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HEALTH ACT 1911

CITY OF ARMADALE

HEALTH AMENDMENT LOCAL LAW 2001

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HEALTH AMENDMENT LOCAL LAWS 2001

Made by the Council of the City Of Armadale under section 342 of the *Health Act 1911* in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*.

Citation

1. These Local Laws may be cited as the *City Of Armadale Health Amendment Local Laws 2001*.

Principal Local Laws

2. In these Local Laws, the *City Of Armadale Health Local Laws 1996** are referred to as the principal local laws.

(*Published in Gazette No. 96 of 12 July 1996 pages 3285-3351).

Section 3 amended

3. Section 3(1) of the principal local laws is amended by—

- (a) deleting the definition of **“Building Code”** and inserting in its place—

“**Building Code**” means the latest edition of the Building Code of Australia published from time to time by, or on behalf of, the Australian Building Codes Board, as amended from time to time, but not including explanatory information published with the Code”;
- (b) deleting the word “or” appearing in the definition of **“public place”** and replacing it with the words “of a”;
- (c) deleting the definition of **“water”** and inserting in its place—

“**water**” means drinking water within the meaning of the *Guidelines for Drinking Water Quality in Australia—1996*, as published by the National Health and Medical Research Council and amended and endorsed by the Minister for Health from time to time”;
- (d) deleting the word “with” appearing in the definition of **“window”** and replacing it with the word “when”.

Section 8 amended

4. Section 8 of the principal local laws is amended by—

- (a) deleting paragraph (c) and (d) of subsection (1) and replacing them with the following new paragraphs—
 - “(c) the floor of any internal toilet shall be of impervious material of a thickness approved by the Principal Environmental Health Officer and, unless the toilet cistern is of an internal overflow type, graded to a floor waste outlet fitted with a discharge pipe; and
 - (d) the floor of any external toilet shall be of impervious material of a thickness approved by the Principal Environmental Health Officer and, unless the toilet cistern is of an internal overflow type, graded to the door or a floor waste outlet fitted with a discharge pipe.”;
- and
- (b) deleting the last two words “blanket sound” in paragraph (a) of subsection (2) and replacing them with “have a Sound Transmission Class of not less than 50 as required by AS1276”.

Section 11 amended

5. Section 11 of the principal local laws is amended by inserting a full stop after the words “Building Code” in the second line and deleting all of the section thereafter.

Section 14 amended

6. Section 14 of the principal local laws is amended by deleting the numeral and brackets “(1)”.

Section 15 amended

7. Section 15 of the principal local laws is amended by deleting subsection (2) and inserting in its place the following new subsection (2)—

- “(2) The floor of the bathroom referred to in subsection (1) shall be properly surfaced with an even fall to a floor waste, suitably trapped and discharging to—
 - (i) a licensed water service operator’s sewer;
 - (ii) a proper discharge pipe with flap valve fitted and, where necessary, protected by an approved sump; or

- (iii) a treatment system approved pursuant to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.”

Section 16 amended

8. Section 16 of the principal local laws is amended by—

- (a) deleting paragraph (c) of subsection (1) and inserting in its place the following new paragraph (c)—
“(c) has a floor which is properly surfaced with an even fall to a floor waste, suitably trapped and discharging to—
(i) a licensed water service operator sewer;
(ii) a proper discharge pipe with flap valve fitted and, where necessary, protected by an approved sump; or
(iii) a treatment system approved pursuant to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.”;
- (b) deleting paragraph (d) in subsection (1);
(c) renumbering paragraph (e) in subsection (1) to paragraph (d); and
(d) deleting “810mm” in paragraph (a) of subsection (6) and inserting in its place “1220mm”.

Section 18 amended

9. Section 18 of the principal local laws is amended by—

- (a) deleting the words “a microwave oven” in paragraph (b) of subsection (1) and replacing them with the words “another cooking facility, or other cooking facilities”; and
(b) deleting the words “stove, oven” in subsection (2) and replacing them with the words “cooking facilities”.

Section 25 amended

10. Section 25 of the principal local laws is amended by deleting paragraph (b) of subsection (3) and inserting in its place “(b) in use at all times the building is occupied, if it is a building without approved natural ventilation”.

Section 28 amended

11. Section 28 of the principal local laws is amended by deleting the word “from” appearing immediately after the word “house” in the first line and replacing it with the word “for”.

