

LG301\*

**HEALTH ACT 1911**  
**LOCAL GOVERNMENT ACT 1995**

*Shire of Koorda*

**HEALTH AMENDMENT LOCAL LAW 2010**

Under the powers conferred by section 342 of the *Health Act 1911*, subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Koorda resolved on 15 September 2010 to make the following local law.

**1. Citation**

This local law is the *Shire of Koorda Health Amendment Local Law 2010*.

**2. Commencement**

This local law comes into operation on the day in which it is published in the *Government Gazette*.

**3. Principal local law**

In this local law the *Shire of Koorda Health Local Laws 2001* as published in the *Government Gazette* on 11 January 2002, is referred to as the principal local law. The principal local law is amended.

**4. Correction to terminology**

Except in the definition of “water” in section 1.3(1), throughout the whole local laws delete “Council” wherever it appears and insert “local government” or “the local government” as appropriate.

**5. Section 1.3 amended**

In section 1.3(1)—

- (a) Delete the definition “approved” and insert—  
“approved” means approved by the local government;
- (b) Delete the definition “AS/NZS 1276.1:1999” and insert—  
“AS/NZS ISO 717.1:2004” means the standard published by the Standards Association of Australia as AS/NZS ISO 717.1:2004 and called “Acoustic—Rating of sound insulation in buildings and of building elements—Airborne sound insulation”;
- (c) Delete the definition “AS1668.2—1991” and insert—  
“AS 1668.2—2002” means the standard published by the Standards Association of Australia as AS 1668.2—2002 and called “The use of ventilation and air-conditioning in buildings—Ventilation design for indoor-air contaminant control”;
- (d) Delete the definition “AS/NZS 3666.2:1995” and insert—  
“AS/NZS 3666.2:2002” means the standard published by the Standards Association of Australia as AS/NZS 3666.2:2002 and called “Air handling and water systems of buildings—Microbial Control—Operation and maintenance”;
- (e) Delete the definition “Council”;
- (f) In alphabetical order of the terms being defined, insert the definition—  
“local government” means the local government of the Shire of Koorda and includes the council of the local government;
- (g) Delete the definition “Principal Environmental Health Officer”; and
- (h) Delete the definition “water” and insert—  
“water” means drinking water within the meaning of the Australian Drinking Water Guidelines as published by the National Health and Medical Research Council in 2004 and as amended from time to time; and

**6. Section 2.1.4 amended**

In section 2.1.4—

- (a) In subsections (1)(e)(ii) and (1)(d)(ii) delete “wash hand basin” and insert “hand wash basin”; and
- (b) In subsection (3) delete “Principal” in the last line.

**7. Section 2.1.5 amended**

In section 2.1.5(a) delete “AS/NZS 1276.1:1999” and insert “AS/NZS ISO 717.1:2004; and”.

**8. Section 2.2.1 amended**

In section 2.2.1—

- (a) In subsection (1)(a) insert after the word ceiling “in accordance with the requirements of Part F2.4.1 of the Building Code”; and
- (b) In subsection (1)(c) delete “wash hand basin” and insert “hand wash basin”.

**9. Section 2.2.4 amended**

In section 2.2.4(4)(a) after the words “requirements of” insert “Energy Safety and”.

**10. Section 3.1.1 amended**

In section 3.1.1(m) delete “the Office of Energy” and insert “Energy Safety”.

**11. Section 3.1.2 deleted**

Delete section 3.1.2 and insert—

**Maintenance of Guttering and Downpipes and Disposal of Rainwater**

3.1.2 The owner or occupier of a house shall maintain all guttering, downpipes and drains on the premises in a good state of repair, clean and free from obstruction.

**12. Section 3.2.4 amended**

In section 3.2.4—

- (a) In subsection (2) after “Building Code” insert “and with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*;
- (b) In subsection (2)(b) delete “AS1668.2: 1991” and insert “AS 1668.2:-2002”;
- (c) In subsection (3)(a) delete “1995” and insert “2002”; and
- (d) In subsection (4), delete “The Principal” and insert “the”.

**13. Division 5 of Part 3 deleted**

Delete Division 5 of Part 3

**14. Section 4.1.1 amended**

In section 4.1.1, delete the definition “approved carrier”.

**15. Section 4.1.4 amended**

In section 4.1.4—

- (a) Delete subsection (a) and re-designate subsections “(b) and “(c)” as subsections “(a)” and “(b)”;
- (b) In subsection (b) delete “paragraph (b)” and insert “subsection (a)”.

**16. Section 4.1.5 deleted**

Delete Section 4.1.5.

**17. Section 4.1.6 deleted**

Delete Section 4.1.6.

**18. Part 4 amended**

In Part 4—

- (a) Delete “Division 2”;
- (b) Re-designate “Division 3” as “Division 2”; and
- (c) Re-designate “sections 4.3.1 to 4.3.3” as “sections 4.2.1 to 4.2.3”.

**19. Section 4.2.2 deleted**

Delete section 4.2.2 and re-designate “section 4.2.3” as “section 4.2.2”.

