

Report on local government activities 2015-2016

Food Act 2006

May 2017



Report on local government activities 2015-2016, Food Act 2006

Published by the State of Queensland (Queensland Health), May 2017



This document is licensed under a Creative Commons Attribution 3.0 Australia licence.
To view a copy of this licence, visit creativecommons.org/licenses/by/3.0/au

© State of Queensland (Queensland Health) 2017

You are free to copy, communicate and adapt the work, as long as you attribute the State of Queensland (Queensland Health).

For more information contact:

Food Safety Standards and Regulation, Department of Health, GPO Box 48, Brisbane QLD 4001, email foodsafety@health.qld.gov.au, phone (07) 3328 9310.

An electronic version of this document is available at

<https://www.health.qld.gov.au/public-health/industry-environment/food-safety/resources>

Disclaimer:

The content presented in this publication is distributed by the Queensland Government as an information source only. The State of Queensland makes no statements, representations or warranties about the accuracy, completeness or reliability of any information contained in this publication. The State of Queensland disclaims all responsibility and all liability (including without limitation for liability in negligence) for all expenses, losses, damages and costs you might incur as a result of the information being inaccurate or incomplete in any way, and for any reason reliance was placed on such information.

Contents

Summary	iv
1. Introduction	1
2. Requesting information	1
3. Reporting outcomes	1
4. Regions and local governments	2
5. Results	4
5.1 Summary of local government responses	4
5.2 Regional results	5
5.2.1 Licensed food businesses	5
5.2.2 Food safety supervisors	7
5.2.3 Food safety programs	8
5.2.4 Inspections of licensed food businesses	10
5.2.5 Complaints	12
5.2.6 Employees in food regulation	13
5.2.7 Enforcement	15
5.2.8 Fees	18

Figures

Figure 1	Geographical location of local government regions in Queensland	3
Figure 2	Comparison of food businesses that require a food safety program with a food safety program for the 2014-2015 and 2015-2016 reporting period	9
Figure 3	Number of PINs issued by local government by section	17

Tables

Table 1	Local government regions	2
Table 2	Comparison of standing parameters for 2014-2015 and 2015-2016 reporting periods	4
Table 3	Regional results for standing parameters	5
Table 4	Local governments with the highest number of licensed food businesses for the 2015-2015 and 2015-2016 reporting period	6
Table 5	Food safety supervisor data	7
Table 6	Food safety program data	9
Table 7	Total number of inspections of licensed food businesses	10
Table 8	Number of inspections by category, of licensed food businesses	11
Table 9	Number of food business complaints received	12
Table 10	FTE employees committed to food regulation	14
Table 11	Enforcement action taken for the 2015-2016 reporting period	15

Appendices

Appendix 1	Local government area boundaries	19
Appendix 2	Summary of local government responses	20

Summary

Local governments are responsible for the administration and enforcement of licensed food businesses. Annually the Department of Health (the Department) requests local government to provide information on the administration of the *Food Act 2006* (the Act). The information provided by local government is collated and developed into a publicly available report.

Over the 2015-2016 reporting period there was a 3.6% increase in the number of licensed food businesses across the State with a total of 29,825. 11 local governments reported that they had no licensed food businesses, compared to 10 local governments from the previous reporting period.

Statewide there were 188.5 full time equivalent employees committed to food regulation in the 2015-2016 reporting period. This is a 13.1% increase from the previous reporting period.

Licensed food businesses were inspected on average 1.07 times per year, including follow up and complaint inspections. This represents a very slight decrease from the previous reporting period. The data shows that 75.7% of inspections were routine or scheduled, 16.7% were follow up or re-inspections and the remainder were inspections undertaken following a complaint.

Overall there was an increase in enforcement action undertaken by local governments in Queensland. The number of improvement notices issued increased by 8.9%, the number of food businesses prosecuted increased by 7.9%, however the number of licensed food businesses that had their licence immediately suspended decreased by 18.3%.

All local governments provided a copy of their fee schedule for the 2015-2016 financial year for activities relating to the Act. However, due to the complexity and variation of fees charged for services provided or action taken under the Act, this report has limited scope to provide an accurate comparison of fees charged across the State.

1. Introduction

The *Food Act 2006* (the Act) is the primary food safety legislation in Queensland and applies to all Queensland food businesses. The objectives of the Act are to ensure food for sale is safe and suitable for human consumption, to prevent misleading conduct in relation to the sale of food and to apply the Australia New Zealand Food Standards Code (the Code).

The Department of Health (the Department) in association with Hospital and Health Service Public Health Units (PHUs) and local government are accountable to the community for ensuring that acceptable food safety standards are being achieved by food businesses. One of the main ways of demonstrating that these standards are being met is by monitoring food business compliance with the Act.

Section 28 of the Act provides for the Department to request information from local government relating to the administration and enforcement of the Act. As a partner in the administration of the Act, section 29 of the Act provides for the Department to give local governments, in return, collated reports on the administration of the Act.

In Queensland, local governments are responsible for licensing all licensable food businesses and accrediting food safety programs for certain food businesses under the Act. Additionally, local governments have responsibility for enforcing specified offence provisions of the Act and Chapter 3 of the Code (Food Safety Standards).

Queensland's food regulators have a duty to demonstrate the effective administration of the Act. Reporting provides a qualitative tool to measure effectiveness and may include the release of information such as the number of inspections conducted.

The information provided to the Department may be used in the development of reports on the administration of the Act and the status of food safety in Queensland and to respond to requests and enquiries from the Minister for Health, the Director General or appropriate Commonwealth agencies.

