Environmental health inspections and investigations fact sheet

This fact sheet is designed to provide business operators and members of the community with an outline of the role and general powers of environmental health officers and the enforcement process that can be expected.

Environmental health officers
Gold Coast City Council’s environmental health officers (EHOs) are responsible for providing a wide range of services with the aim of maintaining and improving the health of the environment and the community as a whole. Environmental health officers play an important role in providing education and advice to business and the community, as well as enforcing relevant components of environmental and public health legislation.

Environmental health officers have a Bachelor of Applied Science (Environmental Health) degree or similar qualification.

Regulation of Prescribed Activities
A range of activities require approval under various Acts such as the Food Act 2006, the Environmental Protection Act 1994, the Dangerous Goods Safety Management Act 2001, the Public Health Act 2005, the Public Health (Infection Control for Personal Appearance Services) Act 2003 and various local laws.

The types of businesses/activities that require an approval include: Food Businesses, Tattooists, Body Piercers, Swimming Pools, Motor Vehicle Workshops, Plastic Manufacturers, Concrete Batching Plants, Hostel Accommodation, and Waste Transporters, to name a few.

Environmental health officers carry out routine inspections of these activities to ensure they are operating in compliance with the relevant requirements.

Will environmental health officers make appointments for routine inspections?
Generally environmental health officers will conduct unannounced routine inspections of approved activities. Unannounced inspections allow the officer to get an idea of how the premises operates on a day to day basis. It is important that businesses operate in accordance with the requirements all of the time, not just when they know an inspection is going to occur.

Investigation of complaints
A number of complaint types are given to local government to administer. Council’s Environmental Health Section deals with complaints regarding a number of issues including complaints about:
- businesses that hold an approval as described above
- air pollution (including smoke, dust, spray drift, light and odour nuisances)
- noise pollution (including noise from air conditioners, regulated devices, and pool pumps)
- water pollution
- waste
- vermin and mosquito control

Are complainant’s details revealed to the person about whom the complaint is made?
When Council receives a complaint it is important that the complainant’s details are available to the officer in case follow-up information or clarification is required. The details of the complainant however are not given to the person about whom the complaint is made. Queries regarding this should be directed to the Freedom of Information section of Council.

Education and advice
In addition to their regulatory role, environmental health officers provide information and advice to both businesses and the community on a range of issues. Such information can be obtained by contacting the officers directly or by accessing information available on Council’s web site (goldcoastcity.com.au/licences) including fact sheets, guidelines, and application forms.

Powers of authorised officers
Powers of authorised officers vary between the various Acts. Generally an authorised officer has the power to:
- enter a place or premises (with or without a warrant)
- search a place or premises
- seize items or articles
- require information or documents
- require assistance during an inspection or investigation.
Enforcement
Various Acts have different provisions for enforcing the requirements. Enforcement action may include the officer issuing one or more of the following:
- verbal advice or instruction
- defect letter
- warning notice
- penalty infringement notice (on the spot fine)
- statutory notice
- order
- suspension or cancellation of a licence/registration

Only a small number of cases result in prosecution in Court.

Further Information
For further information regarding a particular investigation contact the responsible officer. For general information regarding these issues and Council’s environmental health officers please contact Council’s Environmental Health Compliance Group on (07) 5581 6220 or visit goldcoascity.com.au/licences.