Public & Environmental Health

ANNUAL REPORT

2010 - 2011

Information on administration of:

- Public & Environmental Health Act 1987
- Food Act 2001
- Local Government Act 1934 & 1999
- Supported Residential Facilities Act 1992
- Housing Improvement Act 1940
Public & Environmental Health Report 2010-2011

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SA Public Health Act 2011
Safe Drinking Water Act 2011
Onsite (and Community) Wastewater Systems Codes

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Notifiable Disease Investigation & Control
Mosquito vector surveillance and control
Control of Legionella in Manufactured Water Systems
Wastewater Control Systems (onsite wastewater disposal)
Housing Conditions and Amenity
Water Quality – Swimming Pools and Spa Pools
Water Quality – Drinking Water
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Executive Summary

The past year has presented a diverse range of public and environmental health challenges for Council.

Drought breaking rain, high river flows and renewed life in river environs has brought renewed confidence across South Australia. The extra water also unfortunately provides ideal breeding conditions for mosquitoes and an elevated risk of arbovirus infection, particularly Ross River virus. The reemergence of Murray Valley encephalitis which tragically took the life of a young man earlier in 2011 is a significant concern and highlights the need for additional vigilance and effort to minimise the risk to the community.

Statutory duties of Councils for public health in South Australia cover a wide range risks to the community and the administrative resources required to meet those obligations are significant. Council’s role as a health authority is set to expand considerably with the recent passing of a new Public Health Act in June 2011. The new Act will be introduced over a two year period and will replace the current Public & Environmental Health Act. An overview of the new Act and policy directions are provided in the report.

Council’s Public & Environmental Health Management Plan 2010-2015 was endorsed by Council in January 2010. The Plan sets out Council’s statutory duties and guides and prioritises activities to meet those obligations. The Plan also provides a foundation for incorporation of new requirements of the Public Health Act 2011.

The resources necessary to meet the expanded range of responsibilities for public health set out in the new Act are potentially significant. An additional health officer position is proposed for the 2012/13 FY. Careful planning and prioritisation of effort will be necessary in the interim to ensure we continue to meet our obligations for public health.

In addition to an overview of activities undertaken for the year, the following report includes detailed activity reports required pursuant to the Food Act 2001 and the Public & Environmental Health Act 1987, for endorsement by Council and forwarding to SA Health.

Environmental Health Team
Present team comprises:
- Manager - Health Building & Compliance (Authorised Officer)
- Senior Environmental Health Officer
- Environmental Health Officer
- Casual (0.4FTE) Immunisation Nurse
Public & Environmental Health Management Plan 2010 - 2015

The Public & Environmental Health Management Plan forms part of Council’s Strategic Plan pursuant to Section 122 of the Local Government Act 1999. The Plan:

- Sets out statutory obligations for public & environmental health,
- Guides and prioritises Council activities for public health, and
- Provides a foundation for development of a “Regional Public Health Plan” as required under the new Public Health Act 2011

There are currently nine Acts for which councils in South Australia have administrative obligations for (or related to) public health. The two principal Acts are the Public & Environmental Health Act 1987 and the Food Act 2001. Other Acts include:

- Local Government Act 1999
- Emergency Management Act 2004
- Environment Protection Act 1983 (Burning policy only)
- Supported Residential Facilities Act 1992
- Housing Improvement Act 1940
- Expiation of Offences Act 1996
- The Land and Business (Sale & Conveyancing) Act 1994

New Legislation - Public Health Act 2011

The new Act introduces a broader approach to public health which recognises and makes provision for issues including:

- Improved management of people with serious communicable illnesses whose behavior may place others at risk,
- Management of public health emergencies, and
- Lifestyle-based conditions (including chronic diseases) and recognition of complex public health issues associated with climate change, health inequalities and social determinants of health.

The Bill includes a requirement for councils to prepare “regional public health plans” that take a more holistic approach to public health matters. The explanatory paper to the Bill in 2009 gave some guidance to the proposed issues to be addressed including:

- Assessment of the state of public health in a region,
- Identifying existing and potential public health risks and developing strategies to address, eliminate or reduce such risks,
- Identifying opportunities and outlining strategies for promoting public health,
- Addressing public health issues specified by the Minister following consultation with the (new) SA Public Health Council (SAPHC) and the LGA, Providing information about the state of public health and other considerations relating to public health, including information about
issues identified in any plan, policy or strategy specified by the Minister or the SAPHC

**New Legislation - Safe Drinking Water Act 2011**

The new [Safe Drinking Water Act 2011](#) was approved by Parliament in June 2011. The Act will replace the current regulation of drinking water in South Australia under the Food Act 2001 and Food Regulations 2002.