Section 29 amended

12. Section 29 of the principal local laws is amended by inserting immediately after the word “pollution” in paragraph (a) the words “unless otherwise approved by the Executive Director, Public Health”.

Section 38 amended

13. Section 38 of the principal local laws is amended by—

- (a) deleting the definition “**commercial swill**”;
(b) inserting in their correct alphabetical position the following definitions—
“**house refuse**” means rubbish or refuse arising from residential premises;
“**litter**” has the same meaning as given to it by the Litter Act 1979-81;
“**street litter bin**” means a receptacle provided by the Council in a public place for the purpose of receipt of packaging, papers and other litter arising during the occupation or use of the public place by any person;
“**trade refuse**” means rubbish or refuse arising from commercial or industrial premises;
and
(c) in the definition of “**public place**” deleting the word “and” and replacing it with the word “or”;

Section 39 amended

14. Section 39 of the principal local laws is amended by deleting the words “municipal district of the City Of Armadale” and inserting in their place the word “district”.

Section 40 amended

15. Section 40 of the principal local laws is amended in paragraph (c) by inserting the words and commas “, where safe and practicable to do so,” immediately following the words “kerb line” in the second place where they appear.

Section 41 amended

16. Section 41 of the principal local laws is amended in subsection (2) by deleting the word “for” appearing after the word “exemption” and inserting in its place the word “from”.

Section 42 amended

17. Section 42 of the principal local laws is amended in paragraph (c) of subsection (1) by inserting after the word “otherwise” a comma and the words “coming from or belonging to the site”

Section 43 amended

18. Section 43 of the principal local laws is amended by deleting the words and comma “commercial swill,” from subparagraph (x) of paragraph (a).

Section 45 amended

19. Section 45 of the principal local laws is amended by—

- (a) deleting the words and comma “commercial swill,” from paragraph (a) of subsection (3);
- (b) in paragraph (b) of subsection (3), inserting the word “and” immediately following the semi colon at the end of sub paragraph (i), deleting the semi colon from the end of sub paragraph (ii) and replacing it with a full stop, and deleting both the word “and” immediately following and subparagraph (iii); and
- (c) deleting paragraph (d) of subsection (3) and renumbering paragraphs (e), (f) and (g) to (d), (e) and (f) respectively.

Section 46 amended

20. Section 46 of the principal local laws is amended in paragraph (a) of subsection (1) by deleting the numeral “4” and substituting in its place the numeral “3”.

Section 47 amended

21. Section 47 of the principal local laws is amended by deleting subsection (1) and replacing it with the following new subsection—

- “(1) A person shall not deposit or cause or permit to be deposited—
- (a) any household or trade refuse into a street litter bin;
 - (b) any rubbish or refuse into any receptacle other than that provided for the use of premises owned or occupied by him or her; or
 - (c) any rubbish or refuse on any land other than a refuse disposal site.”

Section 50 amended

22. Section 50 of the principal local laws is deleted and replaced by the following new Section—

- “50. (1) Except as provided in subsection (2), an owner or occupier of a lot of land whose area does not exceed 1200 square metres shall not set fire to, or cause or allow to be set on fire, any rubbish or refuse whatsoever on that lot of land.
- (2) The provisions of subsection (1) do not apply where—
- (a) the subject lot of land is located in an industrial zone;
 - (b) there is located on that lot of land an incinerator—
 - (i) whose emission levels have been certified by a laboratory accredited by the National Association of Testing Authorities as meeting the standards specified within the table *Emission Levels for Biomedical Waste Incinerators* contained in the document entitled *Management of Air Emissions from Biomedical Waste Incinerators* published by the Environmental Protection Authority in March 2000 and amended from time to time;
 - (ii) whose exhaust gas emissions are monitored annually to ensure maintenance of compliance with the specifications of subparagraph (i), and a copy of the monitoring results forwarded to the Principal Environmental Health Officer;
 - (iii) the use of which has been approved by the Council, subject to such other conditions as it considers appropriate; and
 - (iv) which is used strictly in accordance with the approval referred to in subparagraph (iii).
- (3) An owner or occupier of a lot of land whose area exceeds 1200 square metres and who is not exempted by the provisions of subsection (2) shall not set fire to, or cause or allow to be set on fire, any rubbish or refuse on that lot of land, whether in an incinerator or on the ground, other than when the material to be burnt—
- (a) does not include any plastic, rubber, food scraps, green garden materials or other material which causes the generation of smoke or odour in such quantity as to cause a nuisance to any other person;
 - (b) is of such quantity, or of such nature, as not to be suitable for removal by the Council’s refuse collection service; and
 - (c) there is no other appropriate means of disposal.
- (4) Burning shall not take place during any period for which an air dispersion alert has been issued.”