2. Requesting information

The Department requested local government to supply data on the administration and enforcement of licensed food businesses in their area.

Local governments were provided with a notice under section 28 of the Act requesting data to be provided for their activities covering the period 1 July 2015 – 30 June 2016. Local government were required to return the requested data in the approved format and information was collected from all 78 local governments.

3. Reporting outcomes

The same questions used in the 2014-2015 report have been used for this report, providing some consistency in the information collected and facilitating accurate comparisons across reporting periods.

4. Regions and local governments

To assist in the interpretation of the data, local governments have been grouped into regions as identified in Table 1 below. These regions are based on the geographic areas of Queensland and are the same divisions as previously used by the Australian Bureau of Statistics.

Table 1 provides a list of the local governments within each region and Figure 1 details the geographical location of each of these regions. A detailed map showing local government boundaries can be found in Appendix 1.

Table 1 Local government regions

Region	Local governments
Brisbane and Moreton	Brisbane, Gold Coast, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, Redland, Scenic Rim, Somerset and Sunshine Coast
Mackay and Fitzroy	Central Highlands, Gladstone, Isaac, Livingstone, Mackay, Rockhampton and Woorabinda
Wide Bay Burnett	Banana, Bundaberg, Cherbourg, Fraser Coast, Gympie, North Burnett and South Burnett
Far North	Aurukun, Cairns, Cassowary Coast, Cook, Croydon, Douglas, Etheridge, Hopevale, Lockhart, Mapoon, Mareeba, Napranum, Northern Peninsula, Pormpuraaw, Tablelands, Torres, Torres Strait Region, Weipa, Wujul Wujul and Yarrabah
Northern	Burdekin, Charters Towers, Hinchinbrook, Palm Island, Townsville and Whitsunday
Darling Downs	Goondiwindi, Southern Downs, Toowoomba and Western Downs
North West	Burke, Carpentaria, Cloncurry, Doomadgee, Flinders, Kowanyama, McKinlay, Mornington, Mt Isa and Richmond
South West	Balonne, Bulloo, Maranoa, Murweh, Paroo and Quilpie
Central West	Barcaldine, Barcoo, Blackall-Tambo, Boulia, Diamantina, Longreach and Winton

Figure 1 Geographical location of local government regions in Queensland



5. Results

5.1 Summary of local government responses

A summary of the results relating to the core parameters for the 2014-2015 and 2015-2016 reporting periods are presented in Table 2. These individual parameters are discussed in further detail in the report.

The individual local government data is attached in Appendix 2

Table 2 Comparison of standing parameters for 2014-2015 and 2015-2016 reporting periods

Standing parameters	2014-2015	2015-2016	% change
Number of licensed food businesses	28,796	29,825	3.6% increase
Number of licensed food businesses with a food safety supervisor	24,847	26,579	7% increase
Number of food businesses that require a food safety program (FSP) with an accredited FSP	1,677	1,859	10.9% increase
Average number of inspections per licensed food business	1.08	1.07	0.9% decrease
Number of full time equivalent (FTE) employees committed to food regulation	166.7	188.5	13.1% increase
Number of improvement notices issued	2,723	2,968	9% increase
Number of prescribed infringement notices issued	666	779	17% increase
Number of prosecutions undertaken	38	41	7.9% increase

5.2 Regional results

A summary of the 2015-2016 regional results for the standing parameters are presented in Table 3 below. Further results are presented and discussed within this report.

Table 3 **Regional results for standing parameters**

Regions	No. of food businesses licensed	Average no. of inspections per food business	No. of food businesses requiring a FSP with a FSP	No. of infringement notices	No. of prosecutions	No. of FTE employees committed to food regulation
Brisbane and Moreton	19,803	1.1	1,336	684	39	93.9
Mackay and Fitzroy	2,041	1.1	89	27	0	18.5
Wide Bay Burnett	1,788	0.9	97	7	0	16.4
Far North	2,256	1.2	102	24	0	24.5
Northern	1,754	1	100	21	2	9.95
Darling Downs	1,510	1.2	97	9	0	10.75
North West	217	1.8	21	7	0	6.7
South West	314	1	11	0	0	2.3
Central West	142	1.6	6	0	0	5.5
QLD total	29,825	1.07	1,859	779	41	188.5

5.2.1 Licensed food businesses

Certain food businesses are required to be licensed by local government under the Act. These food businesses include manufacturers (e.g. manufacture of packaged bakery products), food businesses selling unpackaged food by retail (e.g. a restaurant or catering business) and non-profit organisations that sell meals on at least 12 occasions in a year (e.g. Meal on Wheels).

Some food businesses or activities are not licensable under the Act, such as, businesses selling only pre-packaged foods, the sale of whole fruit and vegetables and the sale of drinks such as tea, coffee, soft drink and alcoholic beverages. Primary producers of eggs, dairy, meat and seafood are accredited by Safe Food Production

Queensland under the *Food Production (Safety) Act 2000*. These businesses are not captured by this report.

During the 2015-2016 reporting period there were 29,825 licensed food businesses in Queensland. This is an increase of 1,029 licensed food businesses or a 3.6% increase from the 2014-2015 reporting period.

11 local governments reported that they had no licensed food businesses, compared to 10 local governments from the previous reporting period.

The number of licensed food businesses within each region is identified in Table 3.

Table 4 below presents a comparison of the 5 local governments with the highest number of licensed food businesses from the 2014-2015 and 2015-2016 reporting periods.