The present Food Act 2001 and Regulations simply require water for human consumption to be safe and suitable and don’t include prescriptive requirements. The Safe Drinking Water Act 2011 prescribes how drinking water should be managed to be fit for purpose and establishes new requirements for registration of supplies, auditing and microbiological analysis.

SA Health proposes to manage registration of suppliers, which will also include people and businesses who supply rainwater or ground water for human consumption as a component of meals, accommodation or other services. Councils will have a significant role in administration and enforcement of this new Act.

**New Legislation - Onsite (and Community) Wastewater Systems Codes**

New Draft Regulations and Standards for Community and Onsite wastewater systems, updating present requirements, were released by SA Health in early 2010 and were expected to be introduced during 2010/11. There has been a delay in their introduction and it is anticipated that they will be introduced late in 2011, and be incorporated under the new Public Health Act.

The Codes will introduce new compliance requirements for wastewater systems to be administered by Councils. Additionally, responsibility for assessment and approval of permanent grey water systems and alternative systems under AS1547 will transfer from the SA Health to Councils. There are significant resource implications for administration of the changes proposed.

SA Health is planning to deliver a series of information sessions for builders and plumbers to introduce the new Codes and further advice is anticipated for environmental health officers who will be responsible for administration of assessment and compliance requirements.
The draft Codes have been released to Councils for assessment but have not been released for public comment.

**Functional Areas**

**Food Safety**
There are a total of 153 notified food businesses in the Rural City of Murray Bridge (There is presently no requirement for ‘registration’ of food businesses under the Food Act 2001 however food businesses are required by the Act to notify details of their business to Council). Food businesses are classified and scheduled for inspection according to a national risk model. The majority of inspections are undertaken without prior appointment using a standard “Australian Food Safety Assessment” format. Business classifications and numbers for each include:

<table>
<thead>
<tr>
<th>Risk Classification</th>
<th>No. of Businesses</th>
<th>No. of routine Inspections conducted</th>
<th>No of follow up Inspections conducted</th>
<th>No. of Inspections resulting from complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low*</td>
<td>83</td>
<td>12 (14%)</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Medium</td>
<td>66</td>
<td>54 (82%)</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>High</td>
<td>4</td>
<td>4 (100%)</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL</td>
<td>153</td>
<td>70 (46%)</td>
<td>14</td>
<td>2</td>
</tr>
</tbody>
</table>

*Note: The low risk category includes a broad range of community and sporting groups that often meet at irregular frequencies. Food safety information is supplied to low risk groups and efforts made to inspect any associated premises in accordance with FSANZ “Priority Classification for Food Businesses”, which sets out a minimum 24mth inspection frequency.

Food businesses operating at community events held throughout the year are also monitored for compliance with food safety requirements. Council is also the enforcement agency for State Government facilities, including Mobilong Prison.

**Fees chargeable for inspection under the Food Act 2001**
The Food Act provides for Councils to charge a fee of $80 for inspection of food businesses. In 2010 it was reported that 31 of 68 Councils in South Australia charge the inspection fee. Council has not had a policy in place for charging an inspection fee however a proposal for introduction of the inspection fee (for businesses other than community groups, clubs and not-for-profit organizations) will be prepared for Council consideration in 2011.

**Food service to Vulnerable Populations (Child care/Aged care/Hospitals)**
There are six food service businesses providing meals to defined vulnerable populations in RCMB. The Food Act requires these businesses to have food safety programs in place, arrange for auditing of their food operations and provide audit reports to Council (as the enforcement agency) for assessment and follow up action as necessary. (Including the Murray Bridge Soldiers
Memorial Hospital). Audits of these businesses are undertaken by external auditors and Council is responsible for any resulting compliance and enforcement issues.

**Compliance**

A firm but fair approach is taken to compliance, with actions taken commensurate with assessed risk. A strong focus is maintained on providing advice and education to promote food safety.

Action taken in 2010-2011 included;

- 41 written warnings
- 6 Improvement Notices (enforceable under the Food Act)
- 2 Expiation Notices

Higher rates of inspection and a firm approach to compliance for businesses where follow up inspections have been necessary in the past are planned for 2011/2012. Consideration will be given to prosecution action where serious breaches are identified. Maximum penalties of up to $500,000 are applicable for serious breaches of the Food Act 2001.

