

**Department of Health -Summary of Submissions on Discussion Paper -New Public Health Act for Western Australia**

Name	Agency	Contacts	Agency endorsed or Individual	Overall Support for drafting PH Act based on Discussion Paper	Bind the crown	Dual responsibility State and L Govt	General Duty and positive obligations concept	Clarify relationship to other Acts	Risk based approach including responsibility and liability	Support for proposed objectives	Support for defining roles & accountability of State and Local Government
<b>Mr. W (Bill Mitchell)</b>	WALGA	PO Box 1544 West Perth WA 6872	Agency	Yes- provided Local Government is fully engaged and consulted during the process	Yes	Yes - spelt out in performance terms, subject to a number of outcomes- clarification of or roles and responsibilities, appropriate Resourcing, development of a State wide environmental health strategy, ID and removal of duplication of services and impact on small business.	Yes-subject to clarification examination of public liability issues for L Govt and potential for legislative protection, appeal provisions and elements of proof necessary to secure a conviction in the case of non compliance with an order	Yes	Yes	Yes	Yes- the Do H should adopt a vision and clearly define its role in public health
<b>Mr. John Hardy</b>	Chairman Metropolitan Environmental Health Management Group	PO Box 8172 Perth Business Centre WA 6849	Agency	Yes- provided Local Government is fully engaged and consulted during the process	Yes	Yes	No comment	yes	Yes	No comment	Yes
<b>Kirsty Officer</b>	Telethon Institute for Child Health Research, Curtin University, PH Assn of Australia	Po Box 855 West Perth WA 6872	Agency	Yes	Yes including improvement plans but not to preclude of defer action where there is a urgent need	Yes- important to address workforce development issues involved in training requirements	Yes-subject to clarification of some areas	yes	Yes	Yes	Yes

<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
Yes via Local Govt Act and not capped by regulations	Yes including performance terms, both State and Local Govt, into existing local government strategic planning processes	Yes subject to clarification of DoH role in future research, design and implementation of state-wide health promotion programs aimed at lifestyle diseases, role of PH units, funding assistance in delivery of local supports facilities and programs aimed at lifestyle disease and impact on LG including Resourcing and mandatory imposition.	Cautious support- subject to clarification of the implication of the inclusion of a definition on Local Government duties, and not create an unreasonable expectation, liability or resource burden on Local Government.	Yes with consultation with Local Government	Yes- needs to be ongoing and meaningful, Act should mandate the consultative process to be undertaken by the State Government with Local Government and contain a review period	Yes- adequate support training and technical expertise would be provided to LG on EH issues	Yes- both integrating into existing EIA processes and planning approval process and empowering EDPH to initiate inquiries	Yes	No comment	No comment
No comment	Yes	No comment	Yes	No comment	No comment	No comment	No comment	No comment	Yes	No comment
No comment	Yes- especially requirement to produce an annual report on state of public health in their jurisdiction	Yes	Yes	Yes	Yes	Yes-esp.. workforce planning and development	No comment	yes	Yes	yes

<b>Local Law creation ability</b>	<b>Inquiry powers</b>	<b>Support State Sustainability strategy</b>	<b>Emergency powers and communicable disease proposals</b>	<b>Statement of rights and responsibilities</b>	<b>Staged process of response/coercive powers</b>	<b>Framework for Privacy and Personal Information</b>	<b>NPHP Model Immunisation Provisions</b>	<b>Other comments</b>
Retain	Yes- audit performance of L Govt and report audit findings clearly to L Govt.	No comment	No comment	No comment	No comment	No comment	No comment	Strong desire for consultation and engagement during development of Bill etc
No comment	Formal Process defined	No comment	No comment	No comment	No comment	No comment	No comment	
Yes including PH Act	Yes- important for formal process to be included and the detail of the process	Yes	Yes	yes	Yes	Yes	Yes	Momentum for change needs to be maintained. Essential that resources for implementation and monitoring be provided.

<b>Mr. Kim Snowball</b>	St John of God Health Care	PO Box 132 Geraldton WA 6531	Agency	Yes	Yes	No comment	Yes	yes	Yes health is everyone's business. The Act should inform people about potential or existing health risks.	Yes	Yes
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<b>Dr D Robinson</b>	Chief Health Officer NSW Health Dept	Locked Bag 961 North Sydney NSW 2059	Agency	Yes	Yes	Yes and gave examples of NSW and LG consultation outcomes	Yes concern at how wide the offence could apply.	yes	Yes-	yes	Yes
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<b>Dr M Stevens</b>	Chief Medical Advisor & EDPH	189 Royal St East Perth WA 6004	Agency	No comment	No comment	Main focus of submission. Statutory role of LG must be preserved, statutory requirement that LG employ EHO's., and adequate number of EHO's to meet public health needs of the population, central approval of EHO qualifications,	No comment	yes	No comment	No comment	No comment
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Yes- Appointments could be via LH EH plans incorporating the Resourcing of the plans allowing local govts to resource local public health issues.	Yes perhaps like Victoria- plus a requirement that plans be developed by Local Govt in consultation with DoH . This would formally require intersectorial collaboration and allow a connection between the reported population health outcomes and priorities with local planning.	Yes- .. The emphasis on prevention and health promotion measures in a proactive sense are also supported. The legislation should recognise that the individual carries ultimate responsibility of their own health.	No comment	No comment	No comment	No comment	No comment	Yes	No comment	No comment
<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
Yes a mix of rates, fees and charges, and fines	Yes into existing processes	Yes- e.g. WHO Global Strategy on Diet Physical Activity and Health	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment
LG needs a fee structure and framework that allows local government to set fees and charges for services provided.. ASAP way of addressing workforce shortages support for two tier system where EHOs can be responsible for less highly trained officers who are authorized under the Act to operate in limited spheres	Development of State and Local Environmental Health Plans which are subject to statutory approval is supported. This will help overcome the perception by local government that their EHOs are working for the Dept of Health (via the Health Act) rather than for local government and their local community	No comment	No comment	No comment	No comment	No comment	No comment	See comments under LG autonomy and cost recovery	No comment	No comment