Section 51 amended

23. Section 51 of the principal local laws is amended by deleting the definition of “**butchers’ waste**” and inserting in its place “**butchers’ waste**” includes animal skeletons and rib cages from a boning room and the inedible products of an abattoir.”

Section 53 amended

24. Section 53 of the principal local laws is amended by deleting the words “made of sheet metal” in paragraph (a) and inserting in their place the word “impervious”.

Section 55 substituted

25. Section 55 of the principal local laws is deleted and the following new Section 55 substituted—

- “55. An owner or occupier of premises shall maintain any footpath, pavement, area or right of way immediately adjacent to the premises clear of any rubbish, matter or things coming from or belonging to the premises.”

Section 62 amended

26. Section 62 of the principal local laws is amended in paragraph (b) by deleting the word “insects” and inserting in its place “vectors of disease”.

Section 63 amended

27. Section 63 of the principal local laws is amended in paragraph (c) by deleting the word “insects” and inserting in its place “vectors of disease”.

Divisions 3 and 4 of Part 5 replaced

28. Divisions 3 and 4 of Part 5 of the principal local laws, including their headings, are repealed and the following new Division 3 and 4 inserted in their place—

*“Division 3—Keeping of Farm Animals***Interpretation**

67. In this Division, unless the context otherwise requires—

“**approved animal**” means any farm animal the subject of approval by Council under Section 68;

“**byre**” means a building, including a stable or similar structure, roofed and enclosed or partially enclosed on at least three sides, with or without appurtenant yards, in which one or more farm animals may be confined;

“**cow**” includes an ox, calf or bull;

“**farm animal**” includes a horse, cow, sheep, goat, pig or other ungulate;

“**horse**” includes an ass, mule, donkey or pony;

“**manure receptacle**” means a receptacle, of sufficient capacity to receive all manure produced in one week on premises upon which a farm animal or farm animals are kept, constructed of smooth, durable, impervious materials, fitted with a fly proof, hinged cover and with no part of the floor lower than the adjoining ground;

“**miniature horse**” means a horse whose maximum adult height does not exceed 870 millimetres and is classified as a miniature by the Miniature Horse Association of Australia; and

“**rural zone**” means those areas defined as rural or general rural under the current City of Armadale Town Planning Scheme.

Approval for the Keeping of Farm Animals

68. (1) Other than in a rural zone, an owner or occupier of premises shall not keep any farm animal on those premises without the approval of, and issue of a Certificate of Registration by, Council.

(2) An approval under subsection (1) shall not be granted—

(a) unless the premises for which the approval is sought are of such dimensions and configuration as will permit the subject animal to be confined in a minimum unencumbered area of 150 square metres and prevented from approaching within 15 metres of any dwelling house on another lot or within 6 metres of a dwelling house on the same lot;

(b) in the case of a horse (other than a miniature horse) or cow, unless the land for which the approval is sought has a minimum area of 1 hectare;

(c) for any pig.

(3) An application for approval and registration under subsection (1) shall be in the form prescribed by Schedule 14 and shall be accompanied by—

(a) a plan of the property, at a scale not less than 1:200, with dimensions clearly marked, showing where it is proposed that the animal is to be kept and the distance of that location from neighbouring houses;

(b) a sketch plan, at a scale of 1:100, indicating the nature of the shelter or housing which it is intended to provide for the animal; and

(c) a detailed written plan for the management of manure which addresses—

(i) control of flies and other vectors of disease;

(ii) disease prevention; and

(iii) prevention of nuisance odours;

(d) the appropriate application fee as determined from time to time by Council pursuant to the provisions of section 6.16 of the *Local Government Act 1995*; and

(e) the annual registration fee as fixed from time to time by Council pursuant to the provisions of Section 344C of the Act.

(4) Council shall take into account the opinions of occupiers of adjoining properties in determining whether to grant approval for the keeping of a farm animal.