**Training**

Two TAFE accredited food safety training sessions were held at the Local Government Centre during 2010/2011 and both sessions were well attended with 50 people completing the training. Presentations on food safety have also been provided to schools, community groups and aged care providers.

Further details of food monitoring and surveillance activities are contained in the attached annual return report to SA Health.

**Immunisation**

Council continues to provide a comprehensive immunisation service. Clinics are held at the Local Government Centre on the first Wednesday of each month and additional clinics have been held to provide influenza vaccinations.

In addition, Council has a service agreement with SA Health to provide a school immunisation program for year 8 and 9 students at Murray Bridge High School, Unity College and Murray Bridge Special School.

A total of 1,623 vaccinations were provided at 32 clinics.

The cost of providing immunisation services was an issue raised widely in submissions on the Public Health Bill in 2009. The LGA is seeking a review of funding and has expressed the view of many Councils that funding should meet the true cost of provision of the service. There continues to be a significant difference between Commonwealth funding provided to GPs and State Government funding to Councils for the same services.

**Notifiable Disease Investigation and Control**

The Communicable Disease Control Branch at SA Health provides monthly reports to Council with details of all cases of notifiable diseases reported in
the Council area. Environmental Health Officers are authorised (and required) under the Public & Environmental Health Act to implement appropriate measures for prevention or control of notifiable diseases where necessary in conjunction with SA Health.

Below are ‘seven year comparisons’ for arbovirus (Barmah Forest virus / Ross River Virus / Murray Valley Encephalitis), and Influenza for South Australia. Link to SA Health - 7 Year Comparisons

**Cases in Rural City of Murray Bridge 2010- 2011**

- Barmah Forest virus - 4
- Ross River Virus - 35
- Murray Valley Encephalitis - 0
- Influenza - 25

**Mosquito vector surveillance and control**

Council continues to work collaboratively with the University of South Australia and the Department of Health to undertake mosquito surveillance, education and treatment of high risk mosquito breeding areas in the River Murray environs.

The [joint mosquito surveillance program](#) between six Councils along the River Murray and UniSA is now in its 12th year. Seasonal surveillance includes traps for adult mosquitoes in five fixed locations in the Council area to identify
density and species of mosquitoes. Larval surveillance is also carried out to identify species and monitor known breeding areas.

Heavy rains in spring and summer and high river levels have provided ideal conditions for mosquito breeding and created an elevated risk of arbovirus infection. The coming spring/summer season is also likely to present elevated risk and for the first time Council has entered into an agreement with UniSA to continue surveillance and control through winter 2011. The budget for mosquito surveillance and control in 2011-2012 has been doubled and SA Health has agreed in advance to contribute 50% of costs for control in the coming year.

Excerpt from June report;

2011 River Murray Winter Surveillance Program

Due to the extreme conditions experience in the 2010-2011 mosquito surveillance season the mosquitoes & public health Research Group has been engaged to undertake a winter surveillance program along the River Murray. The first trip in June found active larvae sites in the lower sections of the River Murray particularly around the Rural City of Murray Bridge. Control of these sites will be initiated in July with Bti Enquettes. Pools remaining behind by the receding river contained fish and invertebrate predators. These sites will be examined in the coming months to establish weather cooler weather kills off the invertebrate predators and shrinking pools killing fish. With dryer that average conditions risks from major rain events would seem minimal. While the pools that remain from a receding river see to provide the greatest risks for mosquito production.

Larva site Assessment
Larvae sites along the river were assessed on the 21st and 22nd of June. Sentinel larva sites around major population sites along the river were sampled. In the northern sections of the river many of the sites filled by river flow earlier in the year, although mandated did not contain. Instead the sites contained small fish and invertebrate predators. This was a similar situation with sites in the central and southern sections of the river.

Low densities of larvae of Culex australis were identified at the wetland at Wellington east in the Coorong council, while larvae of Aedes comptorpharynx were identified at sites along the edge of Doyle Road in Murray Bridge Council. Sites around Murray Bridge will be treated in July and August to control this species.

River levels
The water level along the has dropped significantly from the end of February when the river was a around 13.4m AHD at the Loxton Irrigation Pump Station (site code A4260550), to just under 11 m AHD at the beginning of June. This drop can be seen in the chart to the right taken from the Department for water website.
Control of Legionella in Manufactured Water Systems

SA Health introduced new Regulations under the Public & Environmental Health Act 1987 for control of Legionella in Manufactured Water Systems late in 2008. The regulations require businesses to register all systems with Council and arrange for auditing and provide reports to Council (as the enforcement agency).