No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	Supports focus on prevention and health promotion and communicating risks
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<b>Local Law creation ability</b>	<b>Inquiry powers</b>	<b>Support State Sustainability strategy</b>	<b>Emergency powers and communicable disease proposals</b>	<b>Statement of rights and responsibilities</b>	<b>Staged process of response/coercive powers</b>	<b>Framework for Privacy and Personal Information</b>	<b>NPHP Model Immunisation Provisions</b>	<b>Other comments</b>
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No comment	Yes and policy and public statements to address determinants of health	Yes to sustainability and HIA	No comment	No comment	No comment	No comment	No comment	NSW parallel process and agree on risk based approach
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No comment	Ability of EDPH to ensure local governments meet their statutory responsibility and central supervision by the EDPH (or other statutory officer) of the performance of local Govt due to the diligent performance of their duties.	No comment	No comment	No comment	No comment	No comment	No comment	The new Public Health Act is an opportunity to strengthen the partnership between the State Department of Health and local government. The partnership is probably the most important aspect of the Health Act in terms of protecting the health of the population of WA as it underpins the delivery of specific services
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<b>Mr. P Swain</b>	Branch President Aust Institute of Environmental Health WA/NT PO Box 186 Victoria Park WA 6979	Aust Institute of Environmental Health WA/NT PO Box 186 Victoria Park WA 6979	Organisation	Yes. The consensus views have been established and I believe they represent good public and environmental health principles upon which to base a new Act	Yes	Yes- with clear statement of roles, functions and responsibilities	Yes with Local Government having the ability to perform works to manage risk and recover costs.	yes	No comment	Yes provided the objects are non-judicable policy as per discussion paper.	Yes there needs to be a clear statement of roles and functions for local government refers to examples in Discussion paper
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Prefer under S 16 of Local Government Act. Services are community obligations and should not be subject to new fees and charges but via rate levying process. If determined by regulations they should be reviewed regularly to ensure fees and charges are justifiable, relevant.	Yes for local government integrate into strategic plans and other state wide plans	Yes -by providing mechanisms (including consultation) within the Act for the Minister of EDPH to declare or determine that these are issues of public health significance and putting in place appropriate programmes which lay out the responsibilities of State and Local government in achieving positive public health outcomes	Yes subject to including wider context of health including social determinants and via community partnerships and stakeholders	Yes provided where needed policies have statutory backing. As per Discussion paper.	No comment	no comment	Yes needs to dovetail into existing state legislation and processes such as land use planning , environment and agreed sustainability practice	Yes as per Discussion paper. Both Local Govt and State	Yes as per discussion paper.	Yes as per discussion paper
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<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
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Yes under Health Act unless uniform provisions can be developed.	Yes both Statutory office holder and Minister via a documented formal process allowing for expediency if risk to health requires and then an appropriate level of inquiry	Yes by adopting Ottawa Charter "our common future" in the Act	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	EH is the science of preventing disease. The demands of the health system are often counter to best practice environmental health. Suggestion for independence between primary health and EH/public health. Commend the Government , DoH and WALGA for their contribution and initiative in moving to modernize the Health Act 1911.
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<b>Mr. E Lumsden PSM</b>	CEO City of Swan	PO Box 196 Midland 6936 WA	Agency	yes- allows for legislation to catch up to best practice and trends worldwide is based on risks to health which allows flexibility to ID and manage risks using principles of proportionality and includes better checks and balances than in the current Act. Should be a mandatory review time and process in the new Act.	Yes perhaps supported by a model to ensure no abuse or tardiness in addressing health risks Model perhaps based on high - low risk issues and general timeframes for compliance as a model.	Yes with clear explicit roles and responsibilities	yes- mainly in relation to others but framed to allow addressing of individual in rare cases and what may be required in legislation in future years.	yes	Yes -clearly defining and assigning as far as possible the ownership and responsibility for risks i.e. on the owners of the activities. Local Government is often required by legislation to manage risk activities that are not owned or controlled by the local government.	Yes- including those that enable addressing the disease burdens in society and that are flexible to achieve outcomes in the context of its community and local needs Broad protection and promotion of health objectives	Yes -explicit roles and responsibilities, clarity if performance expectations and measure of local government Not just for issuing orders and rectification but a framework that allows Local Government to pay for the costs of public/EH services Prefer Local Government Act.
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<b>Mr J Giorgi JP</b>	CEO Town of Vincent	PO Box 82 Leederville WA 6902	Yes	Yes - based on the principles outlined for reform, and adoption of a new Public Health Act for Western Australia	Yes	yes	yes	yes	yes	Yes	Yes
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<b>Ms M Kuhne</b>	Chief Policy Advisor Health CCI	Chamber of Commerce and Industry PO Box 6209 East Perth WA 6892	Yes	Yes	Yes	Yes	Yes	yes	Yes - including as part of State Local Govt Partnerships Document- both together should develop a RM Plan for Health at State level. Plan should cascade out relevant rights and responsibilities of all parties.	Yes- as per Discussion Paper and as set of principles. We provide support and encouragement for the promotion of healthy lifestyles to prevent illness and disease P7	Clear roles and responsibilities need to be defined i.e. SA Act
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Yes including strategies, decisions in relation to discharging LG duties including cost recovery and setting fees and charges etc.	Yes to support and align with corporate processes in Local Government and to consider the local needs and issues of communities audit the process and outcomes not the methodology that demonstrates outcomes and effectiveness in managing public health risks. Gave example of Forward functional plan that has align and considered corporate processes and strategies and local needs. There should also be a requirement for State planning as well -which picks up local and regional plans and identifies state or regional issues needing responses and to guide development of a State plan	Yes- need to specifically mention non communicable diseases role and create a mandate for this role that is able to respond to current views and issues as well as possible future areas. Non mandatory at this stage merely empower authorities in this area- esp. no mandatory role for local government .The need for government focus and action in non communicable diseases is well documented.	Yes -Should guide decision makers and address areas of neglect such as mental health and non communicable diseases and more understanding of the determinants of health and the interrelationships between humans and the environment (built and natural) and the sustainability of these relationships short and long term wider scope than just human health focus.	Yes these need to be flexible and readily reviewed and amendable and circulated.	Yes there needs to be ongoing consultation and planning in relation to the implementation of a new Act in all areas .	DoH needs to be leaders, policy, and best practice and more closer working relationships with local government. See issues from Symposium. Support and guidance from the State in relation to public health risks, tools and policy to support local government achieve the objectives of the Act- workforce training and preparation, tools and mechanisms needed.	Yes- both integrating into existing EIA processes and planning approval process and empowering EDPH to initiate inquiries	Yes- these are useful as a tool to manage or remove risks to health but also are a considerable revenue base for local governments. Both State and Local Government to have ability with agreement on who licenses what.	Yes as per discussion paper	Yes as per discussion paper
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No comment	Yes- both local and state but for local -into existing processes where they exist. Feeding into a State wide plan	Yes-should address all diseases including lifestyle diseases i.e. warnings, advocacy in response and preventative and sustainable approach	Yes- community focused promoting personal responsibility - and clear relationships between individual health outcomes and the wider health of the community.	Yes- as per processes in D paper including requirement for consultation and to take into account comments as well as interim policy	Yes	Need for guidelines to be developed (B LGA?!) to assist in consistent application of risk management approach	Into existing processes, via Policy (scoping and screening) only for strategic proposals, with power for minister to "call in " projects to be subject to HIA	Yes provided no duplication and only in high risk areas- in a schedule in the Act. Both for State and Local Govt.	Yes need to define risk level- between levels of offence i.e. EP Act	Yes

Needed if inadequate state law or standard, support LG having the ability to as per Local Government Act.	Yes	Yes- ideally Health be part of sustainability assessment	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	Key support is given to the focus on a risk management approach the flexibility of the Act to address emerging public health issues in balance with regional or state based EH issues. These principles are already practiced and working well at City of Swan.
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Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Town of Vincent strongly supports modernising public and environmental health legislation in WA
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Support for under the Health Act	No comment	Yes as per discussion paper	Yes	Yes	yes	Yes	Yes	Yes	Urge Govt to ensure the new Act is written I plain English to that its provision can be easily understood and applied without ambiguity and therefore minimising opportunity for argument
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<b>David Wray</b>	Principal Policy Officer Dept Premier and Cabinet	Office of Crime Prevention Dept of Premier and Cabinet 191 St Georges Tce Perth 6000	Organisation	No comment	No comment	No comment	No comment	yes	No comment	No comment	No comment
<b>Walter Cox</b>	Chariman EPA	EPA PO Box K822Perth WA 6842	Organisation	No comment	No comment	No comment	No comment	yes	No comment	No comment	No comment
<b>Greg Denton</b>	Executive Manager Strategy and Reform Western Power	Western Power GPO	Organisation	No comment	No comment	No comment	Does not support.. Too broad uncertain and too difficult to comply with.	yes	No comment	No comment	Need for definitive roles and responsibilities between government agencies in relation to public health

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No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment
No comment	No comment	No comment	No comment	Advises the EPA has some experience in this and has latest advice on use of these from State Solicitors office and Parliamentary Counsel and can provide and offers advice based on this (EP Service Unit) regarding legal advice received.	No comment	No comment	Given the public concern, increasing workload and resource implications it is timely to establish a more formal arrangement concerning health impact assessment and its relationship to EIA. There are logical and efficiency benefits of having one impact assessment< EIA could be expanded to include this role and the EPA would support the addition of health risk assessment as part of EIA subject to criteria. Believes HIA would also need to be a consideration in the assessment of town planning schemes.	No comment	No comment	No comment
No comment	Should be an effective tool. Does not support development of consultative public health plans at the Local Government level.	No comment	Neither supports or objects wants to be involved if use terms mental or social wellbeing, or nuisance	No comment	No comment	No comment	Not supported at this stage until clarification in areas Before can be done in WA need to define HIA , the purpose and function of HIA do not want to increase the current approvals process or time i.e. EIA	No comment	Not clear definition of risk to health need to define what is and is not a risk that is substantial enough to be regarded as an offence.	No comment

Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
No comment	No comment	Yes as per Sundsvall Statement on Supportive Environments for Health 1991 - linking health of the environment with that of people.	No comment	No comment	No comment	No comment	No comment	Strong focus and support on CPTED Crime Prevention through environmental design
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	There is a close functional and operational relationship between protection of the environment and public health The EPA is reliant and respects the advice from the DoH in relation to public health matters
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	

Name	Agency	box L921 Perth 6842	Agency endorsed or Individual	Overall Support for drafting PH Act based on Discussion Paper	Bind the crown	Dual responsibility State and L Govt	General Duty and positive obligations concept	Clarify relationship to other Acts	Risk based approach including responsibility and liability	Support for proposed objectives	Support for defining roles & accountability of State and Local Government
<b>Shane Odonohue</b>	Director Industry Development Dept of Environment	Department of Environment PO Box K822Perth WA 6842	Organisation	Yes provided based unsound risk management principles and procedure.	No comment	No comment	yes	yes	yes	yes	yes wants clearly established codes of practice and governance arrangements in the water sector
<b>Steven Roebuck</b>	Citizen	6 Higgins Way Bayswater WA 6053	individual	No comment	No comment	No comment	No comment	yes	No comment	No comment	No comment
<b>Craig Masarei</b>	Manager Legal Services Water Corporation	Water Corporation PO Box 100 Leederville WA 6902	Organisation	Yes	No comment	Yes- but not support regulation of the water industry by local government. See s 17 Of Metropolitan Water Supply Sewage and Drainage Act 1909 giving power to Waters and Rivers C to have same powers of the local government. Still to continue?	No comment	yes	No comment	No comment	No comment

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No comment	No comment	No comment	No comment	No comment	yes	Yes	No comment	No comment	No comment	No comment
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment
No comment	No comment	No comment	No comment	Yes strongly supports Drinking water policy - need to include catchment management source protection and land planning and other activities that can significantly impact upon water quality...	Yes and need for MoUs	No comment	No comment	Yes all drinking water providers to be licensed	Yes provided no overlap or duplication . Both to material and serious and creation of offence likely to act as a deterrent to undesired activity.	Yes- want these defence principles extended to cover licensing and defences of breaches of license conditions.

Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	Dept of Water taking over many of the roles and responsibilities of the Waters and Rivers Commissions
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	Believes all patients should be advised by their clinician of compulsory notification of the HIV/AIDS virus to the Health Dept. Powers to be subscribed should include education. Patients should be treated equally and precautionary guidelines adhered to as if all individuals are HIV positive.
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	Supports ideas in case study on Drinking water Policy and declaring supply of water drinking water to be health risk activity, Strongly supports creation go a "Drinking Water Purity Committee " to ensure a whole of govt approach to protecting drinking water supplies.

<b>D Carew-Hopkins</b>	A/Director General Dept of Environment	Department of Environment PO Box K822Perth WA 6842	Organisation	Does not believe a case for reform has been substantiated or the Act is outdated in need of review.	No comment	No comment	Supported. But believes there will need to be a prescriptive approach to nuisance.	yes	Comments for and against this approach despite acknowledging the EP Act has adopted the risk based approach to a degree. Believes this is hard to enforce.	No comment	No comment
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<b>Mark Newman</b>	CEO City of Mandurah	City of Mandurah PO Box 210 Mandurah WA 6210	Organisation	Yes	Yes	Yes need to define roles and responsibilities State and Local Govt and State should set sate- wide public health policy and direction	Yes- especially for the benefit of preventing risks to health and be supported by guiding principles and policies	yes	Yes	Yes to guide ultimate intent and may cover a range of areas such as precautionary principle, data collection, public health planning, sustainability, health environments, etc	yes.
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<b>Cherster Burton</b>	PO Box 270 Subiaco WA 6904	City of Subiaco- on behalf of Western Regional Organisations of Council (Subiaco, Claremont, Cottesloe, Mosman Park, Nedlands and Peppermint Grove	Organisation	No comment	No comment	No comment	Depends on definition of health- wider means wider scope and greater burden on local government in policing the duty. Requests consideration of defining health and scope of duty so as not to be a burden on local government	yes	No comment	No comment	Believe defining may expose Local Governments to more claims for damages from persons, if defining and clarifying this resulted in the above then its inclusion would not be supported.
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No comment	DoH should retain and exert a strong audit role to ensure local governments deliver the necessary EH services and outcomes	No comment	Believes definition will be wide and far reaching, and important to define risk to health and if not may lead to EH being drawn to areas well outside original intent (OHS).	believes a prescriptive approach -is better.	No comment	No comment	No comment	No comment	Should be tiered to provide a range of enforcement tools.	No comment
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<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
Yes under the Local Government Act and not capped by regulations	Yes, State needs to lead and set State-wide public health focus and priorities and to guide local government planning	yes the remit should include non communicable diseases but not a statutory requirement on local government	Yes ensuring it reflects contemporary understanding and acknowledges the physical, mental and social aspects i.e. WHO etc.	Yes- these are essential for advising people how to discharge their statutory duty of care, important that stakeholder consultation occurs including with Local Government	Yes esp. in policies etc	Yes State Health needs to lead	Yes as per discussion paper and complement existing formal assessment tools like EIA.	Yes for those that pose a risk to human health as per discussion paper with flexibility to amend	Yes as per discussion paper	Yes as per discussion paper

Does not believe the Local Government Act or the current Health act provide adequate cost recovery. Believes new Act should cater for fee recovery.	No comment	No comment	See general duty-related also to duty of health and offence of health in enforcement roles, definitions needed on all these, needs to be defined in Act and not rely on policies to do this	These will assist.	No comment	No comment	No comment	Prefers state-wide licensing requirements in relation to certain activities without prescriptions on forms etc, and avoid duplication in approvals and licensing.	Concerns at Local Government having to bear the cost burden of establishing law in this area suggest defining serious and material and prosecution guidelines	Yes
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<b>Glen Sargeson</b>	A PEHO City of Bayswater	Po Box 467 Morley WA 6943	Organisation	Yes	Yes	Yes and has been quite effective- suggests a similar approach to Tasmania.	Yes as this allows proactive responses to public health and compliments risk based principles.	yes	Yes	Yes as per discussion paper	Yes
<b>Jonathan Smith</b>	PEHO Shire of Kalamunda	Shire of Kalamunda PO Box 42 Kalamunda Rd Kalamunda 6926	individual	Yes	Yes but staged approach not to be used as a way of avoiding compliance- must set specified times	Yes- greater clarity in roles needed between State and Local Government	Yes in conjunction with defined roles, functions responsibilities	yes	Yes-esp.. in relation to individual /organisations responsibility- risks need to be clearly defined with links to policies and standards	Yes in consultation with Local Government	Yes but with flexibility to allow Local Government to encompass new and emerging issues and individual needs
<b>Name</b>	<b>Agency</b>	<b>Contacts</b>	<b>Agency endorsed or Individual</b>	<b>Overall Support for drafting PH Act based on Discussion Paper</b>	<b>Bind the crown</b>	<b>Dual responsibility State and L Govt</b>	<b>General Duty and positive obligations concept</b>	<b>Clarify relationship to other Acts</b>	<b>Risk based approach including responsibility and liability</b>	<b>Support for proposed objectives</b>	<b>Support for defining roles &amp; accountability of State and Local Government</b>
<b>Dr Lydia Hearn</b>	Child Health Promotion Research unit	ECU Building 18 Churchlands Campus Pearson St Churchlands	University	Yes	no comment	no comment	no comment	yes	no comment	Yes same as WHO health for all principles	no comment
<b>Barbara Edwards</b>	Department of Health	DoH Ground Floor C block 189 Royal St East Perth WA 6004	individual	Yes	no comment	Yes	yes as per discussion paper however it is still limited to avoiding harm as opposed to "enhancing health"	yes	no comment	Yes- need to reinforce the principle of prevention and enable a broad focus i.e. sustainability, social determinants etc	no comment

Yes the Local Government Act provides sufficient powers	Yes - to enable prevention rather than reactive approaches state Government should provide direction into existing corporate processes	Yes	Yes similar to ACT Public Health Act	Yes	Yes	No comment	Yes similar to EIA	Yes as per Discussion paper.	Yes	yes
Yes under Local government Act and not capped by regulations	Yes into existing/compliment existing strategic planning processes	Yes on the basis that Local government is not responsible for all public health issues including "lifestyle diseases".	Yes provided the roles and responsibilities of LG is clearly defined	Yes provided the roles and responsibilities of LG is clearly defined to limit unreasonable expectations, liability, resource burdens etc	Yes	Yes, training seminars, support and technical expertise	Yes for specified applications and activities	Yes	Yes- need to consider liability issues for Local Government and need for legislative backing	yes they need to show due diligence
<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
no comment	no comment	Yes- via population health assessments, health surveillance, health promotion and information, Disease and Injury Prevention, Health protection and duty of care, health equality, accountability and looking global issues that affect health.	Yes health as per WHO plus "emphasis away from the treatment of illness and diseases towards the development of supportive environments and settings.	no comment	no comment	no comment	no comment	no comment	no comment	no comment
no comment	no comment	Yes by stating these areas as core business of public health alongside the more traditional activities such as communicable diseases and EH	Yes a wide definition to allow a positive approach include addressing social determinants	Yes as per discussion paper with consultation	no comment	no comment	Yes EIA is not adequate alone to address health	no comment	Yes	no comment

Yes but as many as possible standards applying state wide	Yes as per discussion paper	Yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	Yes	yes as per discussion paper	yes as per discussion paper	
Yes as well as in the new PH Act	No comment	Yes	Yes with checks and balances	Yes including risk ownership and effect if they cause	Yes	Yes but at some point the individuals rights are less than important than the interests of the general population	Yes	Reform is needed and support the ideas in the paper.