(5) Approval to keep a farm animal may be issued subject to conditions, including—

(a) that a byre is provided for housing the approved animal;

(b) that a manure receptacle is provided in a position convenient to the byre or place where the approved animal is kept, and that the receptacle is used for the receipt of all manure produced on the premises;

(c) that the approved animal is prevented from approaching within 15 metres of a dwelling house on another lot or within 6 metres of a dwelling house on the same lot;

or any other conditions that Council considers necessary for the protection of the health and amenity of the neighbourhood, and such conditions may be imposed at any time subsequent to the initial approval.

(6) Should any of the conditions of approval not meet with compliance, or if, in the opinion of Council, the keeping of an approved animal is cause of noise, dust, odour or any other nuisance that adversely affects the health or amenity of the neighbourhood, Council may, at its absolute discretion, withdraw its approval.

(7) The Certificate of Registration referred to in sub-section (1) shall be in the form prescribed in Schedule 14A, and shall be valid from its date of issue until the next 30 June.

(8) An owner or occupier of premises shall not permit a farm animal, be it an approved animal or otherwise, to approach within 15 metres of premises upon which food for subsequent sale, either directly or indirectly, is stored, handled, produced or prepared.

(9) An owner or occupier of premises in a rural zone shall not keep more than one pig other than on premises registered as a piggery pursuant to the provisions of Division 1 of Part 10, except with the express written approval of Council.

Responsibilities of Owners

69. The owner or occupier of premises upon which a farm animal or farm animals are kept shall—

- (a) maintain the place or places where the animals are kept in clean condition;
- (b) when directed to do so by an Environmental Health Officer, clean, wash, disinfect or otherwise treat any byre, shelter or surface appurtenant thereto for the purpose eliminating any nuisance;
- (c) keep the premises as far as possible free from flies or other vectors of disease by spraying with residual insecticide or other effective means;
- (d) if a manure receptacle has been required to be used—
 - (i) cause all manure produced on the premises to be collected daily and placed in the receptacle;
 - (ii) cause the receptacle to be emptied as often as is necessary to prevent it becoming offensive or a breeding place for flies or other vectors of disease, but in any case at least once a week;
 - (iii) keep the lid of the receptacle closed except when manure is being deposited or removed.

Byres

70. (1) Byres shall—

- (a) not be situated within 15 metres of a dwelling house or premises upon which food for subsequent sale, either directly or indirectly, is stored, handled, produced or prepared;
- (b) not be situated closer than 1.5 metres from any property boundary;
- (c) have each wall and roof constructed of materials approved by the Principal Environmental Health Officer;
- (d) have on all sides of the building between the wall and roof a clear opening of at least 150 millimetres in height;
- (e) when required by Council for purposes of housing an approved animal, have a separate stall for each horse, cow or other approved animal, the shortest dimension of which shall be at least twice the length of the animal housed therein;
- (f) subject to subsection (2), have a floor, the upper surface of which shall—
 - (i) be raised at least 75 millimetres above the surface of the surrounding ground;
 - (ii) be constructed of cement, concrete or other similar impervious material;
 - (iii) have a fall of 1 in 100 to a drain which shall empty into a trapped gully situated outside the byre and shall discharge in a manner approved by the Principal Environmental Health Officer.

(2) A byre constructed with a sand floor may be permitted by Council subject to—

- (a) the site being well drained, with the sand floor being at least 1.5 metres above the highest known ground water level;
- (b) a 300mm thick bed of crushed limestone being laid under the sand of the stable;
- (c) sand, whether natural or imported, being clean, coarse and free from dust;
- (d) footings to the byre being a minimum of 450mm below ground level;
- (e) the design of the byre allowing for the access of small earth moving machinery, such as a skid steer loader, into each stall to maintain the correct floor height.

Division 4—Keeping of Poultry and Pigeons

Interpretation

71. In this Division, unless the context otherwise requires—

“Affiliated Person” means a person who is a member of a properly constituted Pigeon Club;

“Code of Practice” means the Code of Practice—Pigeon Keeping and Pigeon Racing published in May 1994 by the Pigeon Racing Federation of WA (Incorporated) and the Independent Racing Pigeon Federation (Incorporated), as amended from time to time;

“pigeons” includes homing pigeons and other domesticated breeds of the species *Columba livia*, but does not include native pigeons or doves whether or not the keeping of such birds is subject to the approval of the Department of Conservation and Land Management;

“poultry” includes fowls, turkeys, ducks and other domestic fowls, but does not include peafowls, geese, guinea fowls or roosters;

“young birds” means birds under 24 days of age, and birds are deemed to be of less than 24 days of age if they are yet without feathers on the flesh under their wings.

