

LOCAL GOVERNMENT ACT 1995

City of Bayswater

HEALTH AMENDMENT LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Bayswater resolved on 26 March 2024 to make the following amendment local law.

Part 1—Preliminary

1. Citation

This local law may be cited as the *City of Bayswater Health Amendment Local Law 2024*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *City of Bayswater Health Local Law 2023* published in the *Government Gazette* on 25 August 2023.

Part 2—Amendments

4. Clause 1.3 amended

In Clause 1.3 the definition of **approved** is moved on a separate line.

5. Clause 3.1 amended

Clause 3.1 is amended as follows—

- (1) delete paragraph (m);
- (2) retitle paragraph (n) to (m); and
- (3) replace subclause (l) with the following—
 - (l) “maintain all pipes, fittings and fixtures connected with water supply, drainage or sewage so that they comply in all respects with the provisions of the Metropolitan Water Supply, Sewage and Drainage By-Laws, National Plumbing Code, Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and any other legal requirements to which they are subject; and”

6. Clause 4.3 amended

In Clause 4.3—

- (1) the definition of “receptacle” is moved on a separate line; and
- (2) the definition of “waste” is moved on a separate line.

7. Clause 4.4(2)(a) amended

In Clause 4.4(2)(a) reference to subsection 4.9(1) is amended to subsection “4.10(2)”.

8. Clause 5.19(1)(b) amended

In Clause 5.19(1)(b) full stop after “cage birds” is deleted.

9. Clause 5.19(1)(c) amended

In Clause 5.19(1)(c) full stop after “peahen” is deleted.

10. Clause 5.19(1)(d) amended

In Clause 5.19(1)(d) the word May is replaced with “may”.

11. Clause 6.5(3) amended

Clause 6.5(3) is deleted.

12. Clause 6.7 amended

In Clause 6.7 subclause (b) amended to be contained on one line.

13. Clause 6.16(1) amended

In Clause 6.16(1)—

- (1) delete the words “shall at all times take effective measures to eradicate any rodents in or on the premises”
- (2) delete Clause 6.16(1)(a) and replace with the following—

“(a) at all times, take effective measures to eradicate any rodents in or on the premises and keep the premises free from rodents, including—

 - (i) protecting food stuffs;
 - (ii) using a rodenticide bait or a properly baited trap;
 - (iii) minimising rodent access to water on the premises; and
 - (iv) removing accumulated refuse or potential rodent food sources; and”

14. Clause 7.3(4) amended

Clause 7.3(4) is deleted.

15. Clause 7.10(3) amended

Clause 7.10(3) is deleted.

16. Clause 8.1 amended

In Clause 8.1 the definition of “lodging house” is amended to be contained in a separate definition on a new line.

17. Clause 8.7(1) amended

Clause 8.7(1) is deleted, and sub clauses renumbered.

18. Part 11: Objections and Appeals

Following Part 10—Offences, Penalties, Fees and Expenses insert the following—

“PART 11—OBJECTIONS AND APPEALS

11.1 Objection and appeal rights

When the local government makes a decision—

- (a) under clause 10.1 or
- (b) as to whether it will renew, or cancel a permit,

the provisions of Division 1 of Part 9 of the *Local Government Act 1995* and regulation 33 of the Regulations apply to that decision.”

Dated: 4th April 2024.

The Common Seal of the City of Bayswater was affixed by authority of a resolution of the Council in the presence of—

FILOMENA PIFFARETTI, Mayor.
JEREMY EDWARDS, Chief Executive Officer.