<b>Local Law creation ability</b>	<b>Inquiry powers</b>	<b>Support State Sustainability strategy</b>	<b>Emergency powers and communicable disease proposals</b>	<b>Statement of rights and responsibilities</b>	<b>Staged process of response/coercive powers</b>	<b>Framework for Privacy and Personal Information</b>	<b>NPHP Model Immunisation Provisions</b>	<b>Other comments</b>
no comment	no comment	no comment	no comment	no comment	no comment	no comment	no comment	

no comment	Yes	Yes as per discussion paper	yes	no comment	yes	no comment	no comment	
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<b>Peter Meyerick</b>	PEHO City of Armadale	City of Armadale Locked bag 2 Armadale 6992	Organisation	Yes	Yes as per discussion paper	Yes	Yes-	yes	Yes	Yes as per discussion paper including supporting programs and strategies to reduce the burden of diseases	No but if along Tasmania PH Act then it is supported
<b>Colin Emmott</b>	Optometrist Reg Board	Optometrists Board of WA 15 Rheola St West Perth WA 6005	Organisation	Yes	Yes	Yes	Yes	yes	Yes	Yes	yes
<b>Name</b>	<b>Agency</b>	<b>Contacts</b>	<b>Agency endorsed or Individual</b>	<b>Overall Support for drafting PH Act based on Discussion Paper</b>	<b>Bind the crown</b>	<b>Dual responsibility State and L Govt</b>	<b>General Duty and positive obligations concept</b>	<b>Clarify relationship to other Acts</b>	<b>Risk based approach including responsibility and liability</b>	<b>Support for proposed objectives</b>	<b>Support for defining roles &amp; accountability of State and Local Government</b>
<b>Neville Moriarty</b>	City of Bunbury	City of Bunbury PO Box 21 Bunbury WA 6231	individual	Yes	Yes	Yes	Yes	yes	Yes	No suggest in guidelines	Yes

Yes -under the Local Government Act	Yes	No believe they are more useful as principles underpinning governments legislative direction	No for Health yes for Public health i.e. ACT PH Act	Yes	No comment	Yes- training seminars, guidance notes, codes of practice	No comment	Yes at State level	Yes and sentencing principles as per NSW Protection of the Environment Operations Act	Yes
Yes in the Act	Yes	Yes	Yes	Yes	No comment	Yes	Yes	yes at a local government level not state	yes	yes

<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
under the Health Act - believes the Local Government Act does not provide for	Yes based on models by DoH approved by DoH, audited by DoH, and also planning by the State	No-may have some benefit	Yes	Yes	Yes	Yes ongoing review of legislation, proactive policies , timely consultation, range of information i.e. via website, assess resource implications, audit functions	Yes via EIA town planning processes	Yes both state and local where not common across state	Yes	yes

No	Yes	Yes	yes	yes-but individual rights should not override protecting the public health of the population	Yes	Yes	yes	
Yes in health Act	yes	yes	Yes	Yes	Yes	Yes	Yes	The Optometrists board believes that controls should be placed on the sale of contact lenses and in particular novelty contact lenses such that a proper assessment of the patient is required prior to sale. A paper addressing the risks of this was provided
<b>Local Law creation ability</b>	<b>Inquiry powers</b>	<b>Support State Sustainability strategy</b>	<b>Emergency powers and communicable disease proposals</b>	<b>Statement of rights and responsibilities</b>	<b>Staged process of response/coercive powers</b>	<b>Framework for Privacy and Personal Information</b>	<b>NPHP Model Immunisation Provisions</b>	<b>Other comments</b>
Yes in the health Act	yes	yes	yes	yes	yes	yes	yes	Concern at potential liability issues on Local Government with wide definition of risk to health and potential legal action

<b>Ruth Levett</b>	PEHO Town of Cottesloe	Town of Cottesloe PO Box 606 Cottesloe WA 6911	Organisation	No comment	yes	Yes	Yes subject to clarification of public liability issues for local government amongst others i.e. supporting policies and guidelines etc	yes	yes	yes as [per the discussion [paper-including support programs and strategies designed to reduce the disease burden of communicable and NON communicable diseases	Yes
<b>Eastern Districts Regional Health Scheme</b>	<b>Eastern Districts Regional Health Scheme</b>	PO Box 21 Corrigin 6375	Organisation	Yes	Yes	Yes has worked well to date-	No- but supports guidelines to assist people meet their statutory duty of care	yes	Yes	No	Yes
<b>Name</b>	<b>Agency</b>	<b>Contacts</b>	<b>Agency endorsed or Individual</b>	<b>Overall Support for drafting PH Act based on Discussion Paper</b>	<b>Bind the crown</b>	<b>Dual responsibility State and L Govt</b>	<b>General Duty and positive obligations concept</b>	<b>Clarify relationship to other Acts</b>	<b>Risk based approach including responsibility and liability</b>	<b>Support for proposed objectives</b>	<b>Support for defining roles &amp; accountability of State and Local Government</b>

Yes in the Health Act	Yes with State leading	yes	yes	Yes provided the new act clearly defines the process of development and implementation and powers of enforcement	yes	Yes	Yes	Yes	Yes subject to clarification of the potential impact on local government	yes
Yes	Yes similar to current strategic planning processes in local government- State needs to plan as well	Yes- providing that Resourcing issues and clear boundaries for local government are laid down no cost shifting.. Act to set up a head of powers to address these issues	Yes	No- regulations should remain	yes	Yes- more training and Resourcing and greater role for regional health unit	Yes	Yes both state and local	Yes	Yes and sentencing principles
<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>

Where possible State or police/regulation based rather than local laws	yes	yes	yes	yes	yes	yes	yes	Believes this approach will benefit the states health system m by preventing diseases and promoting health
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Health act should provide for	Yes	Yes	Yes	Yes	Yes	Yes	yes	
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Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
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<b>Phil Oorjitham</b>	City of Melville	City of Melville 10 Almondury Rd Booragoon WA 6154	Health section based on EH Association	Yes		Yes including consultation on improvement plans and timeframes but not to preclude urgent priority health issues being resolved in urgently if required.	Yes	Yes but the process needs to be robust in defining duty, education and awareness of responsibilities and opportunity for discharge of duty prior to enforcement action i.e. supported by guidelines	yes	Yes	Unclear	Yes for both, flexible to deal with emerging issues, and easily interpreted
<b>Roger Feely</b>	Shire of Wyndam East Kimberley	PO Box 614 Kunnunurra 6743	Organisation	Yes		Yes	Yes	No comment	yes	No comment	No comment	No comment
<b>Krista Coward</b>	Population Health Nth Metro Area Health Service	PO Box 590 Joondalup WA 6919	Organisation	Yes		Yes	Yes	No comment	yes	No comment	Yes- overarching principles, rather than prescriptive approach, include monitoring of public health risks	No comment

Health Act should provide for and the DoH should check adequate funding to public health by Local government	Yes could also be used to address sustainability and HIA. Also State planning at least a framework for coordinated planning process	Yes the Act ought to empower the EDPH to educate the public about lifestyle diseases. And codes of practice or guidelines in relation to Health promotion- application of mandatory legislative requirements should also be reserved to issues that require urgent public health intervention	Yes especially in relation to interpretation and scope of Act - desirable to be supported by clear guidelines that set boundaries on the scope and application of the Act	Yes	Yes	Yes- need to consider the Resourcing implications for local government, DoH to provide guidance, training timely advice and direction and support to Local Government- as well as development of guidance/reference material for use by local government on areas such as Risk management, sustainability, HIA	Yes Act should enable HIA to be undertaken by Local Governments, as part of current assessment processes supported by the development of guidelines and codes that would clarify the aims of HIA and processes and framework for how such assessments should be undertaken	Yes at state and local level	Yes	Yes including sentencing principles
Yes- not sure if this addresses cost shifting	Yes including the State developing a EH Strategy. State to audit Local Government if State takes on role of centre of excellence,	No comment	No comment	No comment	No comment	Yes	Yes	Yes as long as there is equity	No comment	No comment
No comment	Yes both- perhaps a public health planning board in areas,	Yes include definition so health and public health, include disease prevention and health promotion elements particularly in relation to Non communicable diseases, giving a mandate for government to work in these areas	Yes	Yes	No comment	No comment	yes- both state i.e. inquiry power via EDPH and at local level	No comment	Yes	No comment

Yes in the health Act

Yes

Yes public health is part of sustainability and principles of sustainability need it be part of the overall approach to public health

Yes

Already in other acts

Yes there should be an ability to skip steps in an emergency

Yes

yes

Based submission on EHA submission. Prefer the existing Act to be retained and updated, in preference to a new Act Health Act should be predominant over other legislation

No comment

No comment

No comment

No comment

No comment

No comment

No comment

No comment

Suggests Act called Public and EH Act as in SA to recognise environmental component- supervising "Council" as per SA model

