



CUMBERLAND  
CITY COUNCIL



Cumberland  
Environmental Health Strategy  
2020–2024

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# Overview

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## GENERAL MANAGER'S FOREWORD

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“Cumberland City Council has made a commitment to ensure a range of Environmental Health services are made available to both residents and retail businesses within the Council area. Such commitment has been adopted through Council’s Customer Service Standards and Council’s 2017-2027 Community Strategic Plan which have been developed in consultation with the Community.



This Environmental Health Strategy document has been developed to ensure a proactive, strategic approach to managing identified public and environmental health issues is adopted across the Cumberland City Council area and to provide clear direction on the management of the associated risks.”

Hamish McNulty

Cumberland City Council has statutory responsibilities under State and Federal legislation for ensuring and promoting acceptable public and environmental health standards within the local government area. This not only occurs through the administration of legislative requirements by Council’s Environmental Health Unit but also through the provision of education material by the Unit’s Environmental Health Officers directly to businesses along with mandatory reporting on the status of health service activities to Federal, State and Local Government Departments.

This Environmental Health Strategy (Strategy) aims to adopt a proactive, strategic approach to

managing identified public and environmental health issues within the Cumberland City Council area and to provide clear direction through setting goals and objectives in relation to Council’s intended outcomes over a five-year period. The Strategy will then be reviewed in recognition of any newly identified trends or arising issues that impact the environmental health field.

The Strategy builds on targets set in Council’s Customer Service Standards and Council’s 2017-2027 Community Strategic Plan to ensure adequate resources are allocated to the task of meeting community needs and expectations.

# Introduction

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## STRATEGY BENEFITS

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- Better community health outcomes
- Integrated approach to environmental health
- Improved management of environmental health issues
- Community access to safer food options
- Increased ability to recognise and address new and emerging health issues
- More effective use of coordinated resources
- Effective advocacy and raised profile of Environmental Health protection in local government
- Local government contribution to State Health benchmarking targets, which include reducing food illness outbreaks and improving food safety cultures
- Identifying and achieving realistic goals for the environmental health unit considering the allocated resources, budget and equipment available.

‘Environmental Health’ considers the interrelationships between people’s health and their environment (the place in which they live). This includes the way in which people access safe food options, safe environments and protection of their health against known risk factors. The World Health Organisation provides the following definition (*World Health Organisation (WHO) 2017*):

*“Environmental health addresses all the physical, chemical, and biological factors external to a person, and all the related factors impacting behaviours. It encompasses the assessment and control of those environmental factors that can potentially affect health. It is targeted towards preventing disease and creating health-supportive environments. This definition excludes behaviour not related to environment, as well as behaviour related to the social and cultural environment, and genetics.”*

‘Environmental Management’ is an integrated approach to achieve a sustainable future. When applied to activities or development, Environmental Management involves the application of the principles of ecology, pollution control and environmental planning, and the methodology of monitoring the impact of proposed developments.

**‘Environmental Health’ is concerned with all aspects of the natural and built environments that can affect human health. It considers the interrelationships between people’s health and their environment (the place in which they live) and addresses all the physical, chemical, and biological factors external to a person, and all the related factors impacting behaviours. (WHO 2017)**



# Stakeholders

There are five main stakeholders concerned with environmental health in NSW: the NSW Food Authority, NSW Health, the NSW Environment Protection Authority, Local Government NSW and Environmental Health Australia (NSW Branch).

1	<p>The NSW Food Authority oversees food safety programs in NSW with a Paddock to Plate approach, with support for Councils at a local government level provided through the Food Regulation Partnership. The Regulation Partnership aims to: “clarify the responsibilities of local government in relation to food regulation; improve food safety coordination between councils and the Food Authority in several areas, including food inspections; enable quicker responses to food emergencies and food recalls; enable all councils to recover the costs of food regulation enforcement; and provide a food regulation forum for consultation with councils and the retail food sector” (New South Wales Food Authority 2017<sup>2</sup>).</p> <p>Cumberland City Council is classified Category B under the Food Regulation Partnership. Councils with this classification are directed to “exercise functions with respect to retail food businesses, which are food businesses whose principal food-related activity at a particular premises concerns the sale of food directly to consumers at those premises” (New South Wales Food Authority 2017<sup>2</sup>). Category B Councils must also investigate complaints where public health and safety are at risk.</p>		
2	<p>NSW Health oversees public health activities across the State. The <i>Public Health Act 2010</i> delegates a number of functions to local government, principally, the inspection of cooling towers and warm water systems (legionella control), swimming pools, and skin penetration premises (infection control).</p>		
3	<p>NSW Environment Protection Authority (NSW EPA) is the primary environmental regulator in NSW. The <i>Protection of the Environment Operations Act 1997</i> delegates Councils to undertake a number of environmental investigations, both proactively (e.g. environmental audits) and reactively (e.g. noise and odour complaints).</p>		
4	<p>Local Government NSW oversees the <i>Local Government Act 1993</i> and supports Councils in promoting the local community’s health and wellbeing.</p>		
5	<p>Environmental Health Australia (EHA) is a professional body for Environmental Health Officers (EHOs) across Australia, with branches in each state. It is a member-based organisation that supports local government and EHOs by conducting training and advocacy for the profession.</p>		
+	<p>Additional stakeholders with an interest in the Environmental Health Strategy include:</p> <table border="0"> <tr> <td style="vertical-align: top;"> <p>Internal:</p> <ul style="list-style-type: none"> <li>• General Manager</li> <li>• Mayor and Councillors</li> <li>• Department Managers and staff</li> <li>• Development Compliance Officers and Planning Officers</li> <li>• Manager Health &amp; Environmental Protection</li> <li>• Team Leaders – Environmental Health</li> <li>• Senior Environmental Health Officers</li> <li>• Environmental Health Officers</li> <li>• Trainee Environmental Health Officers</li> <li>• Environmental Health contract staff, as required.</li> </ul> </td> <td style="vertical-align: top; padding-left: 20px;"> <p>External:</p> <ul style="list-style-type: none"> <li>• Residents, ratepayers and visitors</li> <li>• Commercial businesses, establishments and industry</li> <li>• State Government agencies including Western Sydney Local Health District (WSLHD), SafeWork NSW, Sydney Water and Family and Community Services (FACS), Fire and Rescue NSW and NSW Police</li> <li>• enHealth</li> </ul> </td> </tr> </table>	<p>Internal:</p> <ul style="list-style-type: none"> <li>• General Manager</li> <li>• Mayor and Councillors</li> <li>• Department Managers and staff</li> <li>• Development Compliance Officers and Planning Officers</li> <li>• Manager Health &amp; Environmental Protection</li> <li>• Team Leaders – Environmental Health</li> <li>• Senior Environmental Health Officers</li> <li>• Environmental Health Officers</li> <li>• Trainee Environmental Health Officers</li> <li>• Environmental Health contract staff, as required.</li> </ul>	<p>External:</p> <ul style="list-style-type: none"> <li>• Residents, ratepayers and visitors</li> <li>• Commercial businesses, establishments and industry</li> <li>• State Government agencies including Western Sydney Local Health District (WSLHD), SafeWork NSW, Sydney Water and Family and Community Services (FACS), Fire and Rescue NSW and NSW Police</li> <li>• enHealth</li> </ul>
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# Trends, Opportunities & Challenges

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## DEMOGRAPHIC AND GEOGRAPHIC PROFILE

The Cumberland City Council Local Government Area covers 72 square kilometres and is located within the Sydney metropolitan area. It shares borders with Fairfield and Canterbury-Bankstown Councils to the south, Strathfield Council to the east, the City of Parramatta Council to the north, and Blacktown Council to the west. The population for Cumberland City Council is 222,578<sup>3</sup> residents.