Conditions of Keeping Poultry

72. (1) Other than in a Rural Zone, an owner or occupier of premises shall not keep more than 20 poultry;

(2) A person who keeps poultry or permits poultry to be kept shall ensure that—

- (a) no poultry is able to approach within 15 metres of a dwelling house, public building or premises where people are employed or where food is stored prepared, manufactured or sold;
- (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure;
- (c) the structure or enclosure is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (d) no poultry is able to approach within 18 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance; and
- (e) the enclosure is kept in clean condition at all times.

Roosters, Peafowls, Guinea Fowls and Geese

73. (1) Other than in a rural zone, no person shall keep a rooster, peafowl, guinea fowl or goose on premises unless he or she has been authorised in writing by the Council to do so.

(2) A person who has been authorised by the Council to keep a rooster, peafowl, guinea fowl or goose on any premises shall comply with any conditions associated with such authorisation which may be imposed by the Council.

(3) The Council at its absolute discretion may withdraw authorisation to keep a rooster, peafowl, guinea fowl or goose at any time.

Pigeons

74. (1) Subject to subsection (2), an owner or occupier shall not keep or allow to be kept more than 20 pigeons on any premises within the district.

(2) An owner or occupier of premises who is an Affiliated Person may keep a total of not more than 150 pigeons (exclusive of young birds), subject to—

- (a) the pigeons being kept in strict accordance with the Code of Practice;
- (b) except when registered homing pigeons are freed for exercise, the pigeons be confined in a properly constructed weatherproof loft located—
 - (i) in a yard having an otherwise unobstructed area of 30 square metres; and
 - (ii) at least 9 metres from a dwelling, public building or premises where people are employed or where food is stored, prepared manufactured or sold, except that, subject to the approval of the Principal Environmental Health Officer, a loft may be kept closer than 9 metres to the owner's dwelling; and
- (c) not more than 60 birds being released for exercise at any one time.

Obligations on Persons Keeping Pigeons

75. (1) An Affiliated Person who keeps, or permits to be kept, more than 20 pigeons shall, when required by an Environmental Health Officer, provide proof of his or her membership of a properly constituted pigeon club.

(2) The Council may cause written notice to be served upon a person who—

- (a) being an Affiliated Person, fails to comply with the Code of Practice;
- (b) having not provided proof that he or she is an Affiliated Person, keeps or allows to be kept, more than 20 pigeons; or
- (c) as a result of the location of any loft, is found upon investigation by an Environmental Health Officer to be the cause of a nuisance within the meaning of the Act to any person.

(3) The notice referred to in subsection (2) may direct that—

- (a) the number of pigeons be reduced to 20 within a specified time;
- (b) the loft or lofts be relocated; or
- (c) other measures be taken to address the breach of the Code of Practice or nuisance

at the absolute discretion of the Council, taking into account the seriousness of the breach or degree of nuisance caused.

(4) A person upon whom a notice is served pursuant to subsection (2) shall comply with the requirements of that notice.

Removal of Non-Conforming Structure or Enclosure

76. (1) If a structure or enclosure is used for the keeping of poultry, or pigeons contrary to the provisions of Sections 72 and 74, the Principal Environmental Health Officer may direct the owner or occupier to remove it.

(2) An owner or occupier shall comply with a direction from the Principal Environmental Health Officer under this Section.

Restrictions on Pigeon Nesting or Perching

77. (1) The Council may by written notice direct an owner or occupier of a house in or on which pigeons are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so.

(2) An owner or occupier shall comply with a Council notice issued under subsection (1)."

Section 83 amended

29. Section 83 of the principal local laws is amended by deleting the comma after the word "left" and inserting a comma after the word "in".