Table 4 Local governments with the highest number of licensed food businesses for the 2014-2015 and 2015-2016 reporting period

Ranking	2014-2015		2015-2016	
	Local government	No. of food businesses licensed	Local government	No. of food businesses licensed
1	Brisbane City Council	7,065	Brisbane City Council	7,387
2	City of Gold Coast	4,413	City of Gold Coast	4,843
3	Sunshine Coast Council	1,881	Moreton Bay Regional Council	1,887
4	Moreton Bay Regional Council	1,750	Sunshine Coast Council	1,833
5	Cairns City Council	1,121	Logan City Council	1,164

Brisbane City Council has recorded a significant increase in the number of licensed food businesses, with 322 more than the previous period. This increase has been attributed to a general growth in the food sector, particularly the increased popularity of temporary food stalls and mobile food vehicles (e.g. market stalls and food trucks).

The City of Gold Coast had an even greater increase in the number of licensed food businesses with 430 more than the previous period. This was primarily a result of increases in the number of manufacturers and temporary food stalls.

Local governments were asked to provide information on license categories. Of the 67 local governments that reported having licensed food businesses, 23 reported not using licence categories, a 15% decrease from the 2014-2015 report. 15 local governments used simple categories such as low, medium and high risk and 29 used categories based on business type such as café/restaurant, manufacturer, and child care centre.

5.2.2 Food safety supervisors

The Act requires licensable food businesses to have at least one nominated food safety supervisor. Food safety supervisors must have food safety hazards knowledge, have skills and knowledge in matters relating to food safety relevant to the food business and have the authority to supervise and give directions about matters relating to food safety to persons who handle food in the food business. Anyone who meets these requirements may be a food safety supervisor, including the business owner, the licensee, a manager, and employee or an external contractor.

During the 2015-2016 reporting period, local governments reported that 26,579 or 89.1% of licensed food businesses had a nominated food safety supervisor. This is an increase from the previous reporting period where 24,847 or 86.3% of licensed food businesses had a nominated food safety supervisor.

Table 5 provides a regional overview of the number of licensed food businesses with a nominated food safety supervisor. Percentages of licensed food businesses with a nominated food safety supervisor from the last reporting period have also been included for comparison.

Table 5 Food safety supervisor data

Regions	No. of food businesses licensed	Food safety supervisors		
		No. of businesses with a food safety supervisor	% of businesses with a food safety supervisor 2015-2016	% of businesses with a food safety supervisor 2014-2015
Brisbane and Moreton	19,803	16,993	85.8%	83.9%
Mackay and Fitzroy	2,041	1,965	96.3%	96.5%
Wide Bay Burnett	1,788	1,554	87%	66.8%
Far North	2,256	2,222	98.5%	97%
Northern	1,754	1,709	97.4%	97.4%
Darling Downs	1,510	1,463	96.9%	95.3%
North West	217	217	100%	95.3%
South West	314	314	100%	88.2%
Central West	142	142	100%	96.2%
Total	29,825	26,579	89.1%	86.3%

Overall there was an increase across the state in the percentage of licensed food businesses with a nominated food safety supervisor. This could be attributed to the increase in the number of local governments that reported all licensed food businesses had a nominated food safety supervisor (40 compared to 36 in the previous report). Consequently, three regions now have 100% of food businesses with a nominated food safety supervisor.

The Department developed the guideline *Food safety supervisors, Food Act 2006* to assist local governments with the enforcement and administration of the food safety supervisor provisions of the Act. Within this guideline, minimum training competencies are recommended for food safety supervisors within respective food sectors. 54 of the 68 local governments with licensed food businesses require food safety supervisors to possess the recommended competencies as contained in the guideline.

Local governments that do not require the food safety supervisor to complete the national competencies, assess food safety supervisors suitability in the following ways:

- assessment during inspection
- completion of I'M ALERT or similar online training program
- other qualifications including tertiary qualifications containing components of food safety and hygiene subjects, and HACCP training
- industry experience
- assessment tools including questionnaires

5.2.3 Food safety programs

Since July 2008 certain food businesses have been required under the Act to have accredited food safety programs. The introduction of food safety programs for certain sectors of the food industry was part of the national review and assessment which aimed to reduce the incidence of foodborne illness, reduce regulatory burden on the food industry and provide consistent food regulation and standards across Australia.

Licensable food businesses are required to have a food safety program accredited by their local government if:

- the food business involves off-site catering
- the primary activity of the food business is on-site catering
- the food business is carried on as part of the operations of a private hospital or otherwise processes or serves potentially hazardous food to six or more vulnerable persons.

Other food businesses that are not required to have a food safety program may choose to have an accredited food safety program.

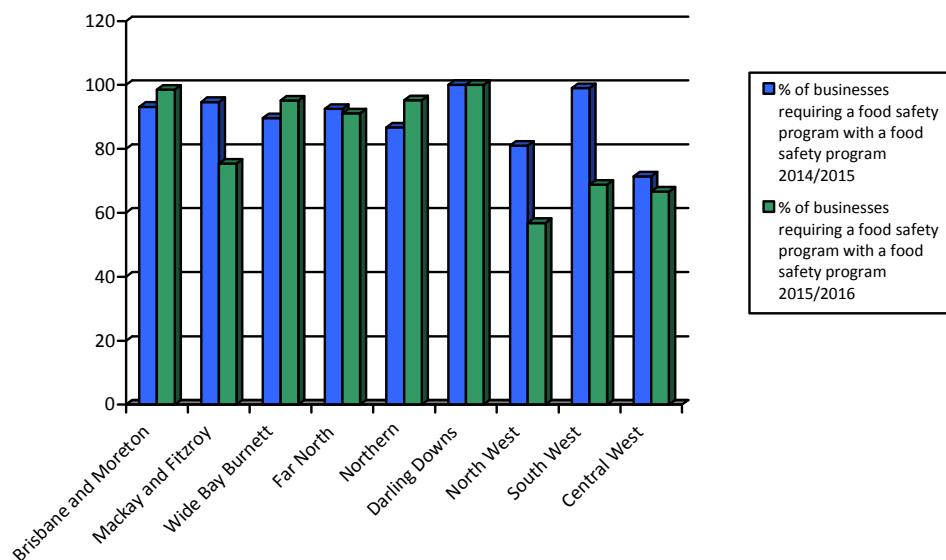
Table 6 provides a regional overview of the number of licensed food businesses requiring a food safety program and the number of those that have been accredited by local government. During the 2015-2016 reporting period there was an 11% increase in the number of food safety programs accredited across the state. For the fourth year running the Darling Downs region had the highest level of accreditation with 100% of relevant businesses having an accredited food safety program. This was followed by