No comment

No comment

Yes

No comment

No comment

No comment

No comment

No comment

Name	Agency	Contacts	Agency endorsed or Individual	Overall Support for drafting PH Act based on Discussion Paper	Bind the crown	Dual responsibility State and L Govt	General Duty and positive obligations concept	Clarify relationship to other Acts	Risk based approach including responsibility and liability	Support for proposed objectives	Support for defining roles & accountability of State and Local Government
<b>Les Float</b>	City of Stirling	25 Cedric St Stirling WA 6021	individual	Yes	Yes but not open ended timeframes	Yes but not in diminishing the role of State or cost shifting	Yes- including guidelines to discharge the duty	yes	yes- via creation of general obligations	Yes	Yes i.e. like the local government Act
<b>Darren Ponton</b>	City of Perth	PO Box C 120 Perth WA 6839	Organisation	Yes	yes	Yes subject to consultation and clarification of role of DoH in research, design and implementation of state wide health promotion programmes aimed at lifestyle diseases, role of public health units, impact on local government	Yes if DoH provides guidelines and policies for the purposes of providing guidance on how the obligations can be met in partnership with local govt	yes	Yes Act should adopt the AS on risk management either implicitly or by reference	Yes in consultation with Local Government and other stakeholders	Yes via negotiation
<b>Bernie Burnett</b>	Town of Mosman Park	PO Box 3 Mosman Park WA 6912	Organisation	Yes	Yes -qualified support provided the crown agency commits to a plan that has a definitive time line and non retractable funding commitments to enable the plan to be implemented	Yes- should include human and financial Resourcing of LGs to undertake their public health responsibilities- concerned at cost shifting from State to local.	Yes especially prevention aspect and guidelines to assist discharge the duty	yes	Yes- provided the Act ensures the owners of the risk are responsible	Yes as per discussion paper	Yes-and delineate whilst maintaining the partnership using modern English as opposed to legal jargon

<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
Yes under the new Act	Yes	Yes- by creating a flexible approach in these areas and an outcomes focus	Yes and cautious for public health provided is does not impose any unreasonable expectations, liability or resource burden on local government	No suggests one set of public health regulations like the building code that is legally enforceable	No comment	Yes information and research support reliance on policy and codes to guide local government, strategic leadership and allow local PH initiatives	Yes as per discussion paper- Act to set out the process	Yes at State only	Yes as per discussion paper and sentencing principles	yes including a test for foreseeability.
Yes the Local Government Act provides sufficient powers	Yes for both state and local, that acknowledges and compliments existing process in local government with a coordinated approach linking to state plan	Yes this in not new or controversial as supported by WHO, Ottawa Charter on health promotion, the National Public Health Partnership and WA Health Reform Implementation Task force	Yes as per WALGA-cautious support yes to defining public health	Yes	Yes	Yes see roles area- DoH to supply strategies, guidelines and support and training in risk management	Yes to allow a trigger for HIA or integrating with EIA and planning approval processes	Yes at state and local level	Yes as per discussion paper including sentencing principles	Yes as per discussion paper
Yes under the current arrangements Health Act and Local Govt Act adequate	Yes needed is a state-wide plan to provide the framework and direction of public health Local Govt plans would then address the state plan and be a subset of it	Yes-provided mainly undertaken by State with option for Local Government- Act should have a specific head of power to address lifestyle health issues -the detail could be in policy documents under the Act	No to defining health but a statement espousing what health is , yes to defining public health	yes	yes	Yes DoH to develop appropriate codes of practice and reference material to support the policy statements in a timely manner, training, info	Yes up to existing planning process at State and Local level	Yes both local govt and state	yes as per discussion paper	Yes as per discussion paper as well as sentencing principles

Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
Only in the Health Act but preferably state wide standards	yes	yes via general objective	yes	yes	yes	yes	yes	
Yes under the local government Act mainly but also new Health Act to cater for, i.e. land not under control of local government control, other state agencies, etc	yes	yes	yes	No comment	No comment	No comment	yes	
Yes provided for in the new Act	Yes	No	yes	yes	yes	yes	yes	

Name	Agency	Contacts	Agency endorsed or Individual	Overall Support for drafting PH Act based on Discussion Paper	Bind the crown	Dual responsibility State and L Govt	General Duty and positive obligations concept	Clarify relationship to other Acts	Risk based approach including responsibility and liability	Support for proposed objectives	Support for defining roles & accountability of State and Local Government
<b>Richard Lugg</b>	Chairman Advisory Committee for the Purity of Water	Department of Health 189 Royal St WA 6004	Agency	yes in relation to risk approach promoted by the discussion paper	No comment	No comment	No comment	yes	No comment	No comment	No comment
<b>Bill Atyeo</b>	Aty eos Environmental Health Services	<a href="mailto:AEHS@westnet.com.au">AEHS@westnet.com.au</a>	individual	yes	Yes, who will determine the timeframes and requirements of the improvement plans- suggest consultation with the Local Govt and community	Yes- concerns at State "loading" more onto local government	No real sure on general duty but yes to positive obligations and outlined in guidelines	yes	Yes-only exempt those who are insane or children under the responsible age or acting in emergency to save a life.	No	Yes, including flexibility to respond to non traditional , emerging situations, and easily interpreted, prevent duplication,

<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment

Yes suggest via a general health act levy as per current Act	Yes-both State and local government into the planning framework at local level	Yes- by allowing EDPH to warn the public about lifestyle diseases and advocate ways of responding to them- but not mandatory requirements unless for urgent public health intervention	Yes but concern at the unreasonable expectations this may place on LG suggest the Act or policies need to address this to manage expectations	Yes in consultation with local govt	Yes	Yes- to ensure law proposed is enforceable and consideration of Resourcing, and DoH must provide training, guidance, direction and support to LG (reference material, interpretation risk management, HIA ,sustainability etc	Yes including at local government level and State approach for more significant issues, support HIA by legislation defining goals and aims, and processes and framework	Yes at state and local level	Yes as per discussion paper	yes including sentencing principles
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Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	Committee considers that it is essential for an independent statutory committee similar to the Advisory Committee for the Purity of Water to be formed under the new Public Health Act to provide independent advice to the Minister for Health and DoH in relation to drinking water quality.
Yes Health Act to cater for	Yes	Yes via principles	Yes	Already in other legislation- is there a need to redefine them in this Act?	yes	allow EHOs to share info in investigating infectious diseases	yes	The current Act should be retained and updated in preference to a new Act, - based views on submission of EHA

<b>David Hadden</b>	Shire of Northampton	Po Box 61 Northampton WA 6535	Organisation	No comment	yes phase in period should not preclude enforcement action for urgent public health issues and in consultation with the local government	Yes	no but yes to positive obligations	yes	Yes-only exempt those who are insane or children under the responsible age or acting in emergency to save a life.	no	Yes, including flexibility to respond to non traditional , emerging situations, and easily interpreted, prevent duplication,
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<b>Llew Withers</b>	Environmental Health Association (Australia)	PO Box 4276 Myaree BC WA 6960	Organisation	Yes	Yes, who will determine the timeframes and requirements of the improvement plans-suggest consultation with the Local Govt and community	Yes	yes including positive obligations with guidelines outlining when that duty exists and discharging the duty	yes	Yes-only exempt those who are insane or children under the responsible age or acting in emergency to save a life.	no	Yes, including flexibility to respond to non traditional , emerging situations, and easily interpreted, prevent duplication,
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<b>Name</b>	<b>Agency</b>	<b>Contacts</b>	<b>Agency endorsed or Individual</b>	<b>Overall Support for drafting PH Act based on Discussion Paper</b>	<b>Bind the crown</b>	<b>Dual responsibility State and L Govt</b>	<b>General Duty and positive obligations concept</b>	<b>Clarify relationship to other Acts</b>	<b>Risk based approach including responsibility and liability</b>	<b>Support for proposed objectives</b>	<b>Support for defining roles &amp; accountability of State and Local Government</b>
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Yes suggest via a general health act levy as per current Act	Yes could also be used to address sustainability and HIA. Also State planning at least a framework for coordinated planning process	Yes the Act ought to empower the EDPH to educate the public about lifestyle diseases. And codes of practice or guidelines in relation to Health promotion- application of mandatory legislative requirements should also be reserved to issues that require urgent public health intervention	Yes but concern at the unreasonable expectations this may place on LG suggest the Act or policies need to address this to manage expectations	yes in consultation with stakeholders	yes	Yes- to ensure law proposed is enforceable and consideration of Resourcing, and DoH must provide training, guidance, direction and support to LG (reference material, interpretation risk management, HIA ,sustainability etc	Yes in conjunction with development assessment and approval processes at the local government level, and by the DoH for other non local issues of significance support HIA by legislation defining goals and aims, and processes and framework	both state and local	yes as per discussion paper	Yes including sentencing principles
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Yes suggest via a general health act levy as per current Act	Yes-both State and local government into the planning framework at local level with Local government required to submit an annual report to DoH for scrutiny	Yes- by allowing EDPH to warn the public about lifestyle diseases and advocate ways of responding to them- but not mandatory requirements unless for urgent public health intervention	Yes but concern at the unreasonable expectations this may place on LG suggest the Act or policies need to address this to manage expectations	Yes needs to be supported by an education programme on their use	Yes	Yes- to ensure law proposed is enforceable and consideration of Resourcing, and DoH must provide training, guidance, direction and support to LG (reference material, interpretation risk management, HIA ,sustainability etc	Yes in conjunction with development assessment and approval processes at the local government level, and by the DoH for other non local issues of significance support HIA by legislation defining goals and aims, and processes and framework	Yes at state and local level	Yes as per discussion paper	yes including sentencing principles
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<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
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Yes in the health Act    yes

