

LG301

HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911  
LOCAL GOVERNMENT ACT 1995

*Shire of Northam*

HEALTH AMENDMENT LOCAL LAW 2018

Under the powers conferred by the *Health (Miscellaneous Provisions) Act 1911*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Northam resolved by Absolute Majority on 21 November 2018 to make the following Local Law.

**1. Citation**

This local law may be cited as the *Shire of Northam Health Amendment Local Law 2018*.

**2. Commencement**

This Local Law comes into operation on the date of its publication in the *Government Gazette*.

**3. Principal local law amended**

(1) 3.1 In this Local Law the *Shire of Northam Health Local Law 2008* as published in the *Government Gazette* on 10 December 2008, is referred to as the Principal Local Law.

(2) 3.2 The Principal Local Law is amended.

**4. General Amendment**

To the exception of clause 2.2.1(1)(b) the Principal Local Law is amended by deleting each instance of '*Health Act 1911*' and inserting '*Health (Miscellaneous Provisions) Act 1911*'

**5. Clause 1.2 Amended**

Clause 1.2 is amended as follows—

- (a) In the definition for "AS 1530.2:1993" delete ' Tests for flammability of materials'
- (b) In the definition for "AS/NZS 1530.3:1999" delete all after 'components'
- (c) In the definition for "AS1668.2-2002" delete '2002' and insert '2011'
- (d) In the definition for "AS1668.2-2002" delete ' Ventilation design for indoor air contaminant control'
- (e) In the definition for "AS 2001.5.4-2005" delete ' Dimensional change— Domestic washing and drying procedures for textile testing.'
- (f) In the definition for "AS/NZS 3666.2: 2002" delete '2002' and insert '2011'

**6. General Amendment**

(1) The principal local law is amended by deleting each instance of 'EHO' and inserting 'Authorised Officer'; and

(2) deleting 'Environmental Health Officer' and inserting 'Authorised Officer'

**7. Clause 3.2.4 Amended**

Clause 3.2.4 is amended as follows—

- (a) In subclause 2(b) delete '2002' and insert '2012'; and
- (b) In subclause 3(a) delete '2002' and insert '2011'

**8. Clause 3.5.1 Amended**

In subclause 3.5.1(4)(b) delete '31 December' and insert '30 June'

**9. Clause 4.1.3 Amended**

Clause 4.1.3 is amended as follows—

- (a) In subclause (2)(b) delete 'Executive Director' and insert 'Chief Health officer'.
- (b) In subclause (2)(c) delete 'Executive Director' and insert 'Chief Health officer'.

**10. Clause 5.2.4 Amended**

Clause 5.2.4 is amended as follows—

- (a) In subclause (1) insert 'or bird' after 'is a dead animal' after 'shall' delete 'immediately remove the carcass and arrange for its disposal at an approved

disposal site.’ and insert ‘dispose of it as soon as practicable and in a manner that does not create a nuisance.’

- (b) In subclause (2) insert ‘or bird’ after ‘care of any animal’ delete all after ‘shall’ and insert ‘dispose of it as soon as practicable and in a manner that does not create a nuisance.’

#### **11. Clause 5.3.2 Amended**

Clause 5.3.2 is amended as follows—

In subclause (1) insert ‘within a townsite’ after ‘4 hectares’ and before ‘without the written approval’

#### **12. Clause 5.3.3 Amended**

Clause 5.3.3 is amended as follows—

- (a) In subclause (1) insert ‘within a townsite’ after ‘4 hectares’ and before ‘on which a stable’
- (b) In subclause (2)(b) delete ‘31 December’ and insert ‘30 June’

#### **13. Division 4 Title Amended**

Division 4 Title is amended as follows—

Insert ‘or Doves’ after ‘Pigeons’

#### **14. Clause 5.4.2 Amended**

Clause 5.4.2 is amended as follows—

- (a) In the heading insert ‘or Doves in a townsite’ after ‘Pigeons’
- (b) In subclause (1)(a) insert ‘or doves’ after ‘and pigeons’
- (c) In subclause (1)(b) delete ‘150’ and insert the ‘50’ insert ‘doves’ after ‘50 pigeons,’
- (d) In subclause (2) insert ‘including doves’ after ‘bird club’
- (e) After subclause (2) insert sub-clause 3—
  - (3) An owner or occupier of a premises is required to obtain approval from the Local Government to keep more than 50 pigeons, doves or poultry, on any one lot of land.

#### **15. Clause 5.4.4 Amended**

Clause 5.4.4 is amended as follows—

In subclause (1) insert ‘in a townsite’ after ‘premises’ and before ‘shall not:’

#### **16. Clause 6.3.1 Amended**

Clause 6.3.1 is amended as follows—

Delete ‘(other than rats)’ after ‘include animals’

#### **17. Clause 6.3.2 Amended**

Clause 6.3.2 is amended as follows—

In subclause (2)(b)(i) delete ‘kill it immediately’ and insert ‘effect the humane destruction of the rodent’

#### **18. Clause 6.3.6 Amended**

Clause 6.3.6 is amended as follows—

- (a) In subclause (1)(a) insert ‘more than two adult rats. A greater number of rats may only be kept, in a prescribed manner, if approved by an authorised officer’ after ‘keep or permit to be kept’
- (b) Delete subclause (1)(b)
- (c) Insert subclause (1)(b) Any such rats are at all times to be kept in the effective control of a person or locked in a cage.

#### **19. Clause 8.1.2 Amended**

Clause 8.1.2 is amended as follows—

In subclause (d)(ii) delete ‘with the written approval of the CEO’

#### **20. Schedule 12 Amended**

Schedule 12 Amended as follows—

In Schedule 12 delete ‘Executive Director’ and insert ‘Chief Health Officer’.

Consented to—

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ANDREW ROBERTSON, Chief Health Officer.

Dated: 28 December 2018.

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The Common Seal of the Shire of Northam was affixed by authority of a resolution of Council in the presence of—

CHRISTOPHER R. ANTONIO, President.  
JASON B. WHITEAKER, Chief Executive Officer.

Dated: 17 January 2019.

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