the Brisbane and Moreton region with 98.5% of relevant businesses with an accredited food safety program.

Table 6 Food safety program data

Regions	No. of licensed food businesses requiring a food safety program	Food safety programs	
		No. of accredited food safety programs	% of businesses requiring a food safety program with a food safety program
Brisbane and Moreton	1,357	1,336	98.5
Mackay and Fitzroy	118	89	75.4
Wide Bay Burnett	102	97	95.1
Far North	112	102	91.1
Northern	105	100	95.2
Darling Downs	97	97	100
North West	37	21	56.8
South West	16	11	68.8
Central West	9	6	66.6
Total	1,953	1,859	95.2

Figure 2 Comparison of food businesses that require a food safety program with a food safety program for the 2014-2015 and 2015-2016 reporting period



5.2.4 Inspections of licensed food businesses

Local government inspect licensed food businesses to assess compliance with the Act, the Food Safety Standards and the food businesses licence conditions.

The Food Safety Standards specify food safety practices, general requirements and food premises and equipment requirements including maintaining hygiene standards, temperature control, pest control, structural requirements and having adequate facilities.

The Act does not specify the frequency of inspections. Local government conduct routine inspections based on a number of factors such as the category of the food business (eg. high, medium or low risk), the number of non-compliances identified and the businesses compliance history. The frequency of inspections undertaken per licensed food business may also provide an indication of the capacity of local government to assess food businesses compliance with their legislative requirements in relation to safety.

Table 7 summarises the total inspection data provided by local government for each region. Statewide, licensed food businesses were inspected on average 1.07 times, however this number includes follow up and complaint inspections. This figure is a slight decrease in the average number of inspections, which was 1.1 for the previous reporting period.

Table 7 Total number of inspections of licensed food businesses

Regions	No. of licensed food businesses	Inspections	
		Total no. of inspections	Average per food business
Brisbane and Moreton	19,803	20,908	1.1
Mackay and Fitzroy	2,041	2,329	1.1
Wide Bay Burnett	1,788	1,597	0.9
Far North	2,256	2,713	1.2
Northern	1,754	1,780	1
Darling Downs	1,510	1,852	1.2
North West	217	394	1.8
South West	314	316	1
Central West	142	224	1.6
Total	29,825	32,113	1.07

While all but one region achieved a rate of one or more inspections per licensed food business, there were a number of local governments that conducted significantly less inspections.

The following local governments had the lowest inspection rate:

- Cook Shire Council with 0.3 inspections per licensed food business
- Maranoa Regional Council with 0.4 inspections per licensed food business
- Hinchinbrook Shire Council and Gympie Regional Council with 0.5 inspections per licensed food business

It is worth noting that none of these local governments had the lowest inspection rate in the previous reporting period and it is not known why their inspection rate has decreased so significantly. All of these local governments reported having one FTE EHO committed to food regulation with Maranoa Regional Council reporting 2.5 FTE EHO committed to food regulation.

14 local governments reported that their average number of inspections per licensed food business was greater than two, this is the same number of local governments as the 2014-2015 local government report. All of these local governments are regional or remote areas with a relatively small number of licensed food businesses. Five local governments, who do not have any licensed food businesses, still reported conducting inspections. These were remote and small local governments who, for various reasons, do not have the capacity to license food businesses and so engage contractors or the local public health units to inspect the few businesses that they have.

As well as reporting the total number of inspections conducted for the 2015-2016 reporting period, local governments were also requested to categorise the inspections into either routine or scheduled, follow-up or re-inspection and complaint inspections. Table 8 summarises these results for each of the regions.

Table 8 Number of inspections by category, of licensed food businesses

Regions	No. of licensed food businesses	No. of scheduled inspections	No. of re-inspections	No. of complaint inspections
Brisbane and Moreton	19,803	15,796	3,461	2,252
Mackay and Fitzroy	2,041	1,739	527	63
Wide Bay Burnett	1,788	971	241	75
Far North	2,256	2,016	588	107
Northern	1,754	1,536	185	54
Darling Downs	1,510	1,575	210	67
North West	217	295	32	7
South West	314	245	17	12
Central West	142	128	94	2
Total	29,825	24,301	5,355	2,639

The data indicates that only 8.5% of inspections across the state were as a result of a complaint. 17.2% of inspections were classified as follow-up or re-inspection. 30 local governments did not conduct any complaint inspections and 25 local governments did not conduct any follow-up or re-inspections.

5.2.5 Complaints

Local governments receive a variety of complaints from the public regarding unsafe practices at a food business or concerns that food purchased is not safe. Some examples of complaints received include; dirty/unhygienic food premises, uncooked or undercooked food, poor food handling practices, vermin or animals in a food premise and alleged foodborne illnesses. The quantity and type of complaints that are received vary greatly. Local government were requested to provide the total number of complaints received during the 2015-2016 reporting period, but were not asked to categorise these complaints.

