act requires all individuals and organisations selling food (as defined under the Act) within the district to notify the City. Following notification, all food businesses are then subject to a risk assessment and may be required to register under Section 110 of the Food Act.

The Food Act gives autonomy to Local Governments to impose and recover fees under the *Local Government Act 1995* for functions such as notification, registration, assessments, transfers etc.

This Policy outlines those Food Businesses that will be exempt from paying such fees and should be read with the Fees and Charges schedule adopted by Council each year.

Policy Statement

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

- (1) Food Businesses run by Charitable or Community Organisations – will be exempt from Notification and Annual Assessment Fees.
- (2) Very Low Risk Food Businesses – Food businesses for which the City's risk assessment of food handling activities identifies that food handling operations are limited to activities that pose minimal risk to the public.
- (3) Family Day Care Centres – These food businesses will be exempt from Annual Assessment Fees.
- (4) Definitions
 - 4.1 Charitable Organisations - raise money solely for purposes that are of a charitable nature. These organisations must be a registered charity with the Australian Taxation Office.
 - 4.2 Community Organisations. – Those organisations that are run by not-for-profit groups, for instance school canteens run by the Parent and Friends Associations; or local sporting group canteens run by volunteers.

- 4.3 Family Day Care Facility - These are private dwellings used for the purpose of providing a childcare 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.
- 4.4 Food Business - Under the Food Act includes any business, enterprise, or activity (excluding primary food production) that involves the handling or sale of food. This includes commercial, charitable, or community operations, whether ongoing or a one-time event.
- 4.5 Very Low Risk Food Businesses - those food businesses selling only pre-packaged shelf stable food, which does not support microbial growth.

Strategic Link:	Public Health Plan
Category	Public Health
Lead Business Unit:	Development and Safety
Public Consultation: (Yes or No)	No
Adoption Date: (Governance Purpose Only)	8 July 2025
Next Review Due: (Governance Purpose Only)	July 2027
ECM Doc Set ID: (Governance Purpose Only)	4133161