Yes via principles

Yes there should be an ability to skip steps in an emergency

Already in other legislation- is there a need to redefine them in this Act?    yes

allow EHOs to share info in investigating infectious diseases    yes

The current Act should be retained and updated in preference to a new Act, - based views on submission of EHA

Yes Health Act to cater for    yes

Yes via principles

Yes there should be an ability to skip steps in an emergency

Already in other legislation- is there a need to redefine them in this Act?    yes

allow EHOs to share info in investigating infectious diseases    yes

The current Act should be retained and updated in preference to a new Act, - based views on submission of EHA

**Local Law creation ability**

**Inquiry powers**

**Support State Sustainability strategy**

**Emergency powers and communicable disease proposals**

**Statement of rights and responsibilities**

**Staged process of response/coercive powers**

**Framework for Privacy and Personal Information**

**NPHP Model Immunisation Provisions**

**Other comments**

<b>Peter Duncan</b>	Shire of Denmark	Shire of Denmark PO Box 183 Denmark WA6333	individual	No comment	Yes	implicit	No comment	yes	No comment	No comment	yes
<b>Peter Erceg</b>	City of Gosnells	City of Gosnells PO Box 662 Gosnells WA 6990	Organisation	Yes	Yes	Yes	Yes including guidelines to support the concept	yes	No comment	Yes provided the objects are non-judicable policy as per discussion paper.	yes as a partnership
<b>Maurice Swanson</b>	CEO National Heart Foundation of Australia (WA division)	PO Box 1133 Subiaco Western Australia 6904	Organisation	Yes	yes but plans should not be open ended	yes	Yes with policies and guidelines explaining intent and scope of duty	yes	yes	Yes to protect and promote the health and wellbeing of the community linked to guiding principles that state values and underpin the legislation	yes Tasmanian model a good one
<b>Name</b>	<b>Agency</b>	<b>Contacts</b>	<b>Agency endorsed or Individual</b>	<b>Overall Support for drafting PH Act based on Discussion Paper</b>	<b>Bind the crown</b>	<b>Dual responsibility State and L Govt</b>	<b>General Duty and positive obligations concept</b>	<b>Clarify relationship to other Acts</b>	<b>Risk based approach including responsibility and liability</b>	<b>Support for proposed objectives</b>	<b>Support for defining roles &amp; accountability of State and Local Government</b>

yes	LG should not have to report to the DoH, LG responsibility should involve the setting of general parameters to ensure public health risks are addressed, The Council would set its goals based on the particular community needs at a local level.	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment
Yes as per s 6.16 of the Local Govt Act	Yes and should integrate with local government future plan and other State wide plans	Yes by providing mechanisms for the minister or EDPH to declare or determine that these are issues of public health significance and putting in place appropriate programmes which lay to the responsibilities of State and LG in achieving positive public health outcomes	Yes if considers health in its wider context , social determinants of health	Yes they need to have statutory backing to enable enforcement as per planning policies	yes	Yes	Yes integrated process which considers and dovetails into existing state legislation	yes	Yes including sentencing principles	Yes
No comment	Yes for local government and resource to the plan with audits to ensure public health measures are adhered to Yes for state to provide a whole of govt approach	Yes- Supports the new Act to provide an infrastructure that supports informational campaigns aimed to assist in protecting persons from risks to health and to provide a healthy environment for all West Australians ref to Swedish Institute of Public Health Public Health Objectives Bill Govt Bill 2002/3:35	Yes i.e. ACT Public Health Act and for public health it should clearly articulate the role in preventing disease and injury, promoting health from a population perspective.	Yes	No comment	Funds to non profit organisations to run training and education programs to assist population health objectives	No comment	yes at State level only	yes but not as per discussion paper	yes with sentencing principles
<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of health</b>	<b>Support for proposed defence provision</b>

No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	No comment	DoH should provide some financial support for employing EHOs, and take legal action on behalf of Councils, More flexibility needed in engaging EHOs current process is to cumbersome. Change EHOs to Public Health Officers
yes under Local Govt Act and new PH Act IF need can be demonstrated	yes	Yes by adopting Ottawa Charter "our common future" in the Act	yes as per discussion paper	yes as per discussion paper	yes as per discussion paper	yes	yes		

No comment	yes	yes	yes	yes	yes	yes	yes	yes	only commented on areas within its competencies
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<b>Local Law creation ability</b>	<b>Inquiry powers</b>	<b>Support State Sustainability strategy</b>	<b>Emergency powers and communicable disease proposals</b>	<b>Statement of rights and responsibilities</b>	<b>Staged process of response/coercive powers</b>	<b>Framework for Privacy and Personal Information</b>	<b>NPHP Model Immunisation Provisions</b>	<b>Other comments</b>
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<b>Colin Dent</b>	Shire of Capel	PO Box 369 Capel WA 6271	Organisation	Yes- Council welcomes the move to a new Modern Public Health Act that reflects a proactive risk management approach to public health	yes	yes	yes	yes	yes	yes	Yes roles and responsibilities of local government should be to develop and implement clear strategies to promote and improve public health and to seek to prevent diseases, environmental dangers, local amenity concerns and ensure the provisions of the Act are complied with
<b>Susan Rooney</b>	The Cancer Council	48 Ventnor Ave West Perth 6005	Organisation	yes	Yes but timelines should be reasonable to the risk to ensure prompt addressing of Public Health risks and inequalities	yes	Yes with policies and guidelines explaining the intent and scope of the duty,	yes	Yes	yes- to protect, promote the health and wellbeing of the community linked to a set of guiding principles	Yes as per Tasmanian Act including service planning and prevention as well as protection

<b>Name</b>	<b>Agency</b>	<b>Contacts</b>	<b>Agency endorsed or Individual</b>	<b>Overall Support for drafting PH Act based on Discussion Paper</b>	<b>Bind the crown</b>	<b>Dual responsibility State and L Govt</b>	<b>General Duty and positive obligations concept</b>	<b>Clarify relationship to other Acts</b>	<b>Risk based approach including responsibility and liability</b>	<b>Support for proposed objectives</b>	<b>Support for defining roles &amp; accountability of State and Local Government</b>
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yes	Yes the Act should provide for a WA Health Plan which should incorporate both LG plans and regional plans.	yes	yes	yes	yes	yes	yes	yes	Yes	yes
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No comment	Yes for State if whole of Govt and should be a State Public health or chronic disease and injury prevention framework for WA and Yes for Local Government as per Victorian Act requiring LG to document their public health activities in a plan, see Vic Dept of Human Services Good Practice Program and Leading the way program in VicHealth	Yes- Act to include a provision that supports preventative strategies	Yes relating to risk and the principles for public health this must address role of preventing disease and injury, promoting health , responding to threats, and population approach	Yes but not define a process as this may need to change	yes	Yes training and resource support in partnership with NGO's etc	No comment	Yes but only at State level	Yes but believes offence should be "endangering the health of any person /or the public generally" as opposed to might reasonably have been injured. This approach would address the issues on p 49, 50 of the D Paper in relation to level of offences. with sentencing principles	Yes
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<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
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yes	yes	yes	yes	yes	yes	yes	yes	Steering group needs local government representation,
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Controlled by the Minister and or EDPH	yes	Yes	Yes	yes	No comment	yes	yes	only commented on areas within its competencies
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Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
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<b>Michael McGarry</b>	Morley Senior High School	<a href="mailto:mmcgarry@morleyhs.wa.edu.au">mmcgarry@morleyhs.wa.edu.au</a>	individual	yes	yes	yes	yes	yes	yes	yes	yes	yes
<b>Wolfgang Zadavec</b>	Shire of East Pilbara	PMB 22 Newman 6753	individual	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Adrian Dyson</b>	Shire of Mundaring	7000 Great Eastern Hwy Mundaring	individual	yes	yes	Yes	yes	yes	Yes	yes		Yes as per SA and Vic acts relating to resource capacity of different LGA's.
<b>Melissa Wilson</b>	Shire of Kojonup	PO Box 163 KOJONUP WA 6395	individual	yes	yes	yes	yes	yes	yes	yes	yes	yes
<b>Alison Edmunds</b>	City of Joondalup	PO Box 21 Joondalup WA 6027	individual	yes	Yes	Yes subject to clarity of roles and reporting relationships development of a state-wide strategic plan for which LGA's can link business plans into and as such provide improved reporting of outcomes for the community	yes- should be optional for local government to exercise abatement power	Yes	yes see WALGA's response	Yes		Yes for local government outcomes based, with LG flexibility on how to achieve
<b>Name</b>	<b>Agency</b>	<b>Contacts</b>	<b>Agency endorsed or Individual</b>	<b>Overall Support for drafting PH Act based on Discussion Paper</b>	<b>Bind the crown</b>	<b>Dual responsibility State and L Govt</b>	<b>General Duty and positive obligations concept</b>	<b>Clarify relationship to other Acts</b>	<b>Risk based approach including responsibility and liability</b>	<b>Support for proposed objectives</b>	<b>Support for defining roles &amp; accountability of State and Local Government</b>	