There were a total of 3,568 complaints received across Queensland, 2,693 (75%) of these were within the Brisbane and Moreton region. State-wide, this is only a very small increase (0.8%) in the number of complaints received from 2014-2015 reporting period. Table 9 presents the number of complaints received for each region.

Table 9 Number of food business complaints received

Regions	No. of licensed food businesses	Complaints	
		Total	Per 100 food businesses
Brisbane and Moreton	19,805	2,693	13.6
Mackay and Fitzroy	2,041	190	9.3
Wide Bay Burnett	1,788	163	9.1
Far North	2,256	210	9.3
Northern	1,754	156	8.9
Darling Downs	1,510	133	8.8
North West	217	12	5.5
South West	314	9	2.9
Central West	142	2	1.4
Total	29,825	3,568	12

Brisbane City Council received the most complaints in the reporting period with a total of 1,100, or 14.9 complaints for every 100 food businesses. This is a decrease from the

previous reporting period where 1,212 complaints were received. The City of Gold Coast received the second highest number of complaints with 726 or 15 complaints for every 100 food businesses.

31 of the 78 local governments reported that they received no food complaints for the 2015-2016 reporting period. All of these local governments are in rural or remote areas which may be the reason for this outcome.

5.2.6 Employees in food regulation

Most local government employees working in food regulation are environmental health officers (EHOs). In some rural and remote areas, food regulation is carried out by contract EHOs, employed on an as needs basis. In some of the Indigenous communities, environmental health workers fulfil this function as part of their duties. EHOs employed by PHUs provide support to the Indigenous communities by providing advice on food safety issues and inspecting food businesses operating within the area.

Table 10 provides a regional overview of the number of full time equivalent (FTE) employees committed to food regulation. Statewide there were 188.5 FTE employees committed to food regulation for the 2015-2016 reporting period. This is a 13.1% increase from the previous reporting period.

The Brisbane and Moreton region had the highest number of FTE employees committed to food regulation. However, when expressed per 100 food businesses, this region has the lowest ratio. Both the Northern and South West regions reported a decrease in the number of FTE employees committed to food regulation in the reporting period, however the South West region also reported that the number of licensed food businesses had decreased from 416 to 314.

The North West and Central West regions reported significant increases in the number of FTE employees committed to food regulation. A number of local governments in these regions, who have previously only reported having 0.2 or 0.5 FTE employees committed to food regulation, reported having 1 FTE employee for this reporting period. This had a considerable impact on the overall results for the State, particularly as there were no real changes in the number of licensed food businesses in these areas. While this may indicate an increase in the number of FTE employees committed to food regulation, it is also possibly an administrative error when completing the report as there has not been a correlating increase in the number of inspections undertaken.

When appointing authorised persons under the Act, local governments must ensure that the person to be appointed has the necessary expertise and experience to fulfil their functions under the Act. Generally an EHO that has a degree accredited or recognised by Environmental Health Australia is considered to have the necessary expertise and experience.

Of the 62 local governments that reported having at least one authorised person, 21 reported having authorised persons that do not hold an Environmental Health Australia accredited degree or equivalent. Some of these authorised persons are cadets who have not yet completed their studies or environmental health workers in Indigenous communities.

35 local governments reported using contractors to perform food regulation functions such as inspections, audits and complaint investigation. This is an increase from the

previous reporting period where only 28 local governments reported using contractors. In rural and remote areas it is common for local governments with few food businesses to engage contractors, however larger local governments also utilise contractors to backfill permanent staff, for projects or to assist during busy periods.

Table 10 FTE employees committed to food regulation

Regions	No. of licensed food businesses	FTE employees committed to food regulation	
		Total	Per 100 licensed food businesses
Brisbane and Moreton	19,803	93.9	0.5
Mackay and Fitzroy	2,041	18.5	0.9
Wide Bay Burnett	1,788	16.4	0.9
Far North	2,256	24.5	1.1
Northern	1,754	9.9	0.6
Darling Downs	1,510	10.8	0.7
North West	217	6.7	3.1
South West	314	2.3	0.7
Central West	142	5.5	3.9
Total	29,825	188.5	0.6

5.2.7 Enforcement

The Act provides a suite of escalating enforcement options. The enforcement action taken by a local government is usually graduated and proportionate to the severity of the non-compliances observed and any history of non-compliance.

A regional overview of enforcement action taken during the 2015-2016 reporting period is presented in Table 11.

Table 11 Enforcement action taken for the 2015-2016 reporting period

Region	Improvement notices		Prescribed infringement notices		Immediate suspensions		Prosecutions	
	Total	Per 100 businesses	Total	Per 100 businesses	Total	Per 100 businesses	Total	Per 100 businesses
Brisbane and Moreton	2,463	12.4	684	3.5	39	0.2	39	0.2
Mackay and Fitzroy	100	4.9	27	1.3	0	0	0	0
Wide Bay Burnett	39	2.9	7	0.4	2	0.1	0	0
Far North	79	3.5	24	1.1	7	0.3	0	0
Northern	205	11.7	21	1.2	0	0	2	0.1
Darling Downs	67	4.4	9	0.6	0	0	0	0
North West	13	5.9	7	3.2	0	0	0	0
South West	0	0	0	0	0	0	0	0
Central West	2	1.4	0	0	1	0.7	0	0
Total	2,968	9.9	779	2.6	49	0.2	41	0.1

For the 2015-2016 reporting period, local governments were also asked to provide, if known, information on enforcement actions taken in relation to *Salmonella* or *Campylobacter* outbreaks. Only one local government reported taking enforcement action, while most reported that this specific information was not able to be captured within their record systems for this reporting period.