Section 89 amended

30. Section 89 of the principal local laws is amended by—

(a) deleting the word "and" immediately following the semi colon at the end of sub paragraph (ii) of paragraph (a);

(b) deleting the full stop at the end of sub paragraph (ii) of paragraph (b) and replacing it with a semi colon immediately followed by the word "and"; and

(c) adding the following paragraph—

"(c) where there is a swimming pool, shall ensure that the water does not become stagnant, and shall, when required by a notice issued by an Environmental Health Officer, do any of the following—

(i) activate the pool's circulation system within a time specified in the notice, and operate it for so many hours per day as specified in the notice;

(ii) chlorinate the pool to so many milligrams free chlorine per litre of water as may be specified in the notice;

(iii) adjust the pH of the pool water to within the range 7.2 to 7.6;

(iv) empty and drain the pool;

(v) pour up to 1 litre of paraffin oil or kerosene onto the water surface of the pool; or

(vi) any other such measures as the Environmental Health Officer considers necessary to maintain the pool water free of mosquito breeding."

Section 99 amended

31. Section 99 of the principal local laws is amended by removing the words "*Eating House*" from the heading and inserting in their place the words "*Food Premises*" and by deleting the words "an eating house" and inserting in their place "any food premises".

Divisions 5 of Part 6 repealed

32. Divisions 5 of Part 6 of the principal local laws, including its heading, is repealed.

Section 105 amended

33. Section 105 of the principal local laws is amended by—

(a) inserting a comma immediately after the word "in" in paragraph (a); and

(b) deleting the term "wasp and nest" in paragraph (b) and inserting in its place "wasps and their nests".

Division 7 of Part 6 repealed

34. Division 7 of Part 6 of the principal local laws, including its heading, is repealed.

Section 110 amended

35. Section 110 of the principal local laws is amended by—

(a) in paragraphs (c), (d) and (e) by deleting the word "louse" in each case and replacing it with the word "lice";

(b) inserting the word "and" after the semi-colon in paragraph (d);

(c) in paragraph (e) by replacing the semi-colon and the word "and" and replacing them with a full stop; and

(d) deleting paragraph (f).

Division 3 of Part 7 repealed

36. Division 3 of Part 7 of the principal local laws, including its heading, is repealed.

Various references to scheduled fees changed to "the appropriate fee as fixed by Council from time to time pursuant to the provisions of Section 344C of the Act"

37. The principal local laws are amended in each Section listed in the Table to this Section by deleting the words "fee prescribed in Schedule 18" and inserting in their place "fee as fixed from time to time by Council pursuant to the provisions of Section 344C of the Act."

	Table	
130(1)	133(c)	135(2)(c)
139(2)(c)	146(c)(i)	148(b)

Section 144 amended

38. Section 144 of the principal local laws is amended by deleting the definition of “**lodging house**” and inserting in its place “**lodging house**” includes a recreational campsite, a serviced apartment and a short term hostel”.

Section 150 amended

39. Section 150 of the principal local laws is amended by deleting the word “Department” in clause (c) of subsection (2) and inserting in its place the word “Service”.

Section 154 amended

40. Section 154 of the principal local laws is amended by—

- (a) in paragraph (a), inserting the word “of” immediately after the word “area” and deleting the figure “0.125” in subparagraph (ii) and inserting in its place “0.35”;
- (b) in paragraph (b), inserting the word “other” immediately before the word “vectors” in subparagraph (i);
- (c) by adding immediately after the term “*Food Hygiene Regulations 1993*” in paragraph (c) a comma and the words “unless, in the case of a lodging house which has approval for less than 15 lodgers and those lodgers prepare their own meals, the Principal Environmental Health Officer is satisfied that the objectives of those Regulations are otherwise met”;
- (d) deleting the semi colon and the word “and” at the end of paragraph (d) and inserting in their place a full stop; and
- (e) deleting paragraph (e).

Section 155 amended

41. Section 155 of the principal local laws is amended by deleting sub section (3).

Section 157 amended

42. Section 157 of the principal local laws is amended by inserting the word “of” immediately after the word “area” in paragraph (a) and inserting the word “or” immediately following the semi-colon at the end of sub paragraph (i) of paragraph (a).

Section 158 amended

43. Section 158 of the principal local laws is amended by inserting the words “advised by the Fire and Emergency Services Authority of WA and” immediately after the word “as” in subsection (2).

