



**PROPOSED QUEENSTOWN LAKES DISTRICT
COUNCIL FOOD GRADING BYLAW**

FACT SHEET

The Queenstown Lakes District Council (**Council**) is responsible for various functions under the new Food Act 2014 which comes into force on 1 March 2016. The Council has enforcement capabilities under the food safety regime of Food Act, with the objectives of achieving the safety and suitability of food for sale, and maintaining confidence in New Zealand's food safety regime.

Section 385 of the Food Act 2014 provides for the enactment of regulations about food safety grading schemes, but no such regulations are yet in place. Section 385(3) of the Food Act 2014 anticipates that Councils will make Bylaws about food safety grading schemes.

Accordingly the Council proposes to make a Food Grading Bylaw under s 145(b) of the Local Government Act 2002.

The following are the key aspects of the new bylaw:

- The Bylaw is intended to replicate, so far as possible, the existing grading system under the Food Safety Bylaw 2011.
- Grading of food business will occur generally as part of and consistently with the Council's performance of verification functions under the Food Act 2014.
- The Bylaw will only apply to food businesses that are required to register with the Council under the Food Act 2014.
- An authorised officer will issue a grading certificate to food businesses which must display the certificate conspicuously at the principal entrance to their business, that is readily visible to members of the public.
- An authorised officer need not issue a certificate to all businesses. For example, issuing a grading certificate to a food business that has no real interaction with the public would serve no useful purpose. Only businesses to which certificates are issued need display them.
- There is provision for food businesses to seek a reconsideration or re-grading of any grading certificate.

Because the Bylaw continues the existing grading scheme with only minor amendments, it is considered to be of low significance to the public and the Council does not intend to carry out consultation under the Special Consultative Procedure.

A draft of the proposed Bylaw is **attached** to this Fact Sheet.

TIMETABLE FOR CONSULTATION

The following dates represent the key times in the consultation programme:

26 November 2015	Council resolves to undertake consultation regarding the proposed Bylaw.
30 November 2015	Publication on Council website
14 December 2015	Submissions close.
11 – 15 January 2016	Submissions heard by a subcommittee of Councillors (to be confirmed).
18 February 2016	Council considers outcome of consultation process. Adoption of Queenstown Lakes District Council Food Grading Bylaw.
25 February 2016	Public notice of final decision (if Council resolves to adopt the Bylaw).
1 March 2016	The Bylaw comes into effect subject to the above.

INSPECTION OF DOCUMENTS AND OBTAINING COPIES

Copies of this Fact Sheet and the proposed Bylaw may be inspected, and a copy obtained, at no cost, from:

- a) either of the Council offices at 10 Gorge Road, Queenstown or the Wanaka Service Centre, 47 Ardmore Street, Wanaka;
- b) any Council library within the Queenstown Lakes District; or
- c) the Council website – www.qldc.govt.nz

RIGHT TO MAKE A SUBMISSION AND BE HEARD

Any person or organisation has a right to be heard in regard to this proposal and the Council encourages everyone with an interest to do so.

The Council would prefer that all parties intending to make a submission:

- a) go to the Queenstown Lakes District Council Website: www.qldc.govt.nz or
- b) post their submission to: Regulatory Department, Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348.

Submissions must be received by 14 December 2015. The Council will then convene a hearing, which it intends to hold between 11 – 15 January 2015, at which any party who wishes to do so can present their submission in person. Equal weight will be given to written and oral submissions.

The Council will permit parties to make oral submissions (without prior written material) or to make a late submission, only where it considers that special circumstances apply.

Every submission made to the Council will be acknowledged in accordance with the LGA 2002, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.

Section 82 of the LGA 2002 sets out the obligations of the Council in regard to consultation and the Council will take all steps necessary to meet the spirit and intent of the law.

Adam Feeley
CHIEF EXECUTIVE

APPENDIX 1 - Proposed Queenstown Lakes District Council Food Grading Bylaw