Improvement notices

Improvement notices were the most common enforcement action undertaken by local government with a total of 2,968 issued across the State. This is an increase of 8.99% from the previous reporting period. This number has continued to increase over consecutive reporting periods, which demonstrates that local governments are continuing to undertake increased enforcement action. This could be a result of increasing non-compliance amongst food businesses, but may also be the continued impact of the loss of some devolved responsibilities under other legislation, resulting in increased officer capacity to undertake enforcement action.

Improvement notices are utilised by local governments to address a variety of non-compliances within a food business. For example, to remedy cleaning, maintenance or structural contraventions or unsafe food handling practices. Improvement notices must provide food businesses with a reasonable timeframe to remedy any stated non-compliances.

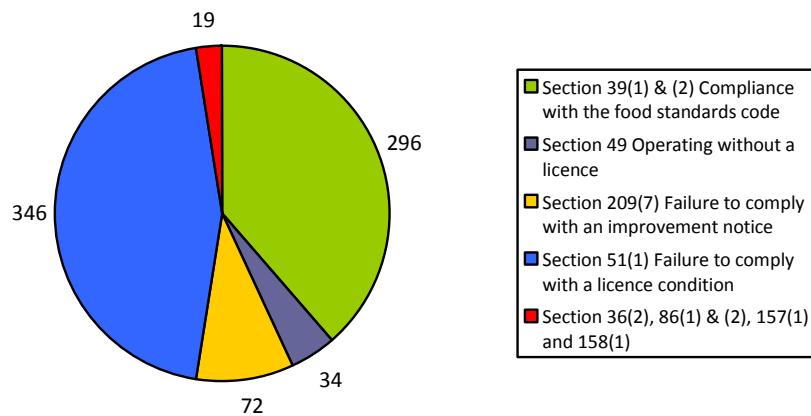
Again the City of Gold Coast issued the most improvement notices with a total of 1,364, which is significantly more than any other local government. Brisbane City Council issued the second highest number of improvement notices with 721. There were 38 local governments who did not issue any improvement notices for the reporting period. These were all rural or remote local governments.

Prescribed infringement notices

Prescribed infringement notices (PINs) may only be issued for offences that fall within the guidelines for eligible offences and that have been acknowledged as PIN offences in the *State Penalties Enforcement Regulation 2000*. Only certain offences under the Act have been prescribed as PIN offences. Generally PINs are issued when the offence poses a moderate threat to human health and safety or there have been indication of previous, current and ongoing non-compliance (for example, failing to comply with the requirements of an improvement notice). The monetary penalty for PINs increases depending on the severity of the offence.

Local government reported that for the 2015-2016 reporting period a total of 779 PINs were issued across 22 local governments. This is an increase of 17% in the number of PINs issued compared to the previous reporting period.

Figure 3 Number of PINs issued by local government by section



The Brisbane and Moreton region issued significantly more PINs than any other region, with 87.8% of all the PINs issued which is a decrease of 3.2% from the previous reporting period. For the second report in a row, the South West and Central West regions did not issue any PINs. Brisbane City Council issued the highest number of PINs at 407 with the City of Gold Coast issuing the second highest number at 239.

Immediate suspension of licence

Section 83 of the Act allows local government to immediately suspend a food business licence where there is an immediate and serious risk to public health. Six local governments reported issuing immediate suspensions to food businesses, one less than the previous reporting period. A total of 49 immediate suspensions were issued which is a 18.3% decrease from the previous report. Brisbane City Council issued the most immediate suspensions with a total of 36 or 73.5% of the total.

Prosecutions

Prosecutions are usually initiated if there is a significant threat to human health and safety, or there is a known or expected ongoing non-compliance. Consequently prosecutions are the least common enforcement tool utilised by local government.

Only 3 local governments, Brisbane City Council, City of Gold Coast and Townsville City Council, undertook prosecutions in the 2015-2016 reporting period,. Fines attributed to prosecutions under the Act in the reporting period were in excess of \$700,000.

5.2.8 Fees

The Act provides local governments with the capacity to charge fees for services provided or action taken under the Act. The Act prescribes that fees charged by local governments must not be greater than the cost of providing the service or taking action. Local government inspection fees cannot be charged if the service is not provided. Some local governments charge an inspection fee as part of the annual licence fee (to recover service costs).

Local governments were requested to provide a copy of their fee schedule for the 2015–2016 financial year for activities relating to the Act. The fees charged by each local government varied in monetary terms. Some local governments, particularly within the Brisbane and Moreton region have a complex fee structure where fees are broken down into a number of categories including application fees, inspection fees, licence fees and fees associated with businesses that require an accredited food safety program.