The two main systems referred to in the Regulations are ‘cooling towers’ (industrial cooling systems principally used for large scale refrigeration applications) and ‘warm water systems’ supplying warm water between 30° and 60°C (typically at approximately 40°C) to prevent scalding in high care settings such as aged care and hospitals.

Both types of systems operate at temperatures and in conditions which are conducive to the growth of Legionella bacteria (which cause legionellosis – Legionnaires’ disease) and require careful management and ongoing disinfection control measures to manage the risk posed by the systems.

The Rural City of Murray Bridge has 27 registered cooling towers (commercial water-based refrigeration systems), and 5 registered warm water systems’ (three at Lerwin Nursing Home & two at The Murray Bridge Soldiers Memorial Hospital).

Wastewater Control Systems (onsite wastewater disposal)

A total of 62 applications for on-site wastewater systems were assessed and approved during 2010 - 2011 with 122 associated inspections carried out.

A range of systems were approved during 2010 - 2011 including;

- Traditional Septic tank and sub-surface soakage systems,
- Aerobic systems incorporating above ground irrigation of chlorinated effluent,
- Evapo-transpiration absorption trench systems (ETA) incorporating septic tank, pump chamber and shallow sub-surface disposal trenches,
- Holding tanks - required in sensitive river environs
- System upgrades, including system replacement or increased capacity

New Draft Regulations and Standards for Community and Onsite wastewater systems, updating present requirements, were released by SA Health in early 2010 and are expected to be introduced late in 2011.

**Housing Conditions and Amenity**
Council liaises closely with other agencies where necessary to assist with issues associated with social disadvantage, particularly where vulnerable people such as the aged and people with disabilities may be subject to health risks from poor sanitation and/or squalor.

These matters come to Council's attention through a variety of avenues including through Council's 'Home and Community Care Program', and agencies such as Centa-Care, Housing SA, AC Care and SA Country Health's Mental Health Unit.

**Water Quality - Swimming Pools and Spa Pools**
Public swimming pools and spa pools were inspected to review maintenance and water quality testing records in accordance with standards and guidelines under the Public & Environmental Health Act 1987. Analysis is carried out at time of inspection to check water quality and for comparative assessment with the pool operators test equipment. The swimming pool at Mobilong Prison was also inspected during 2010 – 2011.

**Water Quality - Drinking Water**
The Public & Environmental Health Act 1987 and the Food Act 2001 make provisions for maintenance and protection of water supplies and for safe drinking water.

Monitoring of water quality from water treatment and supply infrastructure at Riverglen Marina and Woodlane continued in 2010 – 2011. Routine microbiological analysis, in accordance with the Australian Drinking Water Guidelines (ADW), has been carried out during the reporting period and all results met National standards.

As outlined earlier in the report, the new Safe Drinking Water Act 2011 was approved by Parliament in June 2011. The Act will replace current regulation of drinking water in South Australia under the Food Act 2001 and Food Regulations 2002 and Councils will have a significant role in administration of the Act.

**Property Searches - Provision of Prescribed Health information**
Property searches required pursuant to the Land and Business (Sale and Conveyancing) Act 1994 and Regulations require Council to provide any relevant information concerning a nominated property in relation to Notices or Conditions under the Food Act 2001 and or the Public & Environmental Health Act 1987.
Typically, this requires a search for any existing (continuing) conditions of approval for onsite wastewater systems and provision of a copy of original approval documentation for onsite wastewater systems. Council is in the process of digitising (scanning) over 3,000 onsite wastewater system records to improve and streamline retrieval of information. New onsite wastewater regulations proposed to be introduced late in 2011 will require the keeping of a register of onsite wastewater systems and the electronic record system being established will meet that requirement.

616 Searches were carried out by environmental health officers in 2010-2011.

**Development Assessment - Public Health**

Development applications are routinely referred to environmental health officers for assessment of health issues that may be relevant to an application. Issues associated with onsite wastewater requirements pursuant to the Public & Environmental Health Act are the principal issues assessed.

Section 37 of the new Public Health Act 2011 “Function of Councils” includes a statutory requirement which formalises the public health assessment process of development.

“(h) to assess activities and development, or proposed activities and development, within its area in order to determine and respond to public health impacts (or potential public health impacts)”

67 Development applications were referred to environmental health officers for assessment during 2010-2011.