## CHALLENGES AND RISK PRIORITISATION

The Environmental Health staff handle a broad range of challenging and complex environmental health matters. Some of the broad core functions include:

- Food safety regulation;
- Public health regulation, including Legionella control in cooling towers and warm water systems, infection control at skin penetration premises such as beauty salons and tattoo parlours and public swimming pools; and
- Environmental Protection/Management.

Other aspects to consider are the inherent risks of the activity and the community/legislative expectations. Some environmental health functions both pose a risk to a person's physical health and also have a community/legislative expectation to ensure certain standards are met. These functions demand a higher priority when considering the entire role of the Environmental Health team. Where the public health risk is low and there is no legislative requirement and/or limited community expectation, these functions should be given a lower priority.

The NSW Food Authority and NSW Health have recently introduced risk rating approaches to compliance-related inspections. The NSW Food Authority's risk rating guidelines commenced on 1 July 2018 and the NSW Health risk management guidelines for cooling towers are in progress with full implementation expected by mid-2019. Both risk priority systems identify high, medium and lower risk premises and allow inspection frequency to be altered according to the premises' priority ratings.

This Strategy incorporates the new state government guidelines and rates programs according to recent legislative requirements while recognising the local community needs/expectations that are often aligned with the legislation. An environmental health function in this Strategy will carry a higher priority if it is a legislative requirement and has high community expectation/risk to human health. Alternatively, if a function is not a legislative requirement and carries low community expectation, it will have a lower priority in this Strategy and may only be responded to in the event of an incident and/or where resources permit.

This Strategy is intended for Council and its officers and describes the functions the Environmental Health Team will undertake to meet their legislative responsibilities and community expectations. Other Council departments can use the Strategy to determine which work tasks are to be referred to the Environmental Health Team.

While conducting the research for this Strategy, a review of functions was undertaken to determine what tasks Council's Environmental Health Officers should or must be undertaking. Each function was then analysed against legislative requirements as well as community expectation, as shown in **Appendix 1** located at the end of this document.

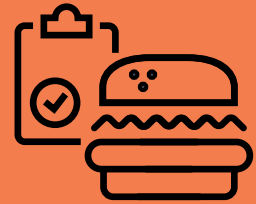
## REVIEW

The Strategy will be reviewed within the first 12 months of a newly elected Council if necessary in light of changing community needs and again formally every five years to assess and recognise trends in new technologies, legislative changes and strategic directions of federal, state and local stakeholders enabling a progressive approach to environmental health needs.

# Program Areas

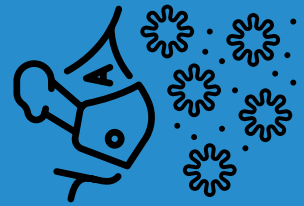
## CORE FOCUS PROGRAM 1: FOOD SAFETY

Safe food production  
Food regulation



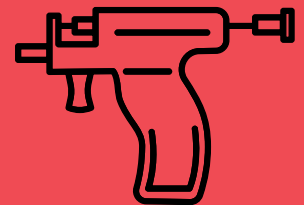
## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

Cooling tower  
Warm water systems



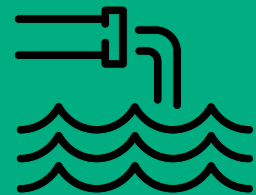
## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

Skin penetration premises



## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

Environmental protection (spill response)  
Pollution control (sewer leaks, noise/odour concerns)



## OTHER PROGRAM AREAS

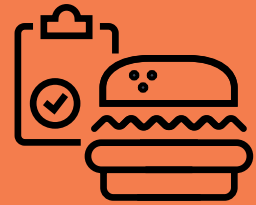
Public swimming pool and spa pool monitoring  
Environmental auditing, water monitoring, regulated premises



## CORE FOCUS PROGRAM 1: FOOD SAFETY

Safe food production

Food regulation



### BACKGROUND

In Australia, foodborne illnesses affect an estimated 4 million people each year, causing around 100 deaths annually.<sup>2</sup> The routine inspection of food premises is, therefore, critical to public health and safety. As the population of Cumberland ages as projected, the number of 'at risk' people will increase. It is, therefore, imperative that retail food premises provide safe food. Council and the NSW Food Authority recognise the need for a holistic approach to food safety. Consequently, a proactive educational program, together with an effective regulatory program, must be employed to gain compliance to food safety standards.

There are 948 registered food premises within the Cumberland City Council area. Council is classified Category B under the Food Regulation Partnership, requiring Council to undertake routine inspections of retail food premises, investigate complaints and carry out investigations of single-case foodborne illness notifications.

The *Food Act 2003* regulates the provision of food that is both safe and suitable for human consumption. Cumberland City Council is an 'Enforcement Agency' under the *Food Act 2003* and is, therefore, responsible for enforcing the Act's requirements across all retail food businesses in the Council area.





## CORE FOCUS PROGRAM 1: FOOD SAFETY

<b>APPROACH</b>	<p>This Strategy aims to ensure that the retail sector meets food safety standards, through both proactive educational and regulatory compliance approaches. This is in accordance with Council's Compliance &amp; Enforcement Policy and associated Guidelines, which are implemented through Council's Environmental Health Team. Council's actions will aim to have a risk prioritisation process to ensure that higher-risk, poor-performing businesses are checked more frequently.</p>
<b>PRIORITY</b> <b>HIGH</b>	<p><b>'A safe accessible community – Council operations support a healthy community.'</b>  <i>Cumberland City Council's 2017–2027 Community Strategic Plan<sup>4</sup></i></p>
<b>GOALS</b>	<ul style="list-style-type: none"> <li>• Review the NSW Food Authority's Risk Rating scheme against Council's current inspection program to ensure consistency.</li> <li>• Inspect 100% of high- and medium-risk premises per financial year.</li> <li>• Ensure inspections aim to achieve continual improvement in the standard and food safety culture of food businesses in the Cumberland LGA, advocating for improvements in state policy/legislative provisions where new needs are identified.</li> <li>• Reduce the number of food-related complaints and foodborne illness notifications in the Cumberland LGA.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality, with consistent application of the state's food safety inspection requirements.</li> <li>• Offer regular food hygiene training to all retail food businesses in the LGA.</li> <li>• Inspect all high- and medium-risk temporary food stalls at Council-run community events.</li> </ul>
<b>RELEVANT LEGAL AND POLICY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• <i>Food Act 2003 and Food Regulation 2015</i></li> <li>• National Food Standards Code</li> <li>• Australian Standard AS 4674-2004 – Design, Construction and Fitout of Food Premises</li> <li>• Cumberland City Council Compliance and Enforcement Policy &amp; Guideline</li> <li>• Cumberland City Council Food Safety Enforcement Operational Guideline</li> <li>• NSW Food Authority – Enforcement Agencies Roles and Responsibilities</li> <li>• NSW Food Authority – Food Regulation Partnership Advisory Guidelines</li> <li>• NSW Government Food Safety Strategy 2015–2021</li> </ul>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• Council's Administration team registers all new retail food businesses, mobile food vendors and temporary food premises.</li> <li>• Council's EHOs undertake routine inspection of each registered retail food premises as assigned. The frequency of inspections depends on the food business's risk priority and history, which are determined during the registration process and reviewed during the inspection.</li> </ul>

