

Council Policy

Food Act Inspections and Auditing Fees



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Next review date:	March 2030	
Objective ID:	A5069	
Responsible Manager:	Manager Compliance	
General Manager:	General Manager Corporate and Compliance	4/09/2024
Approved by:	Council	18/03/2025

1 Purpose

- 1.1 The City of West Torrens (CWT) routinely inspects food premises and audits food safety programs at premises across the local government area to ensure the safety and suitability of the food. These premises include businesses that sell food, including at events, as well as places such as hospitals, nursing homes and childcare facilities that provide food services to vulnerable persons. The CWT has, accordingly, set fees for these services.
- 1.2 The CWT is required to set fees for inspections in accordance with the *Food Act 2001* and *Food Regulations 2017*.
- 1.3 The CWT, in accordance with section 188 of the *Local Government Act 1999*, can impose a fee for auditing food safety programs.

2 Scope

- 2.1 This policy applies to businesses as prescribed in the *Food Act 2001* that sell food or provide food services to vulnerable persons.

3 Definitions

Term	Definition
Audit	means a systematic and independent examination of documented systems and records to assess whether the system has been implemented and is effective in meeting standards.
Community and charitable organisation	means any group, club or organisation that does not provide financial gain to any individual person or group of people.
Food service to vulnerable persons	means a food business involved in food processing and service to vulnerable persons as set out in Food Safety Standard 3.3.1.

Term	Definition
Low-risk foods	means food that is unlikely to contain pathogenic microorganisms and will not normally support their growth due to the food's characteristics.
Nominal-risk business	means a business that handles only low-risk foods and hence will not warrant frequent or lengthy inspections.
Risk classification	means the risk classification allocated to a business as determined by SA Health's South Australian Food Business Risk Classification system.
Routine inspection	means an inspection conducted at a frequency determined by the business's risk classification and performance history.
Small business	means a business where not more than 20 people are engaged in handling food (determined as people who work full-time in handling food, or the full-time equivalents of such people).
Vulnerable person	means a person who receives care from one of the businesses listed in the Schedule of Food Safety Standard 3.3.1.

4 Policy Statement

4.1 Standard Fee Application for Inspections

- 4.1.1 Inspection fees will be charged as per the City of West Torrens Fees and Charges Schedule, which is reviewed annually.
- 4.1.2 Fees will be imposed for routine inspections only.
- 4.1.3 Fees for inspections will be based on the size of the business.
- 4.1.4 Inspection fees will not be imposed for follow-up inspections related to non-compliance with the *Food Act 2001*.
- 4.1.5 Inspection fees will not be imposed for inspections carried out in relation to complaints received.
- 4.1.6 Inspection fees will not be varied or waived for food businesses that have formal audited food safety programs in place.

4.2 Concessional Fee Application for Inspections

- 4.2.1 Inspection fees will not be imposed for community and charitable organisations.
- 4.2.2 An inspection fee will be imposed for nominal-risk businesses at a reduced rate equivalent to 50% of the standard fee for small businesses.
- 4.2.3 An inspection fee up to the maximum inspection fee as per the *Food Regulations 2017* may be negotiated with the host organisations of major festivals, events and food markets in place of inspection fees for individual food stalls and vans.

4.3 Standard Fee Application for Auditing

- 4.3.1 Audit fees will be imposed to conduct:
 - an on-site audit; and
 - a desktop audit of a food safety program for food service for vulnerable persons.

- 4.3.2 Audit fees will be charged as per the City of West Torrens Fees and Charges Schedule, which is reviewed annually.
- 4.3.3 Fees for auditing will be charged at an hourly rate (based on 15-minute increments rounded down to the nearest quarter hour).
- 4.3.4 Audit fees will be imposed for follow-up audits that are required to determine whether non-conformances raised during earlier audits have been corrected.

4.4 Concessional Fee Application for Auditing

- 4.4.1 The City of West Torrens will provide concessions on auditing fees for community and charitable groups.
- 4.4.2 An audit fee will be imposed for community and charitable organisations at a reduced rate equivalent to 50% of the standard audit fee.

5 References and Links

Applicable legislation:	Food Act 2001 (SA) Food Regulations 2017 (SA) Local Government Act 1999 (SA) Australia New Zealand Food Standards Code - Standard 3.3.1 - Food Safety Programs for Food Service to Vulnerable Persons
Related policies or corporate documents:	City of West Torrens Fees and Charges Schedule
Associated forms:	Nil