



Victorian Farmers Federation

United Dairyfarmers of Victoria



27 January 2006

Dr Robert Hall
Director Public Health and Chief Health Officer
Department of Human Services
GPO Box 1670N
Melbourne Vic 3001

Dear Dr Hall,

Re: Review of the Health Act 1958

Thank you for the opportunity to comment on the Review of the Health Act 1958.

This response is provided on behalf of both the United Dairy Farmers of Victoria (UDV) and Dairy Australia (DA).

The UDV is the State dairy farmer representative organization and Dairy Australia is the industry's national dairy industry organization (owned by both dairy farmers and dairy companies).

The dairy industry supports the proposal to transfer Part 5A and 5B of the Building Act into the public health Act. The industry also supports the principles behind the provisions for managing cooling towers to prevent Legionella occurrences.

However, work done previously to characterize the risk to human health from cooling towers on dairy farms showed that they are low risk. They operate differently to those in buildings, but are still, by definition, cooling towers and must meet the Victorian legislation. The risk characterization work was used to support a successful application to vary the regulations for cooling towers on dairy farms. The current changes to the regulations need to be made in a way that the lower risk presented by cooling towers on dairy farms compared to those on city building can still be recognized.

The dairy industry supports the principles that:

- there is a need to know the whereabouts of all cooling towers; and
- an appropriate maintenance schedule should be in place with due records to demonstrate compliance with the schedule. This means all dairy farms with cooling towers need to be registered.

The dairy industry proposes that

- Section 6.2.3 of the Proposed new Health Act be activated as of 1st July 2006 and not 2008 as proposed for the new Act.
- The Secretary then vary the risk management requirements for cooling towers on dairy farms to provide for
 - Initial registration of a cooling tower on a dairy farm, (the prescribed fee should be set at zero, or at least at some token amount that aims to cover any initial administration associated with registration)



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- registration should remain in place until the owner asks to have their cooling tower deregistered (that is, ongoing annual registration is not required)
- at registration, the dairy farm owner would note the type of cooling tower system in place. If it conforms to the generic systems associated with the majority of dairy farms, there would be no need to fill in a risk assessment template and a proforma auditable maintenance plan would be adopted.
- dairy farmers would need to be able to verify that they have adhered to the predetermined maintenance plan if asked to do so at any time – however routine audit would not be required.

If the above recommendations were adopted, the dairy industry would work with the Department of Health on a communication strategy to advise all dairy farmers with cooling towers of their responsibility to

- register their cooling tower
- maintain an implement an appropriate maintenance plan

The current variation to the regulations for cooling towers on Victorian dairy farms accepted the two distinct types of cooling towers predominantly used on dairy farms. The dairy industry's proposal for the new Health Act continues to recognize the current variation. If a dairy farm has a non-standard tower, then they would have to fill out a risk assessment template and have the maintenance plan associated with the non-standard tower approved.

Once it is approved, the same arrangements should be accepted – that is a one off registration fee, ongoing registration until deregistration is sought, auditable maintenance plans implemented, but no specified audit frequency. The ability to audit if required should be sufficient.

The Department may do check audits when in the region.

The dairy industry would welcome the opportunity to work with the Department to further refine our proposals to achieve a successful outcome for both the Department and the dairy industry.

Please do not hesitate to contact Jenny Frederiksen, Manager Dairy Projects UDV, Ph 1300 882 833 if you have any queries.

Yours Sincerely

Doug Chant

President

United Dairy Farmers of Victoria/Victorian Farmers Federation

Helen Dornom

Dairy Australia