## CORE FOCUS PROGRAM 1: FOOD SAFETY

<p><b>CURRENT ACTIVITIES</b> <i>continued</i></p>	<ul style="list-style-type: none"> <li>• EHOs undertake regular inspections of temporary food stalls at Council-run events, providing feedback for improvements where necessary.</li> <li>• Inspection details are recorded by EHOs in the required Council property management and records management systems.</li> <li>• EHOs take any required regulatory action, including issuing improvement notices, penalty infringement notices and other regulatory documents where necessary.</li> <li>• EHOs assess Section 68 applications for temporary food businesses on Council land, and issue conditions for related Section 68 approvals.</li> <li>• Administration teams to invoice premises for inspections and Finance follow up on overdue payments.</li> <li>• Team members participate in the NSW Food Authority's targeted Food Sampling Programs as requested.</li> <li>• The EHO team offers regular free food handler training to retail food businesses.</li> <li>• The EHO team offers in-house food safety training (in accordance with Council's Fees and Charges) to retail food businesses.</li> <li>• The EHO team offers interpreted food safety training.</li> <li>• The EHO team prepares and distributes a 'food newsletter' to all food businesses within the LGA as necessary.</li> <li>• Promotion of food safety through Council's website, and the EHA's 'I'm Alert' interactive food safety training tool.</li> <li>• The Environmental Health (EH) Team Leaders complete the required annual activity report to the NSW Food Authority.</li> </ul>
<p><b>FUTURE INITIATIVES</b></p>	<ul style="list-style-type: none"> <li>• Consider the implementation of a formal program for response to client's requests to conduct a pre-purchase food premises inspection and report on the premises' compliance with the Food Standards Code and AS4674-2004.</li> <li>• Consider the implementation of a formal risk prioritisation policy and procedure specifically for high-, medium- and low-risk food premises that encourage and rewards good food safety behaviours. The policy will concentrate on higher-risk premises that have a poor performance history over 24 months.</li> <li>• Become involved in targeted programs such as the Campylobacter and Salmonella reduction campaigns offered by the NSW Food Authority through their Food Safety Strategy 2015–2021.</li> </ul>
<p><b>PERFORMANCE INDICATORS</b></p>	<ul style="list-style-type: none"> <li>• 100% of required food premises inspections due in a financial year are completed.</li> <li>• The inherent risk priority of the business is recorded after each routine inspection.</li> <li>• All inspection details are entered into Council's property and record management systems in a timely manner.</li> <li>• Relevant compliance action is taken in a timely manner according to risk and no later than 48 work hours of an inspection.</li> <li>• 'Scores on Doors' certificates are issued to eligible businesses.</li> <li>• EHOs attend and complete in-house consistency training as required (at least twice per year).</li> <li>• The EH Team Leaders undertake consistency reviews of each staff member as required, achieved either via desktop work review and/or by accompanying staff on inspections.</li> </ul>

## CORE FOCUS PROGRAM 1: FOOD SAFETY

### PERFORMANCE INDICATORS *continued*

- Professional development is provided, and at least two EHO team members must attend the NSW Food Authority's Regional Food Group Meetings and provide suitable feedback to the team as soon as possible (no later than the next team meeting); also attendance at seminars and targeted training sessions is required as appropriate.
- Food newsletters are distributed to all food businesses as issues arise (a minimum of twice per year).
- Food safety and hygiene training is offered regularly, with a minimum of four sessions provided per year.
- Annual activity report is completed and submitted to the NSW Food Authority by the required due date.

### FUNDING

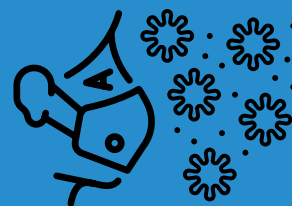
- Budget allocation.
- Annual retail food premises, inspection and administration fees.
- Temporary and mobile food vehicle inspection and administration fees.
- Administration fees from regulatory actions including Improvement Notices.
- Issuing of required penalty notices/prosecution action.



## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

Cooling tower

Warm water systems



<p><b>BACKGROUND</b></p>	<p>Numerous instances of <i>Legionella</i> infections spread via cooling towers have been reported around Australia since 1985. In response to reports of a number of serious Legionnaires' outbreaks which occurred across Sydney in 2016, NSW Health instituted a public health investigation finding significant deficiencies in the management practices of many cooling towers. NSW Health has since implemented a number of changes to the <i>Public Health Regulation 2012</i> as well as supporting documentation.</p> <p>Consequently, NSW Health is moving towards a risk-based system for the maintenance and inspection of cooling towers to include:</p> <ul style="list-style-type: none"> <li>• A Risk Management Plan (RMP) will be prepared by a 'competent' person and then submitted to Council.</li> <li>• An annual independent audit of the RMP is to be conducted by a certified third party to ensure that recommendations are implemented, with a copy of the Audit Certificate to be provided to Council.</li> <li>• Mandatory monthly sampling of cooling tower systems for <i>Legionella</i> and heterotrophic bacteria.</li> <li>• Mandatory formal reporting to Council is required if the <i>Legionella</i> count is <math>\geq</math> 1000 cfu/ml and heterotrophic colony count (HCC) is <math>\geq</math> 5,000,000 cfu/ml.</li> <li>• Issue of a Unique Identification Number for all cooling tower systems.</li> </ul>
<p><b>APPROACH</b></p>	<p>In accordance with the <i>Public Health Act 2010</i> regulated systems (i.e. cooling towers and warm water systems) are also required to be registered with Council. There are currently 120 registered cooling towers and 60 premises with warm water systems in the Cumberland LGA. This Strategy will aim to continue Council's proactive approach to inspecting cooling tower systems and advocating for continued improvements to NSW legislation.</p>
<p><b>PRIORITY</b> HIGH</p>	<p><b>'A safe accessible community – Council operations support a healthy community.'</b> <i>Cumberland City Council's 2017–2027 Community Strategic Plan<sup>4</sup></i></p>
<p><b>GOALS</b></p>	<ul style="list-style-type: none"> <li>• Inspect 100% of registered premises that have cooling tower systems per financial year.</li> <li>• Ensure inspections aim to achieve continual improvement in the standard of cooling tower systems within the Cumberland LGA, advocating for improvements in state policy/ legislative provisions where needs are identified.</li> <li>• Minimise Legionnaires outbreak illness notifications in the Cumberland LGA where possible.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality, with consistent application of the required state public health safety requirements.</li> <li>• Ensure that premises with regulated systems located within the Council area are registered with Council and aware of their basic responsibilities under the <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i> and relevant standard for the operation and maintenance of the system.</li> </ul>



## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

### RELEVANT LEGAL AND POLICY CONSIDERATIONS

- *Public Health Act 2010 and Public Health Regulation 2012.*
- Australian Standards (AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning; AS/NZS 3666.2:2011 Air-handling and water systems of buildings—Microbial control—Operation and maintenance; AS/NZS 3666.3:2011 Air-handling and water systems of buildings—Microbial control—Performance-based maintenance of cooling water systems; AS/NZS 3666.4:2011 Air-handling and water systems of buildings—Microbial control—Performance-based maintenance of air-handling systems (ducts and components).
- NSW Guidelines – *Legionella Control in Cooling Water Systems* released by NSW Health in 2018.
- Cumberland City Council Compliance and Enforcement Policy.
- Cumberland City Council Compliance and Enforcement Guideline.

### CURRENT ACTIVITIES

- Maintain a register of all notified regulated systems with Council’s administration teams to register all new premises.
- EHOs undertake an annual inspection of all registered premises with a cooling tower as allocated.
- Inspection details are recorded by EHOs in the required Council property management and records management systems.



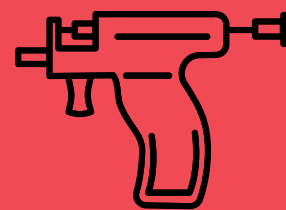


## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

<p><b>CURRENT ACTIVITIES</b> <i>continued</i></p>	<ul style="list-style-type: none"> <li>• Maintain a register of all notified regulated systems with Council’s administration teams to register all new premises.</li> <li>• EHOs undertake an annual inspection of all registered premises with a cooling tower as allocated.</li> <li>• Inspection details are recorded by EHOs in the required Council property management and records management systems.</li> </ul>
<p><b>PERFORMANCE INDICATORS</b></p>	<ul style="list-style-type: none"> <li>• All cooling towers are registered upon notification and inspected according to the requirements of the <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• 100% of required premises inspections due in a financial year are completed.</li> <li>• The inherent risk priority of the premises/tower is recorded after each routine inspection.</li> <li>• All inspection details are entered into Council’s property and record management systems in a timely manner.</li> <li>• Relevant compliance action is taken in a timely manner according to risk, and no later than within 48 work hours of an inspection.</li> <li>• Annual activity report is completed and submitted to NSW Health by 31 July each year.</li> <li>• Provision of a copy of Council’s cooling tower register to NSW Health through the Western Sydney Local Health District (WSLHD) as requested to assist mapping in the event of an illness outbreak investigation.</li> <li>• Provision of support to the WSLHD during investigation of an illness outbreak notification as required.</li> <li>• EHOs attend and complete professional development training as required.</li> </ul>
<p><b>FUNDING</b></p>	<ul style="list-style-type: none"> <li>• Annual regulated system inspection fees.</li> <li>• Administration fees from regulatory action, including Improvement Notices.</li> <li>• Penalty Notices where applicable.</li> <li>• Budget allocation.</li> </ul>
<p><b>FURTHER PROFESSIONAL DEVELOPMENT REQUIREMENTS</b></p>	<ul style="list-style-type: none"> <li>• EHOs are to attend required training on the new Regulation requirements.</li> <li>• At least one EHO is to attend Public Health Unit regional meetings as well as required debrief meetings each time they are held, reporting back to the team at the next team meeting.</li> <li>• Working from heights training for all EHOs.</li> </ul>

## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

### Skin penetration premises



<p><b>BACKGROUND</b></p>	<p>The <i>Public Health Act 2010</i> requires that any premises carrying out skin penetration procedures must be registered with the local authority; this includes businesses operating from home. The <i>Public Health Act 2010</i> further requires local government authorities to appropriate measures to ensure compliance with the requirements of this Act in relation to private water suppliers, water carters, public swimming pools and spa pools, regulated systems and premises on which skin penetration procedures are carried out.</p> <p><i>“Skin penetration procedure means any procedure (whether medical or not) that involves skin penetration (such as acupuncture, tattooing, ear piercing or hair removal or the penetration of a mucous membrane), and includes any procedure declared by the regulations to be a skin penetration procedure” (Public Health Act 2010).</i></p> <p>Skin penetration procedures for this purpose do not include activities undertaken by a registered health practitioner or a person conducting a procedure under a health practitioner’s instruction.</p> <p>If skin penetration procedures are performed in an unhygienic manner, there is a risk of serious infectious diseases, such as hepatitis and HIV, being transmitted from client to client. Further, the transmission of fungal infections in nail salons in particular is of concern. As media attention around the skin penetration industry has grown, clients are becoming more aware of the standards.</p>
<p><b>APPROACH</b></p>	<p>There are currently 110 skin penetration premises in the Cumberland LGA. This Strategy aims to continue Council’s proactive approach towards inspection of all premises undertaking skin penetration procedures, with appropriate proactive education provided through this process.</p>
<p><b>PRIORITY</b> HIGH / MEDIUM</p>	<p><b>‘A safe accessible community – Council operations support a healthy community.’</b> <i>Cumberland City Council’s 2017–2027 Community Strategic Plan<sup>4</sup></i></p>
<p><b>GOALS</b></p>	<ul style="list-style-type: none"> <li>• Inspect 100% of registered premises that undertake skin penetration activities each financial year.</li> <li>• Ensure that public health premises (including skin penetration premises) are registered in the Council area when identified/notified and are aware of their responsibilities under the <i>Public Health Act 2010</i> and Public Health Regulation 2012.</li> <li>• Ensure inspections aim to achieve continual improvement in the public health standards at skin penetration premises within the Cumberland LGA, with a culture towards provision of safe health services at local businesses, advocating for improvements in state policy/ legislative provisions where needs are identified.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality and consistent application of the required public health safety requirements is achieved.</li> <li>• Ensure that each public health premises comply with any Council direction.</li> <li>• Reduce complaints regarding infection control notifications within the Cumberland LGA.</li> <li>• Provide the required annual activity report to NSW Health and provide support to the WSLHD in the event of a complaint notification.</li> </ul>

## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

<b>RELEVANT LEGAL AND POLICY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• Cumberland City Council Compliance and Enforcement Policy.</li> <li>• Cumberland City Council Compliance and Enforcement Guideline.</li> <li>• Public Health Operational Enforcement Guideline.</li> </ul>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• EHOs undertake an annual inspection of all registered skin penetration premises as allocated according to the risk priority.</li> <li>• Inspection details are recorded by EHOs in the required Council property management and records management systems.</li> <li>• EHOs take any required regulatory action including issuing improvement notices, penalty infringement notices and other regulatory documents where necessary.</li> <li>• Administration teams issue invoicing for inspections and Finance sections then follow the payments.</li> <li>• EHOs maintain a register of all notified skin penetration premises, and Council's Administration teams register all new premises.</li> <li>• EHOs ensure that a public register of all skin penetration premises is regularly updated and available in the Council system.</li> <li>• EHOs assist NSW Health in the event of a notification on infection control issues with skin penetration premises as required.</li> <li>• The EH Team Leader completes and submits the required annual activity report to NSW Health.</li> <li>• Team members participate in the NSW Health debriefs and targeted training programs for infection control/skin penetration procedures as appropriate.</li> </ul>
<b>POSSIBLE FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Undertake a risk analysis of each registered premises to determine the frequency of future inspections required.</li> <li>• Consider development of a recognition initiative for good operators of skin penetration premises that incorporate a safe business culture.</li> <li>• Develop and implement additional skin penetration training for employees in the LGA.</li> <li>• Participate in new initiatives with NSW Health for newly emerging skin penetration procedures.</li> </ul>
<b>PERFORMANCE INDICATORS</b>	<ul style="list-style-type: none"> <li>• 100% of required skin penetration premises inspections, due in a financial year, are completed.</li> <li>• The inherent risk priority of the business is assessed by the EHO after each routine inspection.</li> <li>• All inspection details are entered into Council's property and record management systems in a timely manner.</li> <li>• Relevant compliance action is taken in a timely manner according to risk and by no later than 48 work hours of an inspection.</li> <li>• EHOs complete in-house consistency and professional development training as required.</li> <li>• The Senior/Team Leader undertakes consistency reviews of each staff member as required (achieved either via desktop work review or by accompanying staff on inspections).</li> <li>• At least one EHO attends the NSW Health's Public Health Unit meeting and debriefs each time they are held, reporting back to the next team meeting. Provision of support to the WSLHD on complaint investigation as required.</li> <li>• Skin penetration training is offered to employees in the LGA at least twice per year.</li> <li>• All skin penetration premises are registered upon notification and inspected according to the requirements of the <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• Annual activity report completed and submitted to NSW Health by 31 July each year.</li> </ul>

## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

### FUNDING

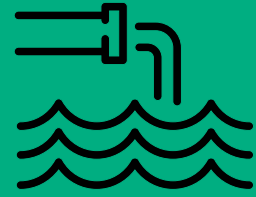
- Annual regulated system inspection fees.
- Administration fees from regulatory action, including Improvement Notices.
- Penalty Notices where applicable.
- Budget allocation.



## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

Environmental protection (spill response)

Pollution control (sewer leaks, noise/odour concerns)



### BACKGROUND

#### **Sewer overflows**

An increasing number of sewage overflows are being reported to Council, primarily due to the ageing sewerage network servicing the Cumberland LGA. These overflows would pose a risk to human health in the event that contaminated water entered public areas or into private property. The excess sewage can also enter stormwater systems which may, in turn, discharge into the Parramatta River and Georges River Catchments, causing increased nutrient loads and reducing water quality.

It is imperative that Council's EHOs undertake investigations promptly, and that suitable enforcement action is promptly taken.

#### **Spill Response/Pollution notification**

Council is regularly contacted regarding pollution incidents or spills from a number of sources including local community members, the NSW EPA, and/or the NSW Fire Brigade attending an emergency situation. These incidents can occur via accidental means (e.g. car accidents, fires or mechanical failures at commercial premises) or through deliberate actions (e.g. deliberate disposal of waste water or paint into the stormwater system or creeks).

#### **Illegal Asbestos dumping**

Asbestos is a naturally occurring fibrous mineral occurring in rock formations, which becomes a risk when asbestos fibres become suspended in air and are breathed into the lungs. Mesothelioma is a cancer of the lining of the lung and stomach walls caused by exposure to asbestos, and has no cure. There are no safe exposure levels to asbestos and Australia has the second highest mesothelioma death rate in the world.<sup>6</sup>

Between 1945 and 1954, over 700,000 houses were built in NSW using asbestos cement. Asbestos was used in building material until the 1980s; however, it was not outlawed until 2003. It is expected that, if a house was built prior to 1990, there are some asbestos-containing materials in the home.<sup>7</sup> Cumberland City Council has a number of houses built in the 'at risk' years. In recent years Local Government NSW has focused on the issue of asbestos and has produced a number of resources, all of which can be utilised by EHOs.

Asbestos dumping complaints in the Cumberland LGA are currently dealt with reactively, meaning that EHOs/NSW EPA Officers are involved when a complaint is received.

#### **Noise/Odour complaints**

Noise and odour issues are generally referred to Council via complaints from affected residents. Council has powers under the *Protection of the Environment Operations Act 1997* to investigate such complaints. Noise can be either offensive or intrusive. Odour can be described as 'offensive'.

#### **'Offensive noise' (NSW Government, 2017<sup>6</sup>) is noise:**

'(a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances: (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.'



## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

<p><b>BACKGROUND</b> <i>continued</i></p>	<p><b>'Intrusive Noise' is identified as 'intrusive' if it:</b> 'is noticeably louder than the background noise and considered likely to disturb or interfere with those who can hear it' (EPA 2013).</p> <p><b>'Offensive odour' is defined as an odour:</b> '(a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances: (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or (b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.'</p>
<p><b>APPROACH</b></p>	<p>This Strategy aims to continue Council's approach toward active inspection of all environmental incidents in a timely manner.</p>
<p><b>PRIORITY</b> <b>HIGH / MEDIUM</b></p>	<p>1. 'A safe accessible community – Council operations support a healthy community.'</p> <p>2. 'A clean and green community – We value the environment and have measures in place to protect it.'</p> <p>3. 'A resilient built environment – Our planning decisions and controls ensure the community benefits from development.'</p> <p><i>Cumberland City Council's 2017–2027 Community Strategic Plan<sup>4</sup></i></p>



## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

<p><b>PRIORITY</b></p>	<p><b>HIGH</b> – sewer/pollution response.  <b>MEDIUM</b> – noise/odour concerns.</p>
<p><b>GOALS</b></p>	<ul style="list-style-type: none"> <li>• Attend to 100% of environmental complaints, prioritising higher risk concerns such as sewer leaks and pollution incidents, in a prompt and timely manner, with all actions taken according to the inherent public health/environmental risk.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality, and consistent application of the required public and environmental health safety requirements is achieved.</li> <li>• Ensure that each retail and commercial premises found to be creating environmental impacts complies with any Council direction to address these concerns.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality, and consistent application of the required environmental management is achieved with of the aim of providing better environmental practice.</li> <li>• Develop a written response policy and procedure documents for this function within 24 months of the adoption of this Strategic Plan. This includes development of a formal spill response procedure.</li> <li>• A specific WHS Plan to be developed and implemented for environmental response matters within 12 months of the adoption of this policy.</li> <li>• Review Cumberland City Council’s spill response kits in work cars as well as spill response trailers held at the depot, which are used when Council staff are the first responders or when the spill is not of sufficient size to require the assistance of the Emergency Services.</li> </ul>
<p><b>RELEVANT LEGAL AND POLICY CONSIDERATIONS</b></p>	<ul style="list-style-type: none"> <li>• <i>Protection of the Environment Operations Act 1997.</i></li> <li>• <i>Protection of the Environment Operations (General) Regulation 2009.</i></li> <li>• <i>Local Government Act 1997.</i></li> <li>• Cumberland City Council Compliance and Enforcement Policy.</li> </ul>
<p><b>CURRENT ACTIVITIES</b></p>	<ul style="list-style-type: none"> <li>• All complaints are entered into Council’s Customer Request system by Customer Service, Environmental Health Administration Officers or EHOs.</li> <li>• Inspection details are recorded on the Council’s customer request and property management systems and any photos/evidence collected are added to the Council’s records management system.</li> <li>• EHOs take any required regulatory action, including issuing improvement notices, penalty infringement notices and other regulatory documents where necessary, in a timely manner.</li> <li>• Administration teams issue invoicing for enforcement actions where a fee is generated and Finance sections then follow the payments of regulatory actions taken.</li> <li>• EHOs comment on development applications for protection of environmental and public health issues such as noise control, odour control, contamination issues and environmental management of known risk activities at commercial premises.</li> <li>• A public register of all POEO notices issued is maintained by Council.</li> <li>• EHOs assist NSW EPA/Fire Brigade in the event of a pollution incident where support is required.</li> <li>• Team members participate in the NSW EPA/Health targeted training programs for spill response and sewer overflow procedures as appropriate.</li> <li>• EHO trainees participate in the background noise monitoring program.</li> </ul>

## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

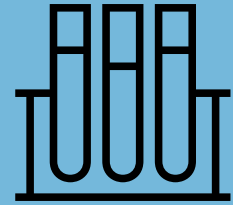
<p><b>FUTURE INITIATIVES</b></p>	<ul style="list-style-type: none"> <li>• Develop a written response policy and procedure documents for this function within 24 months of the adoption of this Strategic Plan. This includes development of a formal spill response procedure.</li> <li>• Develop and implement a specific WHS Plan for environmental response procedures.</li> <li>• Conduct a review of the current background noise monitoring program within 24 months, determining appropriate sites across the LGA appropriate for continued noise monitoring.</li> </ul>
<p><b>PERFORMANCE INDICATORS</b></p>	<ul style="list-style-type: none"> <li>• 100% of environmental complaints are responded to, prioritising higher risk concerns such as sewer leaks and pollution incidents, with all actions taken according to the inherent public health/environmental risk. Sewer leaks and pollution incidents are responded to within 24 work hours of receipt. Noise/Odour complaints are responded to within 72 work hours of receipt.</li> <li>• Relevant compliance action is taken in a timely manner according to risk and no later than within 48 work hours of an inspection.</li> <li>• Formal Notices/Directions and Emergency Orders are acted upon within 24 work hours of expiry.</li> <li>• Development consent referrals on environmental management issues are responded to within the DA timeframes allocated to Environmental Health response rates, currently within 10 business days of referral to the Environmental Health Team.</li> <li>• EHOs complete in-house and external consistency and professional development training as required.</li> <li>• All inspection details are accurately entered into Council’s property and record management systems in a timely manner.</li> <li>• Council Officers meet with NSW EPA Officers as required.</li> </ul>
<p><b>FUNDING</b></p>	<ul style="list-style-type: none"> <li>• Regulatory notices including Prevention, Clean-up and Cost compliance notices where appropriate.</li> <li>• Budget Allocation.</li> </ul>



## OTHER PROGRAM AREAS

Public swimming pool and spa pool monitoring

Environmental auditing, water monitoring, regulated premises



<p><b>DA REFERRALS</b></p>	<p>Development Applications received by Council are referred to its Planning Department for assessment. Council’s Planners then refer these applications to the relevant teams for their review and provision of comments, together with recommended conditions for inclusion in any development consent or reasons for refusal. Through the inclusion of suitable conditions on the development consent, the Environmental Health Team aims to take a proactive approach to eliminating any potential nuisances (such as noise or odours) rather than reactively via complaints.</p> <p>Contaminated lands, which are identified through the development application process, are an ever-increasing problem in NSW. The EPA regulates significant contaminated land sites while local councils regulate all other areas in relation to this function, generally by Environmental Health Officers at Development Application stage. Due to the complexity of contaminated lands, the Senior Environmental Health Officers are responsible for assessing DA referrals for these sites. This Strategy will not alter current arrangements at this time.</p>
<p><b>PRIORITY</b></p>	<p><b>MEDIUM</b></p> <div style="background-color: #1a3d54; color: white; padding: 10px; text-align: center;"> <p><b>‘A resilient built environment – Our planning decisions and controls ensure the community benefits from development.’</b></p> </div>
<p><b>CURRENT ACTIVITIES</b></p>	<ul style="list-style-type: none"> <li>• The Environmental Health Team comments on development applications for protection of environmental and public health issues such as noise control, odour control, contaminated land issues, and environmental management of known risk activities at commercial premises. Development consent referrals on environmental management issues are responded to within the DA timeframes allocated to Environmental Health response rates, currently within 10 business days of referral to the Environmental Health Team.</li> </ul>
<p><b>FUTURE INITIATIVES</b></p>	<ul style="list-style-type: none"> <li>• Review and amend standard conditions for development consent to have one unified set of Environmental Health conditions.</li> <li>• Prepare a work procedure for assessing contaminated lands that includes additional staff training.</li> </ul>
<p><b>LEGISLATION</b></p>	<ul style="list-style-type: none"> <li>• <i>Environmental Planning and Assessment Act 1979.</i></li> <li>• National Environment Protection (Assessment of Site Contamination) Measure (2013 Amendment).</li> <li>• State Environmental Planning Policy – SEPP 55 Remediation of Lands.</li> </ul>



