



Food Establishment Inspections

1. Intent of Policy

From the 1 July 2008, Oberon Council formally entered into a Food Regulation Partnership with the NSW Food Authority under the Food Act, 2003 and Food Regulation 2004 and National Food Standards code. The intent of this policy is to detail how Council will fulfil its obligations under the partnership with a primary aim of ensuring that food is safe to consume.

2. Scope of Policy

Council's primary responsibility is for the food and service sector, however Council officers are still authorised under the Food Act 2003 for all types of food businesses, including manufacturers and those licensed by the NSW Food Authority.

Retail and food service businesses include:

- ⌚ A food business, which performs as its principal food related activity, the production of food for direct sale to the consumer
- ⌚ The sale or service of food directly to the public

It does not include

- ⌚ Primary Production
- ⌚ Businesses licensed by the Food Authority (eg butchers)
- ⌚ Manufacturers
- ⌚ Wholesalers
- ⌚ Food transport vehicles

Relevant Statutory Requirements specific to this policy:

Food Act, 2003

Food Regulation, 2004

National Food Standards Code

3. Guidelines

Staff will classify Oberon Food Premises as being either High Risk or Low Risk. High Risk food premises include bakery/cake shops, coffee shops that serve meals, restaurants, tourist facilities that have an on-site kitchen, hotels and motels that serve meals, mobile food vans, licensed clubs, school canteens and takeaway food shops. Low Risk Food premises include confectionary shops, newsagents that sell packaged foods, pharmacies that sell packaged food, bottle shops, service stations, fuel depots, green grocers, and similar establishments.

It is anticipated that High Risk businesses will be inspected at least twice a year and Low Risk businesses at least once a year. The inspection frequency is based on the risks associated with the food and how it is handled at each business type.

Inspection frequencies should also reflect the performance history of the food business.

Businesses that have undergone 3 consecutive inspections with no critical food safety breaches identified may have their inspection frequency reduced, and food businesses that are forced to have critical food safety breaches may have their inspection frequency increased

It is proposed that the charges be reviewed annually in the normal Management Plan process for food premises in the Oberon Local Government Area. They will be differentiated as follows:

- Inspection Fee:
 - a) High Risk Food Premises
 - b) Low Risk Food Premises
- Annual Administration Fee
- Improvement Notice Fee

For those premises that are not complying with the requirements of the Food Act 2003, provision has been made to allow Council to issue an urgent Improvement Notice.

Approving Authority	Oberon Council
Contact	Director of Development
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