

Our Ref: 16123/01/55-01-40
Your Ref:



30 January 2006

Dr Robert Hall
Director Public Health and Chief Health Officer
DHS
GPO Box 1670N
Melbourne 3001

CARDINIA

Dear Sir,

Re: Review of the Health Act 1958

Thank you for the opportunity to comment on the draft policy paper.

Recommendation 19

Provision of Immunisation Services

Councils are able to provide immunisation at a more cost effective rate and should be encouraged to continue. Making the responsibility more clear cut is preferable providing adequate funding is provided.

Recommendation 26-31

Environmental Health Officers

This section is supported as it recognizes the importance of EHO's and allows for other officers to be used in certain circumstances, although these may need to be clarified.

Recommendation 71-72

The risk management approach is supported as it follows the same approach as the Food Act. This does however have the potential for greater workload on EHO's in dealing with or assessing Risk Management Plans.

Recommendation 83-92

Nuisances

The proposal to change the meaning of nuisance and remove annoying may help to reduce the number of complaints that are considered trivial or difficult to prove.

Recommendation 98-104

Registration

The proposal to remove hairdressers would result in a 50% reduction in council's income for Health At premises. It is possible that the standards of these premises are maintained because of the inspection regime.

The proposals relating to set fees, register or refuse registration are supported.



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Recommendation 115-117

Improvement Notices

This recommendation is supported but there should be provision for delegation by council of this power to allow prompt action rather than needing to go to council.

Recommendation 126-129

Cost Recovery

The ability to recover costs incurred in abating public health risks is supported.

Recommendation 130-133

Infringements.

Infringement notices are supported as it allows for prompt action rather than launching a prosecution.

Recommendation 136-143

Appeal Rights

The proposal to allow appeals to VCAT is not supported. VCAT decisions are not treated as case law. They can take weeks to make a decision and thus have a negative impact on public safety.

Yours faithfully,



David Esmore

Environmental Health Services Manager