## OTHER PROGRAM AREAS

<b>PUBLIC SWIMMING POOL, SPLASH PARK AND SPA POOL INSPECTIONS</b>	<p>Council currently monitors the water quality of public swimming pools, spa pools and splash parks under the <i>Public Health Act 2010</i>, with the aim of minimising conditions that could result in an illness outbreak through harmful bacteria such as <i>Cryptosporidium</i>. There are currently 23 public swimming pools registered and operating in the Cumberland LGA; Council's Trainee EHOs especially aim to inspect these premises through the peak summer swimming seasons. This Strategy will not alter current arrangements at this time.</p>
<b>PRIORITY</b>	<p>LOW</p>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• Trainee EHOs maintain a register of public swimming pools, with any new public swimming pools included in the inspection program.</li> <li>• Trainee EHOs undertake proactive regulatory inspections between November and March each financial year.</li> <li>• EHO and Trainee EHOs investigate complaints and coordinate joint inspections with the WSLHD where requested, providing support should there be an outbreak investigation.</li> <li>• Trainee enters the inspection details into Council's register and records management systems.</li> <li>• Administration to issue any required invoices for inspections.</li> </ul>
<b>RELEVANT LEGISLATION AND/OR POLICY LINKS</b>	<ul style="list-style-type: none"> <li>• <i>Public Health Act 2010</i></li> <li>• <i>Public Health Regulation 2012</i></li> <li>• <i>Public Health Amendment (Review) Act 2017</i></li> </ul>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Conduct an audit to accurately determine the number of public swimming pools within the Cumberland LGA.</li> <li>• Identify public swimming pools that regularly fail inspections with a view to conducting an educational/training program for swimming pool operators.</li> </ul>





## OTHER PROGRAM AREAS

<b>ENVIRONMENTAL /INDUSTRIAL AUDITS</b>	<ul style="list-style-type: none"> <li>• Environmental/industrial audits are conducted by local government as a proactive approach to prevent environmental damage. The NSW Environment Protection Authority (EPA) has assisted in the past by providing support with training and programs. A number of Councils take a targeted approach to their environmental/industrial audit programs; for example, they may conduct audits on mechanical workshops in one year and spray painters the next.</li> <li>• Environmental/industrial audits have not been undertaken by Cumberland City Council routinely for a number of years and inspections of industrial premises are currently reactive. This Strategy will not alter current arrangements at this time.</li> </ul>
<b>PRIORITY</b>	<p>LOW</p>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Develop an environmental/industrial audit program that identifies problem premises with a view to improving environmental standards at these businesses.</li> <li>• Develop a register of all industrial premises within the LGA that could impact upon the environment.</li> <li>• Train EHOs to conduct environmental/industrial audits. This training can be either formal (if available) or informal, e.g. by accompanying EHOs from other Councils or observing the work of an independent auditor engaged by Council.</li> <li>• Specific WHS Plans for Environmental Auditing to be developed and implemented prior to the implementation of audit programs.</li> </ul>
<b>UNSAFE/ UNHEALTHY PREMISES – HOARDING/ SQUALOR</b>	<p>Unsafe/unhealthy premises notified to Council by members of the public can involve hoarding and squalor. Hoarding is a higher priority and can occur in any suburb and within any demographic. Hoarding and Squalor problems are generally complex matters that require input from many specialists, including community care organisations, the police, psychologists and Council. Councils are often the first point of contact for complainants and, as such, good relationships with care organisations that can assist in addressing the cause of the hoarding/ squalor concern are necessary. This Strategy will not alter current arrangements at this time.</p>
<b>RELEVANT LEGISLATION AND/OR POLICY LINKS</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1993.</i></li> <li>• <i>Local Government (General) Regulation 2005.</i></li> </ul>
<b>PRIORITY</b>	<p>LOW</p>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• EHOs respond to all complaints regarding Hoarding and Squalor within the Council area, risk prioritising the matters that may impact on public health and/or the health of the occupant.</li> <li>• All complaints are entered into the Customer Request system by either Customer Service, Environmental Health administration or EHOs.</li> <li>• EHOs currently record results of the inspections on Council’s customer and property management systems and any photos/evidence collected are added to Council’s records management system.</li> <li>• Notices and Orders are issued by EHOs as required and recorded onto Council’s register and records management systems.</li> </ul>

## OTHER PROGRAM AREAS

<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Seek and forge stronger links with local support organisations to more effectively approach complaints regarding Hoarding and Squalor.</li> <li>• Council EHOs are to undertake appropriate training on Hoarding and Squalor to enable them to identify both the underlying issues, and avenues for assistance and resolution.</li> </ul>
<b>PLACES OF SHARED ACCOMMODATION (BOARDING HOUSES), SEX ON PREMISES VENUES</b>	<p>Places of shared accommodation take two forms, i.e. boarding houses and backpackers' hostels (backpackers). Boarding houses generally accommodate a number of unrelated people in one dwelling and provide either short-term (under 28 days) or long-term (over 28 days) lodgings. Backpackers provide short-term lodgings for a number of people (generally international visitors), usually in rooms with multiple tenants.</p> <p>The <i>Public Health Act 2010</i> and <i>Local Government Act 1993</i> allow EHOs to undertake inspections of places of shared accommodation to ensure that they are maintained in a clean and hygienic manner. There currently is a small number of registered places of shared accommodation within the Cumberland LGA. However, as there are a number of unauthorised establishments operating, it is difficult to cite an accurate number. Complaints regarding boarding houses and backpackers are investigated as advised.</p> <p>A small number of legal 'sex on premises' venues (also known as brothels) are permitted within the Cumberland LGA, with five currently registered.</p> <p>The <i>Public Health Act 2010</i> and <i>Local Government Act 1993</i> allow EHOs to undertake inspections of sex on premises venues to ensure that they are maintained in a clean and hygienic manner and that clients are protected from communicable diseases. Furthermore, EHOs can make links with support services to ensure that the workers are also protected from communicable diseases.</p> <p>Council EHOs currently monitor the legal premises and take action based on complaints. This Strategy will not alter current arrangements at this time.</p>
<b>PRIORITY</b>	<p>LOW</p>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Review and implement a register of premises; aim to undertake proactive inspections of these premises.</li> <li>• Develop a program to seek links with external agencies to provide workers and clients with safe sex information</li> </ul>
<b>RELEVANT LEGISLATION AND/OR POLICY LINKS</b>	<ul style="list-style-type: none"> <li>• <i>Public Health Act 2010</i></li> <li>• <i>Public Health Regulation 2012</i></li> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Local Government (General) Regulation 2005</i></li> </ul>

## OTHER PROGRAM AREAS

### CLANDESTINE DRUG LABS

Clandestine Drug Labs (or 'clan labs') are generally reported to Council by NSW Police during the site investigation period following a police raid.

The production of illicit drugs utilises many noxious chemicals; the resulting chemical reactions also release toxic substances. These substances can leach into the dwelling's fixtures, fittings and equipment, such as gyprock, carpet, timber, paints, etc. There are cases emerging of people becoming very unwell, as they are living in premises that were previously used as clan labs but had not been appropriately cleaned.

EHOs assist in the clean-up of the site by issuing Notices and Orders under the *Local Government Act 1993*. There have been no reports of clan labs to Cumberland City Council's EHOs in recent times. This Strategy will not alter current arrangements at this time.