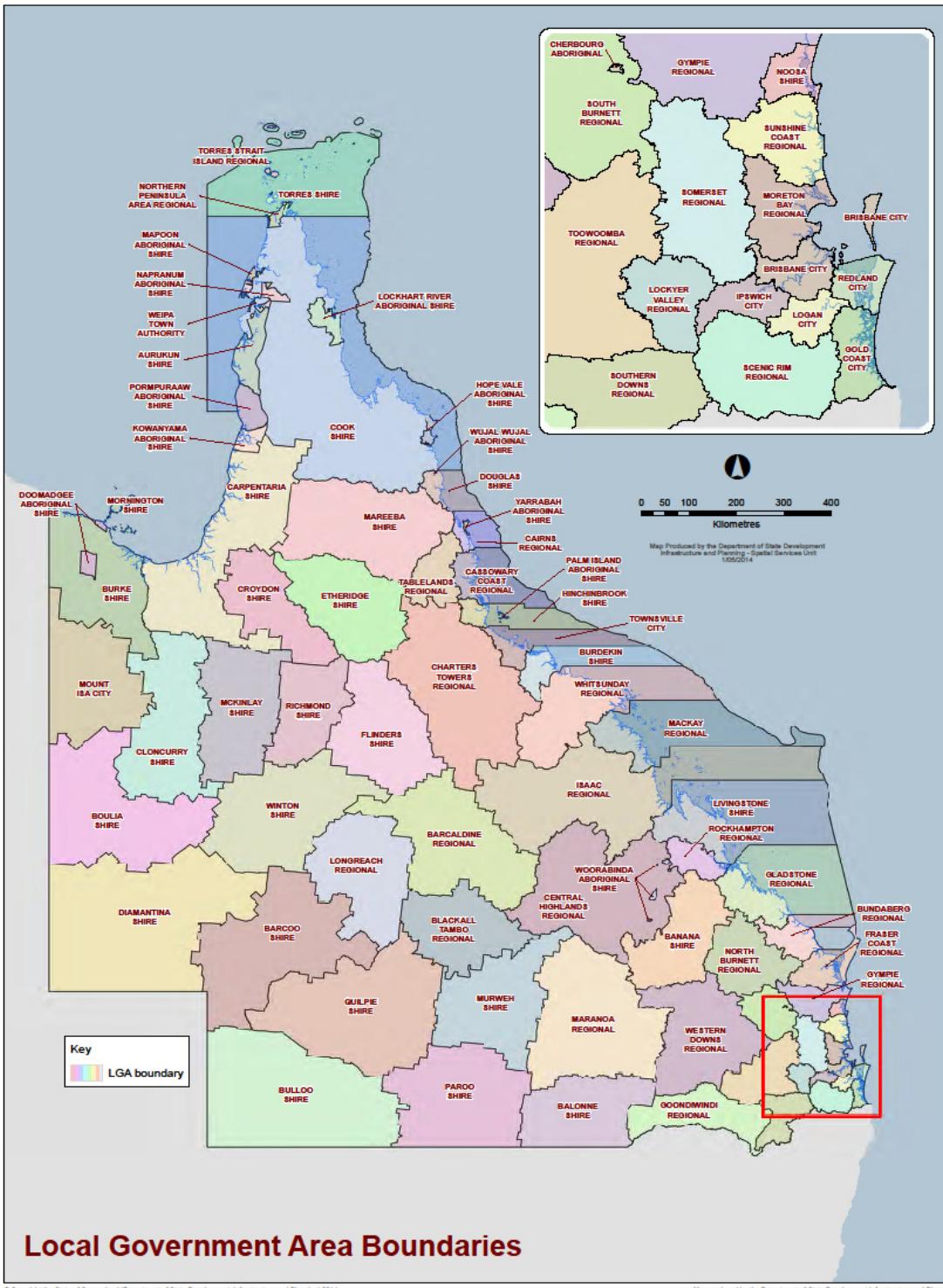
Licence fees also varied between the different local governments with some charging a single licence fee while other licence fees were dependent on the type of food business i.e. high, medium, low risk or by floor space etc.

A number of the smaller councils reported they only charge a flat fee which includes all aspects of food business licence administration.

A small number of local governments reported that they do not have any fees associated with licensing food businesses. This included the City of Gold Coast (which recovers fees through their commercial rates) and a number of the indigenous local governments, some of whom do not currently have any licensed food businesses in their area.

Due to the complexity and variation of fees charged for services provided or action taken under the Act this report has limited scope to provide an accurate comparison of fees charged across the State. Generally the schedule of fees charged by local governments is published on the respective local government's website.

Appendix 1 Local government area boundaries¹



¹ Queensland Government <http://www.dlg.qld.gov.au/resources/map/local-government-area-boundaries.pdf>