**20 Section 4.2.2 amended**

In section 4.2.2—

- (a) In subsection (1)(a)(i) delete “an approved,”;
- (b) In subsection (1)(a) (iv), delete “approved by the local government,”; and
- (c) Delete subsection (2) and re-designate “subsection (3)” as “subsection (2)”.

**21. Section 5.1.3 amended**

In section 5.1.3—

- (a) In subsection (1) delete “(1) Subject to subsection (2), an” and insert “An”;
- and
- (b) Delete subsection “(2)”.

**22. Section 5.1.6 amended**

In section 5.1.6(2) delete “therefrom” and insert “there from”.

**23. Section 5.1.7 amended**

In section 5.1.7 (a) delete “Principal”.

**24. Section 5.2.4 amended**

In section 5.2.4—

- (a) In subsection (1) delete “District” and insert “district”;
- (b) In subsection (7)(b), delete “Schedule 3” and insert “Schedule 1”; and
- (c) In subsection (8)(a) delete “Schedule 4” and insert “Schedule 2”.

**25. Section 5.2.6 amended**

In sections 5.2.6(2) and 5.2.6(3) delete “immediately” and insert “as soon as possible”.

**26. Section 5.4.5 correction**

In section 5.4.5(b), delete “(ii)” where it appears for the second time and insert “(iii)”.

**27. Section 7.1.4 deleted**

Delete section “7.1.4” and re-designate sections “7.1.5 to 7.1.9” as sections “7.1.4 to 7.1.8”.

**28. Section 7.1.5 amended**

In section 7.1.5(2), delete “Principal”.

**29. Section 8.1.1 adding a definition**

In section 8.1.1(1) in alphabetical order of the term being defined, insert the definition—

““Food Standards Code” means the Australian New Zealand Food Standards Code as defined in the *Commonwealth Food Standards Australia New Zealand Act 1991*;

**30. Section 8.1.3 amended**

In section 8.1.3(a) delete “Schedule 5” and insert “Schedule 3”.

**31. Section 8.1.4 amended**

In section 8.1.4, delete “Schedule 6” and insert “Schedule 4”.

**32. Section 8.1.6 amended**

In Section 8.1.6 delete “Schedule 7” and insert “Schedule 5”.

**33. Section 8.2.2 amended**

In section 8.2.2(b) delete “the requirements of the *Health (Food Hygiene) Regulations 1993*” and insert “any of the requirements of Standard 3.2.3 of the Food Standards Code”.

**34. Section 8.2.5 amended**

In section 8.2.5(1)(b), delete “hand basin” and insert “hand wash basin”.

**35. Section 8.3.2 amended**

In section 8.3.2(1), delete “Schedule 8” and insert “Schedule 6”.

**36. Section 8.3.3 amended**

In section 8.3.3 delete “Schedule 9” and insert “Schedule 7”.

**37. Section 8.3.4 amended**

In section 8.3.4(1) delete “Schedule 10” insert “Schedule 8”.

**38. Section 8.3.9 amended**

In section 8.3.9(b) delete “, obnoxious”.

**39. Section 9.1.2 amended**

In section 9.1.2 delete “Schedule 11” and insert “Schedule 9”.

**40. Section 9.1.4 amended**

In section 9.1.4—

- (a) In subsection (a) delete “Schedule 12” and insert “Schedule 10”; and
- (b) In subsection (b) delete “*Offensive Trades (Fees) Regulations 1976*” and insert “*Health (Offensive Trade Fees) Regulations 1976*”.

**41. Section 9.1.5 amended**

In section 9.1.5 delete “Schedule 13” and insert “Schedule 11”.

**42. Section 9.1.8 deleted**

Delete section 9.1.8.

**43. Section 9.2.4 amended**

In section 9.2.4—

- (a) In the title delete “Wash Basins” and insert “Hand Wash Basins”; and
- (b) Delete “wash hand basins” and insert “hand wash basins”.

**44. Section 9.2.9 deleted**

Delete section 9.2.9 and re-designate “sections 9.2.10 and 9.2.11” as “sections 9.2.9 and 9.2.10”.

**45. Part 9 deletion of Divisions**

In Part 9—

- (a) Delete “Division 3”; and
- (b) Delete “Division 4”.

**46. Part 11 re-designated**

- (a) Re-designate Part 11 as Part 10
- (b) Redesignate section “11.1.1” as section “10.1.1”.

**47. Part 12 re-designated**

Re-designate Part 12 as Part 11.

**48. Part 11 deletion of Schedules**

In Part 11—

- (a) Delete “Schedule 1”;
- (b) Delete “Schedule 2”; and
- (c) Re-designate “Schedules 3 to 13” as “Schedules 1 to 11”.

**49. Schedule 3 amended**

In Schedule 3 of Part 11, delete “Wash hand basins” the two times it appears and insert “Hand wash basins”.

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Passed at an ordinary meeting of the Council of the Shire of Koorda held on the 15th day of September, 2010.

The Common Seal of the Shire of Koorda was placed here in the presence of—

J. P. BROOKS, President.  
G. J. McDONALD, Chief Executive Officer.

On this 28th day of September 2010.

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Consented to—

Dr TARUN WEERAMANTHRI, Executive Director,  
Public Health.

Dated this 8th day of October 2010.

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