

Proposed Local Public Health Bylaw Submission Form

The Council wants to know what you think about the proposed Wellington City Council Local Public Health Bylaw. Submissions close 4pm, Wednesday 28 November 2007 and can be made on this form and faxed to 04 801 3231 or mailed to: Freepost 2199, Local Public Health Bylaw Submission, Wellington City Council, PO Box 2199, Wellington. Submissions can also be made online at www.wellington.govt.nz or by email to publichealth_submission@wcc.govt.nz. If you would like to speak to the Council about the proposed bylaw, please tick yes below and we will contact you to organise a time.

Details of submitter(s) *Mandatory fields

Mr / Mrs / Ms / Miss / Dr (circle which applies)
 First name(s)* Angela Last name* Ton
 Street Address* 36 Tararua St Te Aro Wellington
 Phone (04) 801-8699 Email _____

I would like to make an oral submission (please tick): Yes No
 I am making a submission: as an individual on behalf of an organisation MT Fuji (name of organisation)

NOTE

All submissions (including name and contact details) are published and made available to elected members and the public. Personal information will be used for the administration of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington, with submitters having the right to access and correct personal information.

Submission questions and comments

(please tick those that apply)

- This submission relates to: Food Premises Public Pools
- Do you agree with the proposed bylaw? Yes No
- Please provide comments on the proposal:

1. Staff should have training in food safety. food premises operator shall clearly display in public area of the premises. No food premises operator shall display a grading certificate or certificate of registration after the expiration date shown on the certificate.

No premises shall be used for the operation of public pool unless the operator of a public pool has obtained a certificate of registration from the Council.

operator of public pool shall keep swimming pool quality or equivalent qualifications that is to standard approved by the Council

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Details of submitter(s) *Mandatory fields

Mr / Mrs / Miss / Dr (circle which applies)
First name(s)* Andrew Last name* Siataqa
Street Address* 17b Victoria St, Wellington C.B.D
One 04 385 3128 Email stave_dust21@hotmail.com

I would like to make an oral submission (please tick): Yes No
I am making a submission: as an individual on behalf of an organisation Clis Limited (name of organisation)

Note

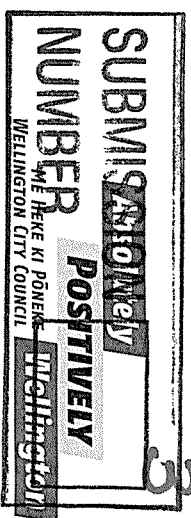
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Submission questions and comments

(please tick those that apply)

- 1. This submission relates to: Food Premises Public Pools
- 2. Do you agree with the proposed bylaw? Yes No

3. Please provide comments on the proposal:
 In regards to certifying public facilities such as pools, spas, etc, I agree with protecting the public through maintaining our environments to a specific standard.
 However in section 3.6 'public pools', I do not think it is necessary for operators, specifically of small establishments with one spa pool, to hold an NZQA qualification in water treatment. Our maintenance personnel seems sufficient enough in checking & maintaining our spa levels & well as cleaning & servicing the spa frequently. I hope this submission helps in the passing of these bylaws.



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Details of submitter(s) *Mandatory fields

Mr / Mrs / Miss / Mr (circle which applies)
First name(s)* Amanda Last name* Lawrence
Street Address* Level 1 Case Car Lane, Wain.
Phone 0274772333 Email amanda@concretebar.com

I would like to make an oral submission (please tick): yes no
I am making a submission: as an individual on behalf of an organisation Lawrence Bar (name of organisation)

Note

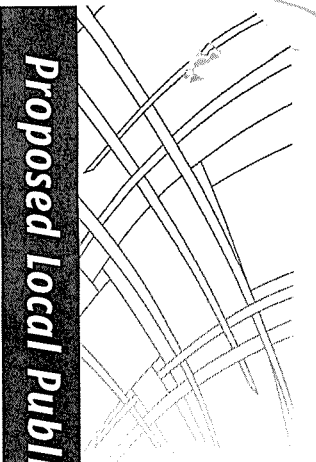
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(please tick those that apply)

- 1. This submission relates to: Food Premises Public Pools
- 2. Do you agree with the proposed bylaw? Yes No
- 3. Please provide comments on the proposal:

In general I think its good to tighten up the health rules, and county of premises. I think careful thought is needed on 4.2.2 and a clear definition of 'mechanic and signifiant risk'. There should be no alterations added to this as premises already pay fees and inspectors under health regulations act 1974 the same people (I assume) assess risk, therefore it is merely a more thorough examination and grading that is added, hence no increase in fees should be applied.



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If you would like to speak to the Council about the proposed bylaw, please tick yes below and we will contact you to organise a time.