### CURRENT ACTIVITIES

- EHOs respond to requests from NSW Police within 24 work hours of receipt.
- EHOs issue enforcement action, where necessary, within 48 work hours of site inspection.
- All reports from NSW Police are entered into the Council Customer Request system either by Customer Service, Environmental Health administration or the EHOs.
- Results of the inspections are to be recorded on the customer request and property management system and any photos/evidence collected are to be added to the Council's records management system.
- The Manager, Health and Environmental Protection will consider meeting with the Local Area Commander to forge better links between NSW Police and Council's EHOs, particularly in the area of clan labs.





## OTHER PROGRAM AREAS

<b>UNDERGROUND PETROLEUM STORAGE SYSTEMS (UPSS)</b>	<p>The Underground Petroleum Storage Systems (UPSS) Regulation was revised in 2014 to clarify the management and operation of UPSS infrastructure across the state. The NSW Environment Protection Authority (EPA) was formally the Appropriate Regulatory Authority (ARA) for these sites until 2019. At that time the ARA responsibilities will be passed to local councils. This Strategy will be reviewed once arrangements are finalised between the EPA and Council.</p>
<b>PRIORITY</b>	<p><b>MEDIUM</b></p>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Develop a register of all service stations within the Cumberland LGA.</li> <li>• Investigate whether there are any other facilities that operate UPSS within the LGA.</li> <li>• EHOs are to be trained to enable them to conduct UPSS audits. This training can either be formal (if available) or informal, e.g. by accompanying EHOs from other Councils or by observing the work of an independent auditor engaged by Council.</li> </ul>
<b>MORTUARIES</b>	<p>Rookwood Cemetery, located within the Cumberland City Council LGA, is state heritage listed. It has operated continuously since 1867 and is still currently accepting interments.</p> <p>The <i>Public Health Act 2010</i> and its associated regulation prescribe how the disposal of bodies and exhumations should occur, primarily to maintain infection control. Different religious groups have specific requirements for the disposal of human remains and these are taken into account within various NSW Health guidelines.</p> <p>Council EHOs do not inspect mortuaries; however, they may be required to support the WSLHD on occasion. This Strategy will not alter current arrangements at this time.</p>



# Resources and Staffing

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**The Environmental Health service is one of the functions performed by Councils Regulatory and Technical Business Group. The following Officers have responsibilities within the Environmental Health Unit:**

- Manager Health & Environmental Protection
- Team Leader – Environmental Health (2 Positions)
- Senior Environmental Health Officers (4 Positions)
- Environmental Health Officers (6 positions)
- Trainee Environmental Health Officers (2 Positions)

If the budget allows, an environmental health consultant may be engaged when required to cover leave. The activities and responsibilities within the environmental health program are divided between the Team Leaders Environmental Health, Senior EHOs, EHOs and Trainee EHOs.

## **AUTHORISED OFFICERS**

These Officers must be suitably authorised under the relevant legislation with functions delegated to them by Council's General Manager, which must be in the form prescribed by the relevant legislation. Authorised Officers are given Powers of Authority to exercise the following functions prescribed by legislation:

- Powers of Entry
- Powers to require information
- Powers to issue Notices and Orders
- Powers to issue Penalty Infringement Notices .

Authorised Environmental Health Officers exercise functions from the following legislations and associated regulations in the performance of their duties:

- *Food Act 2003 (NSW)*
- *Public Health Act 2010*
- *Protection of the Environment Operations Act 1997*
- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*
- *Biosecurity Act 2015*

## **REQUIRED EQUIPMENT**

Specialist equipment available for the EH unit includes:

- Leaseback vehicles for Team Leaders Environmental Health, Senior EHOs and EHOs
- Testo digital thermometers
- Testo data loggers
- Noise meters
- Laboratory equipment for water analysis
- Palintest pool testing equipment
- Smart phones
- Digital cameras
- In-car spill kits
- Spill response trailer
- Usual office furnishings, computer-related equipment
- and personal protective equipment



# Reporting

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## Annual

- Council is legally required to provide an Activity Report to the NSW Food Authority. This document must be submitted in July each year, covering food-related activities in the previous financial year period.
- Council is legally required to provide an Activity Report to the NSW Health Department via the Western Sydney Local Health District (LHD). This document must be submitted in July each year, covering public health-related activities in the previous financial year period.
- Cumberland City Council's internal annual report requirements.

## Quarterly

- Cumberland City Council's Community Strategic Plan, Operational Plan and Delivery Plan.

## Monthly

- Monthly Key Performance Indices (KPIs) are provided to the Manager, Health & Environmental Protection.

# References

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# APPENDIX

## ANALYSIS OF REGULATORY FUNCTIONS

Function	Priority				Explanation
	Must Do	Should Do	Could Do	Won't Do	
Air quality/odour complaints	■				Legislative requirement.
Asbestos on private property (no DA)	■				Legislative requirement.
Asbestos on private property (with DA)					To be referred to SafeWork.
Asbestos on public land				■	Initial investigations by Rangers. Refer to public place cleansing or EHO as required.
Barking dogs				■	To be undertaken by Rangers.
Clandestine drug labs		■			Should investigate but depends on referrals from the Police & staff training.
Contaminated lands	■				Legislative requirement.
Cooling tower inspections	■				Legislative requirement.
DA referrals		■			Should be addressed proactively at assessment stage.
Environmental/industrial audits			■		Could be done as part of the environmental protection program.
Food inspections	■				Legislative requirement.
Hairdresser inspections			■		Not defined as skin penetration. Inspect on complaint only.
Health education		■			Should be done to increase compliance and because food inspections attract an administration fee.
Hoarding and Squalor	■				Legislative requirement.
Mobile food vending inspections	■				Legislative requirement.
Mortuaries	■				Legislative requirement.
Mosquito monitoring			■		Not at this stage as no Ross River Fever cases reported in LGA.
Noise complaints	■				Legislative requirement.
Noxious weeds			■		Function better exercised by Environmental Protection Officers.
On-site waste water				■	Not at this stage. Can reassess if notifications received.
Overgrown premises			■		Only if there is harbourage of vermin.
Places of shared accommodation inspections		■			Should inspect to ensure that vulnerable populations are accommodated in safe & hygienic premises.
Policy/procedure development		■			Essential to maintain team consistency.

## ANALYSIS OF REGULATORY FUNCTIONS

Function	Priority				Explanation
	Must Do	Should Do	Could Do	Won't Do	
Private water supply inspections					Not at this stage. Can reassess if notifications received.
Section 68 approvals					Legislative requirement.
Sewer overflows					Legislative requirement.
Sex premises inspections					Should inspect to ensure clients & workers are protected from communicable diseases.
Skin penetration inspections					Legislative requirement.
Spill response					Protection of the environment.
Stormwater complaints					Should be undertaken by Building Compliance Team.
Temporary food inspections					Legislative requirement.
Underground Petroleum Storage System (UPSS)					Legislative requirement.
Waste on public land					To be referred to Council's Waste Team.
Water quality monitoring					Could do to protect local environments.



CUMBERLAND  
CITY COUNCIL

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