yes	yes	Yes	yes as per WHO	yes	yes	yes	yes	yes	yes	yes	yes
Yes	Yes for local government no for State	Yes	Yes	Yes	Yes	On site training during transition period	Yes	no to state yes to local government	yes	no	
No comment	yes to State and Local Government planning	yes-recognising state wide issues and role with LG involvement aligning with capacity of resources	no to health to public health	Yes via consultation with stakeholders	No comment	Yes DoH to provide guidelines for planning for desired outcomes and performance criteria, model risk management plan and training	Yes via EIA and planning processes	yes both State and local	Yes as per discussion paper	yes with sentencing principles	
yes new Act to provide for revenue raising	yes allowing to focus on local needs but making mandatory may place extra pressure on limited local govt resources	yes	yes	yes	yes	yes	yes	yes	yes	yes	
Yes existing mechanisms adequate i.e. LG Act etc	yes with the State developing a state-wide strategic plan for which LGA's can link business plans into and as such provide improved reporting of outcomes for the community	Yes subject to DoH role being defined, clarification of role of public health units, funding and assistance that will be provided to local governments, the impact on local government including Resourcing and other mandatory requirements	no for public health as per WHO position but managed in such a way as not likely to impose unreasonable expectations or liability on LG's	Yes with consultation with stakeholders	yes	Yes, training support, Guidance notes etc- need to ensure application and interpretation of Act is consistent between local governments	No comment	Yes also need to support registration and identification of proprietors and link with planning land use definitions both at State and Local level	Yes including sentencing principles	yes	
<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>	

yes	yes	yes	yes	yes	yes	yes	yes	DoH should be congratulated for producing this excellent up to date state of the art Discussion Paper
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Yes in the health Act	yes	yes	yes	yes	yes	yes	yes	
Yes in the health Act	yes	yes	yes	yes	yes	yes	yes	
Yes in the health Act	yes	yes- needs to highlight the interrelationships with the environment and public health	Yes	yes	yes	Yes	yes	

<b>Local Law creation ability</b>	<b>Inquiry powers</b>	<b>Support State Sustainability strategy</b>	<b>Emergency powers and communicable disease proposals</b>	<b>Statement of rights and responsibilities</b>	<b>Staged process of response/coercive powers</b>	<b>Framework for Privacy and Personal Information</b>	<b>NPHP Model Immunisation Provisions</b>	<b>Other comments</b>
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<b>Phil Steven</b>	Shire of Northam	PO Box 613 Northam WA 6041	individual	Yes	yes	Yes	Yes as per discussion paper with guidelines	yes	Yes	Yes as per discussion paper	No retain existing
	City of Subiaco	241 Rokeby Rd Subiaco WA 6008	individual	Yes	Yes with clearly defined parameters and milestones to be provided	Yes but clearly define roles and responsibilities	Yes need to put boundaries on this so doesn't create huge implications for local government, positive obligations to enable preventative measures, with guidelines	Yes	yes	Yes-to allow guidance relating to the intent of the Act	Yes LG should be able to carry out functions without too much interference from DoH , no duplication of roles
<b>Suha Ali Zack Placzek</b>	Australian Institute of Building Surveyors (WA Chapter) -	C/- 3 Chearn PI Morley WA 6062	Organisation	No comment	yes	no comment	no the new act should only deal with health issues in the strict sense like the public buildings regulations that the BCA is dedicated document for this	no	No comment	No comment	No comment

Yes current arrangements sufficient	No	No- but agrees the remit should extend beyond the traditional nuisance and sanitation focus to include health in its wider context but in a separate Act or part of the Act and in a general way i.e. EDPH to investigate ways to improve overall health of the community in relation to healthy lifestyles	no to health as it is ambiguous and the general understanding people have is sufficient, yes to defining public health as per PH Act 1997 ACT	yes as per Environmental Policies	No comment	Prescriptive guidelines on ways the outcomes and satisfactory performance can be achieved, training of EHOs	Yes Power to undertake so that the EDPH can check them over	Yes at state and local level	Yes as per discussion paper	yes as per discussion paper
Existing mechanisms are adequate both LG Act and Health Act provisions	yes- should have a model plan not like the current DoH model. State plans should address holistic approach	Yes-by defining roles and responsibilities , ability for discretion, increasing provisions for emergencies, extensive public consultation	Yes to allow informed consistent judgements and decisions to be made, particularly as we are moving away from prescriptive . Gives ability to define objectives	Yes provided consultation with local government and relevant stakeholders	Yes	Yes, may still need prescriptive policies to ensure adequate standards are maintained with particular industries, clear and definable objectives, training and guidance.	yes but not into EIA, with local government to require and Act to allow HIA to occur with supporting policies and framework	Yes both at State and Local Government level	Yes with sentencing principles	yes
No comment	No comment	No comment	yes	No comment	No comment	No comment	No comment	Yes	No comment	No comment

Yes in the new act    yes                    yes as one of the objectives    Yes                    yes                    yes                    yes                    yes                    yes                    yes                    Good

Yes in the new act    Yes                    yes by being more proactive than reactive    Yes but clearly defined roles    yes                    yes                    yes                    yes with parents having final decision    LG should be able to prosecute the Crown without approval of EDPH, clarification of roles between state and local government as well as current regulations.

No comment            No comment            yes- but only deal with areas related to 'health' in its true sense and not delve into no related areas already covered under other legislation    No comment            No comment            No comment            No comment            No comment            No comment            The new Act and regulations should not address public safety issues in respect of buildings already covered under the BCA and proposed new Building Act. The existing public Buildings section of the Health Act should be repealed and it should not deal with safety barriers to swimming pools or inspection regimes other than water quality.

Name	Agency	Contacts	Agency endorsed or Individual	Overall Support for drafting PH Act based on Discussion Paper	Bind the crown	Dual responsibility State and L Govt	General Duty and positive obligations concept	Clarify relationship to other Acts	Risk based approach including responsibility and liability	Support for proposed objectives	Support for defining roles & accountability of State and Local Government
<b>Cipri Martinez</b>	HAPAN HIV/AIDS Peer Advisory Network	664 Murray St West Perth WA 6005	Agency	Yes	no comment	no comment	no comment	no comment	no comment	no comment	no comment

<b>Patricia Summerfield</b>	Department of Sport and Recreation	246 Vincent St PO Box 329 Leederville WA 6093	individual	yes	no comment	no comment	no comment	no comment	no comment	no comment	no comment
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<b>Kerry Jones</b>	OT Australia	\$a 266 Hay St Subiaco WA 6008	Organisation	Yes	Yes	Yes	Yes including guidelines to support the concept	Yes	Yes	yes	yes as per Tasmanian APH Act 1997 plus SA environmental act clause as well
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Name	Agency	Contacts	Agency endorsed or Individual	Overall Support for drafting PH Act based on Discussion Paper	Bind the crown	Dual responsibility State and L Govt	General Duty and positive obligations concept	Clarify relationship to other Acts	Risk based approach including responsibility and liability	Support for proposed objectives	Support for defining roles & accountability of State and Local Government
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<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
no comment	no comment	no comment	no comment	no comment	no comment	no comment	no comment	no comment	no comment	no comment