Details of submitter(s) *Mandatory fields

Mr / Mrs / Ms / Miss / Dr (circle which applies)

First name(s)* Elies Last name* Angieci

Street Address* 56 Cleveland St, Brooklyn Wellington

Home 3856510 Email _____

I would like to make an oral submission (please tick): yes no

I am making a submission: as an individual on behalf of an organisation Brooklyn Sealworks (name of organisation)

Note

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Submission questions and comments (please tick those that apply) **MAKE THIS HAPPEN PLEASE**

- This submission relates to: Food Premises Public Pools
- Do you agree with the proposed bylaw? Yes No
- Please provide comments on the proposal:

I disagree that certification of managers owners or staff will solve the problem. Common sense will tell you and you need to know. Egi change having pies in warmer for days on end. Training is good if practical but a certificate at any level means nothing if ~~not~~ the training isn't executed alongy works.

Most shops ~~that~~ (e by the way) are Allthg ~~shops~~ only display their registration. *Compulsory display of ~~grading~~ ^{THIS} experience I have gathered over 30 years is that the majority of shops go back to there

NOTE - QUESTION IF YOU WANT A FOOD SHOP & ALWAYS GOT EXCELLENT WITH STAND YOU PAY AT THE FOR INSPECTOR & REGISTRATION?

usual practice once the inspection has taken place ~~if~~ they are not up to scratch then they should be closed immediately until they are - minimum 24 hrs & those that fail under the minimum of being kept open should pay more for their certs - ~~if~~ If you are under average hope the registration fee, Plus they pay the costs of public notification.

This idea of having ^{1st fold here} to have a certified member of staff on the premises is wrong. We are not selling alcohol (the new will they really water) I think that the standard is too low & the health officers are powerless to enforce the absolute necessary things - CLEAN YOUR SHOP. ~~OR~~ OR RCSR, Plus those that are graded at top level should receive a discount on registration, this may provide an incentive to get ~~to~~ to standards.

2nd fold here

FreePost Authority Number 2199

**Absolutely
POSITIVELY**
WE HERE KI PŌHŪKE
WELLINGTON CITY COUNCIL

FreePost
NOV 01 2019

Local Public Health Bylaw Submission
Policy Team
Wellington City Council
PO Box 2199
Wellington

Local Public Health Bylaw Submission

Policy Team
Wellington City Council
PO BOX 2199
WELLINGTON

23 October 2007

To whom it may concern:

PROPOSED PUBLIC HEALTH BYLAW 2008 SECTION 3.7.1 POOL SUPERVISION

Water Safety New Zealand (WSNZ) would like to make a submission of support for the said bylaw above with a suggested amendment to section 3.7.1 that currently reads,

"Children under 8 years are not permitted in a public pool premises unless actively supervised by a caregiver at least 16 years of age. Actively supervised means able to provide immediate assistance."

23 children under the age of 14 were hospitalised from public pools in 2006 as a result of a submersion incident. This statistic highlights the very real requirement for the supervision of children around water.

Given this statistic, WSNZ would like to include the requirement for parents to watch their children at all times when visiting a public pool.

Consequently, WSNZ proposes that 3.7.1 reads:

"Children under 8 years are not permitted in a public pool premises unless actively supervised by a caregiver at least 16 years of age. Actively supervised means watching your child at all times and able to provide immediate assistance."

A parent or caregiver may be able to provide immediate assistance but unless they are watching the child at all times may not know to provide immediate assistance. For example, a parent may be within an arms reach of the child but if listening to music or reading a book, could be oblivious to the potentially fatal situation of the child. Conversely a parent may be watching a child at all times, but if they are not able to provide immediate assistance then the situation could also be fatal.

WSNZ and the New Zealand Recreation Association (NZRA) administer the ACC PoolSafe® Quality Management Scheme (QMS). This scheme is recognized by the Department of Labour as the minimum standard for the safe operation of a public swimming pool. As part of the ACC PoolSafe QMS the pool alone policy is as follows:

"All children under 8 must be actively supervised by a parent or caregiver 16 or older. Actively supervised means watching you child at all times and able to provide immediate assistance".

Given 3.7.1's consistency in language with the PoolSafe QMS policy, the intent and the real supervision requirement, WSNZ makes this submission of support and amendment for consideration.

If you require any further information please do not hesitate to get in contact with me.

Sincerely

A handwritten signature in black ink, appearing to read 'Alexander Brunt', written over a horizontal line.

Alexander Brunt
Project Manager

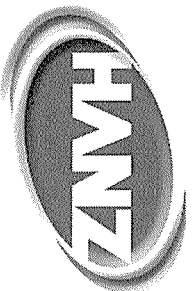
Sharon Bennett

From: Eve.Butler@hanz.org.nz on behalf of Tracy.Scott@hanz.org.nz
Sent: Wednesday, 28 November 2007 3:48 p.m.
To: BUS: Policy Submission
Subject: Bylaw Submission
Importance: High
Attachments: Review of Food Premises & Public Pools Bylaw Nov07.doc

Please find attached submission re: Bylaw Review - Food Premises and Public Pools.