Appendix 2 Summary of local government responses

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Aurukun Shire Council	2	2	0	5	4	2.5	0.3	0	0	0
Balonne Shire Council	48	48	1	102	97	2.1	0	0	0	0
Banana Shire Council	106	105	3	100	95	0.9	0.4	1	2	0
Barcaldine Regional Council	29	29	0	87	29	3	1	0	0	0
Barcoo Shire Council	6	6	0	12	6	2	1	0	0	0
Blackall-Tambo Regional Council	32	32	1	38	32	1.2	0.2	2	0	0
Boulia Shire Council	8	8	0	11	6	1.4	1	0	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Brisbane City Council	7387	6428	459	6311	5291	0.9	37	721	407	29
Bulloo Shire Council	11	11	2	11	11	1.0	0.2	0	0	0
Bundaberg Regional Council	574	484	27	534	428	0.9	5	29	5	0
Burdekin Shire Council	122	126	9	178	122	1.5	0.75	2	0	0
Burke Shire Council	10	10	0	10	10	1	0	0	0	0
Cairns Regional Council	1147	1138	63	1217	881	1.1	6	41	19	0
Carpentaria Shire Council	22	22	1	44	44	2	0	0	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Cassowary Coast Regional Council	265	260	12	396	270	1.5	3	18	2	0
Central Highlands Regional Council	194	148	0	149	135	0.8	2	29	0	0
Charters Towers Regional Council	89	89	5	51	44	0.6	0.2	0	0	0
Cherbourg Aboriginal Shire Council	3	3	0	6	6	2	0	0	0	0
Cloncurry Shire Council	22	22	2	44	23	2	0.5	4	1	0
Cook Shire Council	83	72	0	25	15	0.3	1	7	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Croydon Shire Council	4	4	0	8	8	2	0	0	0	0
Diamantina Shire Council	5	5	0	5	5	1	1	0	0	0
Doomadgee Aboriginal Shire Council	0	0	0	0	unknown	0	0.1	0	0	0
Douglas Shire Council	238	238	12	175	163	0.7	3	5	3	0
Etheridge Shire Council	20	20	0	40	20	2	2	0	0	0
Flinders Shire Council	12	12	0	12	12	1	1	0	0	0
Fraser Coast	455	380	33	311	Not captured in our systems	0.7	4	4	0	0
Gladstone Regional Council	309	307	16	486	355	1.6	3	47	23	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Goondiwindi Regional Council	71	63	5	69	59	1	1	20	0	0
City of Gold Coast	4843	3516	341	4723	3408	1	17.1	1364	239	10
Gympie Regional Council	328	260	24	175	120	0.5	2.5	1	0	0
Hinchinbrook Shire Council	77	77	4	38	34	0.5	1	2	0	0
Hope Vale Aboriginal Shire Council	4	3	0	3	3	0.8	1	0	0	0
Ipswich City Council	859	859	66	1311	1017	1.5	6	30	7	0
Isaac Reigonal Council	252	252	2	237	95	0.9	3	6	4	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Kowanyama Aboriginal Shire Council	0	0	0	60	0	N/A	0.1	0	0	0
Livingstone Shire Council	188	184	15	248	205	1.3	1.75	0	0	0
Lockhart River Aboriginal Shire Council	0	0	0	0	0	0	0	0	0	0
Lockyer Valley Regional Council	156	150	17	287	195	1.8	1.3	0	0	0
Logan City Council	1164	1164	106	1972	1469	1.7	8.5	178	12	0
Longreach Regional Council	41	41	4	30	29	0.7	0.3	0	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Mackay Regional Council	601	601	24	482	407	0.8	4.75	15	0	0
Mapoon Aboriginal Shire Council	1	1	0	7	3	7	0.1	0	0	0
Maranoa Regional council	171	171	7	74	56	0.4	1	0	0	0
Mareeba Shire Council	223	215	5	293	223	1.3	1	3	0	0
McKinlay Shire	16	16	3	0	0	0	0	0	0	0
Moreton Bay Regional Council	1887	1665	133	1068	1010	0.6	6	9	13	0
Mornington Shire Council	5	5	1	5	5	1	1	0	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Mount Isa City Council	119	119	13	197	190	1.7	3	9	6	0
Murweh Shire Council	41	41	0	41	0	1	0.1	0	0	0
Napranum Regional Council	0	0	0	0	0	0	0	0	0	0
Noosa Council	492	373	5	547	439	1.1	2.5	3	2	0
North Burnett Regional Council	87	87	0	165	87	1.9	3	1	0	0
Northern Peninsula Area Regional Council	0	0	0	0	0	0	0	0	0	0
Palm Island Aboriginal Shire Council	0	0	0	0	0	0	0.2	0	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Paroo Shire Council	32	32	1	66	59	2.1	0.5	0	0	0
Pormpuraaw Aboriginal Shire Council	0	0	0	18	14	N/A	2	0	0	0
Quilpie Shire Council	11	11	0	22	22	2	0.5	0	0	0
Redland City Council	632	623	64	991	818	1.6	4.5	16	3	0
Richmond Shire Council	11	11	1	22	11	2	1	0	0	0
Rockhampton Regional Council	497	473	32	727	542	1.5	4	3	0	0
Scenic Rim Regional Council	392	380	12	376	361	1.0	2	1	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Somerset Regional Council	158	158	5	175	159	1.1	1	17	0	0
South Burnett RC	235	235	10	306	235	1.3	1.5	3	0	0
Southern Downs Regional Council	316	288	16	383	316	1.2	1.75	12	5	0
Sunshine Coast Council	1833	1677	128	2207	1629	1.2	8	124	1	0
Tablelands Regional Council	223	223	9	242	182	1.1	1	1	0	0
Toowoomba Regional Council	829	821	61	1095	958	1.3	6	31	2	0
Torres Shire Council	23	23	1	29	23	1.3	0.1	3	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Townsville City Council	1009	960	64	1185	1075	1.2	5	195	20	2
Torres Strait Island Regional Council	0	0	0	180	180	N/A	3	0	0	0
Weipa Town Authority	23	23	0	71	23	3.1	1	1	0	0
Western Downs Regional Council	294	291	15	305	242	1.0	2	4	2	0
Whitsunday Regional Council	457	457	18	328	261	0.7	2.8	6	1	0
Winton Shire Council	21	21	1	41	21	2.0	1	0	0	0
Woorabinda Aboriginal Shire Council	0	0	0	0	0	0	0	0	0	0

Local government	No. of food businesses licensed at 30 June 2016	No. of businesses with a nominated FSS	No. of businesses that require a FSP that have an accredited FSP	Total no. of inspections performed	No. of routine or scheduled inspections performed	Average no. of inspections per licensed food business	No. of FTE employees committed to food regulation	No. of improvement notices issued	No. of PINs issued	No. of prosecutions undertaken
Wujal Wujal Aboriginal Shire Council	0	0	0	2	2	N/A	0	0	0	0
Yarrabah Aboriginal Shire Council	0	0	0	2	2	N/A	0	0	0	0
Totals	29825	26579	1859	31173	24301	1	188.5	2968	779	41