no comment	Yes	Yes clearly providing for dedicated resources	no comment	yes	no comment	no comment	no comment	yes	yes as per discussion paper recognising he need for people to be responsible for their own actions when undertaking risky behaviours	yes as per discussion paper
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yes via new Health Act	yes with local plans integrating into state plans	Yes use social determinants of health, WHO, ICF classifications, crossed with other act updates including mental health designated section on risk reduction/health promotion	yes to include prevention and minimisation philosophy	Yes via committee structure and consultation processes	No comment	Yes access to pool of information/experts	Yes for large development	Yes both State and local	Yes including sentencing principles	yes as per discussion paper
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<b>LG autonomy and adequacy for cost recovery and Resourcing</b>	<b>Public Health Planning and reporting State and Local Govt</b>	<b>Enable Act to have role in non communicable diseases</b>	<b>Define health and public health</b>	<b>Support for flexible easily adopted standards i.e. polices vs. regulations</b>	<b>Continued consultation in development</b>	<b>DoH to provide training support policy and best practice</b>	<b>Health Impact Assessment</b>	<b>Support for Licensing activities that pose risks to public health</b>	<b>Support for proposed offences of risk to health</b>	<b>Support for proposed defence provision</b>
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Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
no comment	no comment	no comment	Must protect the rights of the individual	Yes include section A and B of Victorian Act based on principles of shared responsibilities	Yes	no in relation to HIV failure to disclose should not be an offence the general provision on unauthorised disclosure needs to have offences and remedies, scope needs clarification	No comment	HAPAN have accumulated experience on how this legislation could impact on individuals.
no comment	no comment	yes	no comment	no comment	no comment	no comment	no comment	The preventative health emphasis of the new health act and in particular the key priorities including addressing inadequate physical activity as a serious public health issue are strongly supported
Yes in the new act	yes	yes via objectives and Ottawa Charter linking population health and environmental health	Yes ACT PH Act 1997 and NSW 1991 PH Act are good	Yes	yes	yes	Yes	Emergency, disaster relief planning must be incorporated into the Act and who has control of response

Local Law creation ability	Inquiry powers	Support State Sustainability strategy	Emergency powers and communicable disease proposals	Statement of rights and responsibilities	Staged process of response/coercive powers	Framework for Privacy and Personal Information	NPHP Model Immunisation Provisions	Other comments
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<b>Brett Hart</b>	Mental Health Promotion Action Link	PO Box S1296 Perth 6845	Organisation	Yes	Yes	Yes mandate municipal health plans, roles and responsibilities defined,	Yes	Yes	Yes	Yes, HIA, outcomes measures linked to services,	Yes
<b>Neil Guard</b>	Healthway	Level 3 46 Parliament Pl West Perth WA 6872	Agency	Yes	Yes-	Yes with State leading	Yes-the responsibility of all to protect public health should underpin the Act	Yes	Yes	yes	yes-as per Tasmanian example
<b>Scott Dandridge</b>	Shire of Harvey	PO Box 500 Harvey WA 6220	individual	No-as already doing this-	Yes	No comment	No-concerned at scope of application, ie smoking in car, sale of alcohol products,	Yes-the new Health Act should override other Acts and associated legislation where needed to protect public health	No comment	No comment	Yes
	City of Rockingham	Civic Boulevard Rockingham	individual	Yes	yes	Yes- setting of strategic state objectives, State EH plan,	Yes as per discussion paper	Yes	Yes	No but principles and good examples of objectives in the discussion paper	Yes

**Clint Burd**

No comment	Yes	Yes- HIA as a legislative imperative, evidence based/efficiency of programmes required, social determinants of health targeted,	Yes ACT approach, incorporate population health, and Ottawa Charter, strategies,	Yes	No comment	Yes, policy that states promotion and prevention is important, Population health should set standards provide guidelines, policy and evaluation for public health.	Yes	No comment	yes	yes
No comment	yes	yes- needs to reflect the principles and directions of the Jakarta declaration on leading Health Promotion into the 21 Century and the Ottawa Charter	Yes i.e. WHO,	Yes- with a framework to allow a process and flexible development of polices based on research and evaluated evidence base	No comment	Yes-Do to provide leadership on all areas	Yes including policy and plans on public health and mandatory requirement that HIA be undertaken for significant development proposals, and public policy areas including reporting and auditing	Yes	No comment	No comment
No comment	No comment	No comment	Yes provide not create unrealistic expectations on LG and liability and resource implications- supported by guidance and boundaries on the scope and application	No comment	No comment	Yes- DoH to provide lead role in implementation of the new Public Health Act, regular training to LG officers, timely expert advice, on legislation interpretation, develop guidance material for LG ie HIA, Risk management, sustainability	Yes but with clarification on what and by whom,	No comment	No comment	No comment
Yes via the health act but not capped	Yes both with State leading and developing a State plan to also give guidance to local govt	Via a state-wide EH Strategy which clearly identifies a strategic approach to the issue, state govt funded approach in research and design of such programmes taking into consideration stakeholders	Yes-collective responsibility, discussion paper good examples but also need to manage expectations created by definition	Yes-best practice consultation	Yes	Strategic policy direction, procedures, guidelines, training and best practice consultation	Yes via EIA and planning processes	Yes-both state and local	Yes, with sentencing principles as per discussion paper	Yes as per discussion paper

No comment    No comment    No comment    No comment    No comment    No comment    No comment    No comment

No comment    No comment    Yes by policy monitoring and reporting    No comment    No comment    No comment    No comment    No comment

Very comprehensive discussion document, very supportive of the review and the need to bring it into the 21st Century

No comment    No comment    No comment    No comment    No comment    No comment    No comment    No comment

The existing Health Act should be retained and updated in preference to a complete new Act, keep nuisance provisions, General support for EHA submission.

Yes in the health Act    Yes    Yes    Yes    yes    yes    yes    yes

The approach is a more proactive one

**TOTAL of 57 submissions**

73% (41) were from organizations/agencies, 28 % (16) were from individuals most of which were from organizations but no evidence to support organizational endorsement

18 % no comment (10), 3% (2) no case for change demonstrated and 80 % (45) in support for drafting Public Health Bill based on discussion paper

25% (14) no comment, 75% (42) in favour of binding the crown

23% (13) no comment, 77 % (43) support dual role

21 % (12) no comment, 7% ( 4) said no but 3 of these did not appear to understand the concept, 71 % (40) supported the general duty and positive obligations

24% (2) no comment 2% (1) no and 95% (53) support clarifying with other Acts

32 % (18) no comment, 68% (38 ) supported the risk based approach

27% (15) no comment, 5% (3) no's , 2% (1) no but yes, 66% (37) support objectives

25% (14) no comment, 7% (4) no (with some yes if Tasmanian approach and qualification), and 68% (38) supporting

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39% (22) no comment, 61% (34) support with a mix of Local Govt Act and new PH Act	20% (11) no comment, 2% (1) no and 78% (44) supporting state and local public health planning	27 % (15) no comment, 4% (2) no's, 2% (1) no but yes and 68% (38) in support of health role in non communicable diseases as per discussion paper	23% (13) no comment, 9 % (5) no to health, reminder 68% yes with ,many qualifications mainly relating to potential liability and expectations definitions might produce	25% (14) no comment, 5% (3) no, 70 % (39) support policies ( note in submission it was clear there were many who were not sure what policies are and how they work)	48% (27) no comment 52% (29) support-	37.5 % (21) no comment 62.5% (35) support	36% (20) no comment, 4% (2) no, 61% (34) support in some way- issue appears to be on how i.e. process.	25% (14) no comment and 75% (42) in favour mostly both State and Local licensing	27% (15) no comment, 73% (41) support including sentencing principles with some concerns at potential liability on scope for local govt.	36% (20) no comment, 64% (34) support
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**LG autonomy and adequacy for cost recovery and Resourcing**

**Public Health Planning and reporting State and Local Govt**

**Enable Act to have role in non communicable diseases**

**Define health and public health**

**Support for flexible easily adopted standards i.e. polices vs. regulations**

**Continued consultation in development**

**DoH to provide training support policy and best practice**

**Health Impact Assessment**

**Support for Licensing activities that pose risks to public health**

**Support for proposed offences of risk to health**

**Support for proposed defense provision**

43% (24) no comment, 4% (2) no, 54% (30) support	39% (22) no comment, 61% (34) support an inquiry power (most both with Minister and Statutory officer)	29% (16) no comment 2% (1) not support and 69% (39) support	41% (23) no comment 59% (33) support	43% (24) no comment 7% (4) said already in other acts, 50% (28) support	43% (24) no comment 57% (32) supporting	43% (24) no comment and 2% (1) no based on HIV issue and 55% (31) supporting	43% (24) no comment 57% (32) supporting	There is an overwhelming support for drafting the New Public Health Act based on the Discussion paper. The submissions will also guide and influence content of a draft bill.
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<b>Local Law creation ability</b>	<b>Inquiry powers</b>	<b>Support State Sustainability strategy</b>	<b>Emergency powers and communicable disease proposals</b>	<b>Statement of rights and responsibilities</b>	<b>Staged process of response/coercive powers</b>	<b>Framework for Privacy and Personal Information</b>	<b>NPHP Model Immunisation Provisions</b>	<b>Other comments</b>
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