Tracy Scott
Regional Manager
Southern North Island

tracy.scott@hanz.org.nz
Ph: 04 385 1369
Mob: 027 463 8396
P.O Box 503
Wellington



Hospitality Association of New Zealand
WELLINGTON BRANCH

SUBMISSION
TO THE
WELLINGTON CITY COUNCIL
ON THE

BYLAW REVIEW – FOOD PREMISES AND PUBLIC POOLS
28 NOVEMBER 2007

The Hospitality Association is a statutory body created by the Hotel Association of New Zealand Act 1969. The Association has been restructured from the old Hotel Association to reflect the breadth of diverse operations in the hospitality sector including restaurants, café bars, taverns, country hotels, motor inns, off-licensed premises and short and long term accommodation providers. We believe the name “Hospitality Association” reflects this diversity.

The Hospitality Association of New Zealand (HANZ) has over 2300 members nationally, 291 of those are from the Wellington Branch of the Association.

The Association is voluntary and funded by membership subscriptions and represents the interests of its members. There is also a perception that the Association speaks for and represents the interests of the hospitality industry as a whole.

The Branch writes this submission and would like to comment on the Bylaw Review, with regards to food premises. The Association has considered the proposed bylaw and wishes only to comment on aspects in respect of food safety.

Part 2 Food Premises

2.3 Food Hygiene Training

2.3.1 We note that the training in respect of food safety must be to NZQA level or equivalent or such other training approved by Council but note no further details in respect of food safety training or particular NZQA unit standards are referred to. The Association considers that the proposed bylaw could provide more certainty in this respect. However, the Association does support a flexible approach to food safety training certification and recognises that there are a number of unit standards for food safety, food safety handlers and food safety advisors that are appropriate.

The Association asks that Council give consideration in the proposed bylaw to the food safety training required to comply with the proposed bylaw on a national level to ensure some consistency. The Hospitality Industry is a somewhat transient industry and we would like to see qualifications obtained by our members being accepted in all regions.

Part 4 Administration and Enforcement

4.2 Notice to cleanse, repair or cease use of the premises

The Association notes that the proposed bylaw proposes to address gaps in the current food hygiene regulations and specifically to

- Move swiftly to close a premise should it pose an immediate and significant risk to public health

The Association would like to point out the need for retaining a type of 'graduated response' enforcement regime with enforcement, and more particularly closure action, only if unavoidable and after all alternatives have been exhausted.

The Association would also submit that the bylaw be clearer in its wording so as to ensure that this process is achieved and with clear and appropriate reasons for enforcement action being required.

A suggested addition to 4.2.1 could be as follows with the suggested addition bolded:

4.2 Notice to cleanse, repair or cease use of premises

4.2.1 Where any premises, that are subject to this bylaw, by reason of their situation, construction, defect, or state is unsanitary or unhygienic so as to present risks to public health, the Council may serve a notice in writing on the occupier/operator or owner/proprietor requiring:

- a) The premises to be cleaned or repaired in a manner and timeframe

- b) specified in the notice; or
Cessation from using the premises pursuant to the certificate of registration until the cleaning or repairing has been completed to the satisfaction of the Council.

All such notices provided under this section shall state sufficient particulars, including particulars of any corrective action required to ensure that any risk to public health is removed.

Conclusion

The Association considers that any proposed bylaw reflect developments in operations so as to ensure the provision of safe food to the public and is aware of developments as a result of the current Domestic Food Review currently being undertaken by the New Zealand Food Safety Authority. The Association considers that any bylaws be consistent with any developments in this regard while providing for ease of enforcement as well as ensuring that suppliers of food to the public are able to understand their obligations.

The Wellington Branch understands the need to create a Local Public Bylaw which incorporates Food Premises and Public Pools. Could you put the frame work of this bylaw together and make concessions to drop the outcome of the National Standard into this bylaw.

Thank you for considering the views of the Wellington Branch of the Hospitality Association.

The Branch would like to be heard on its submission.

**Tracy Scott
Regional Manager
Hospitality Association of NZ
Wellington Branch**

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Details of submitter(s)

*Mandatory fields

Mr / Mrs / Ms / Miss / Dr (circle which applies)

First name(s)* CHRISTOPHER JOHN Last name* BRENNAN

Street Address* 200 KARENAN ST, WAIKIDESTRAVE

Phone 976-5677 Email _____

I would like to make an oral submission (please tick):

yes

no

I am making a submission:

as an individual

on behalf of an organisation _____

(name of organisation)

Note

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Submission questions and comments

(please tick those that apply)

1. This submission relates to:

Food Premises

Public Pools

Do you agree with the proposed bylaw?

Yes

No

3. Please provide comments on the proposal:

open shelter

Definition of Public Pool is too wide.

Exemptions should be for

1. Pools used in conjunction with private residential accommodation

2. Pools associated with commercial operation where the number of users of the pool in a day are as below 10. ... Pools must be available free of charge

This would enable low usage pools, similar to private pools, to share the risk in minimal to users, to be similar to private pools.

If smaller low use pools to avoid huge compliance

costs. Compliance should be on the high use, high risk rather than low use, low risk