

HEALTH ACT 1911, AMENDMENT, DOMESTIC SMOKE NUISANCE

2115. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Health

Further to question on notice No. 824 of June 2003 when the Minister stated that the West Australian *Health Act 1911* would be amended to give Local Government the ability to deal with domestic smoke nuisance -

- (1) Has this amendment passed through Parliament?
- (2) If yes, when was it proclaimed?
- (3) If no, why has the Government delayed this amendment which was proposed in the Perth Air Quality Management Plan in December 2000?

Hon SUE ELLERY replied:

- (1) The Health Legislation Amendment Bill 2004 was introduced to this House on 25 June 2004. Clause 4 of the Bill seeks to amend section 182(11) of the Health Act 1911 by removing the current restrictions on local governments' ability to respond to domestic chimney smoke and thereby enabling them to issue abatement notices in respect of domestic chimneys from which excessive smoke is being sent out and which is offensive, injurious or dangerous to health.
- (2) Not applicable.
- (3) See answer to (1).