Section 162 amended

44. Section 162 of the principal local laws is amended by—

- (a) inserting the numeral and brackets (1) immediately after the numeral “**162**” and deleting the hyphen and the numeral and bracket (1) immediately following the word “provide”;
- (b) inserting the words “of a short term hostel or recreational campsite” after “keeper” in sub section (8);
- (c) in paragraph (a) of subsection (8), deleting the word “must” where it first occurs and deleting the word “and” at the end of sub paragraph (i);
- (d) deleting paragraph (b) of subsection (8);
- (e) deleting paragraph (d) of subsection (8) and replacing it with “(d) a lodger or other person does not smoke in a dormitory, kitchen, dining room or other enclosed public place, within a short term hostel or recreational campsite”; and
- (f) in paragraph (e) of subsection (8), deleting the words “the keeper of any short term hostel or recreational campsite shall ensure”.

Section 163 amended

45. Section 163 of the principal local laws is amended by deleting subsection (1) and replacing it with the following new subsection—

- “(1) A keeper shall furnish each sleeping apartment with a sufficient number of beds and shall:
- (a) ensure that each bed has a mattress and pillow; and
 - (b) supply each bed with a pillow case, two sheets, a blanket or rug and, from the 1st day of May to the 30th day of September, not less than one additional blanket or rug, provided that, in the case of a lodging house used exclusively as a short term hostel or recreational campsite, these requirements shall be deemed to be met if the keeper has available the prescribed bedding items for hire; and
 - (c) furnish each bedroom so that there are adequate storage facilities for belongings within the room, other than in a lodging house used exclusively as a short term hostel or recreational campsite, in which case a separate storage room may be provided.”

Section 167 amended

46. Section 167 of the principal local laws is amended by deleting the word “Force” in paragraph (b) of subsection (2) and inserting in its place the word “Service”.

Section 174 amended

47. Section 174 of the principal local laws is amended in subsection (1) by—

- (a) inserting the words “whenever there are one or more lodgers in a lodging house” before the word “ensure” in paragraph (d);
- (b) deleting the comma after the word “towels”, and deleting the word “is” and inserting in its place the word “are” in sub paragraph (i) of paragraph (e);
- (c) deleting the word “that” in sub paragraph (v) of paragraph (e); and
- (d) deleting the words “and insects” in sub paragraph (v) of paragraph (e).

Section 175 amended

48. Section 175 of the principal local laws is amended in subparagraph (i) by deleting the comma after the word “bedding”.

Section 178 amended

49. Section 178 of the principal local laws is amended in its heading by inserting the words “**Establish an**” after the word “**to**”.

Section 179 amended

50. Section 179 of the principal local laws is amended in paragraph (d) by deleting the words “Perth daily newspaper” and inserting in their place the words “newspaper which circulates throughout the state”.

Section 185 amended

51. Section 185 of the principal local laws is amended by inserting the word “an” after the word “which” in the definition of occupier.

Section 191 amended

52. Section 191 of the principal local laws is amended by—

- (a) deleting the words “airtight covers” in paragraph (a) and replacing them with “tightly fitting covers which prevent access by flies or other vectors of disease”;
- (b) deleting paragraph (c) and replacing it with “(c) cause all offensive waste material to be placed in the receptacles as soon as practicable after its production, and all other trade refuse to be placed in the receptacles at least at the end of each working day;”; and
- (c) deleting paragraph (d) and replacing it with “(d) cause the contents of the receptacles to be emptied at such frequency as approved by the Principal Environmental Health Officer or when directed by an Environmental Health Officer”.

Section 197 amended

53. Section 197 of the principal local laws is amended by deleting the word “shall” appearing in subparagraph (iii) of paragraph (a).

Section 198 amended

54. Section 198 of the principal local laws is amended by deleting the words “non corrosive, impervious material” and replacing them with “smooth, non-corrosive and impervious material, devoid of holes, cracks and crevices”.

Section 199 amended

55. Section 199 of the principal local laws is amended by deleting the words “rendered with a cement plaster with a steel float finish or other approved finish to a height of 2 metres, devoid of holes, cracks and crevices” and replacing them with “smooth, non-corrosive and impervious, devoid of holes, cracks or crevices, to a height of two metres”.

Section 201 amended

56. Section 201 of the principal local laws is amended by deleting the words “surface rendered with a cement steel float finish or other approved material and shall be devoid of holes, cracks and crevices” in sub paragraph (a) of subsection (1) and replacing them with “surfaces to be of smooth, non-corrosive and impervious materials, devoid of cracks and crevices”.

Section 203 amended

57. Section 203 of the principal local laws is amended by deleting the words “stainless steel” and inserting after the word “bench” the words “with a surface of smooth, durable, non-corrosive and impervious material.”

Various sections deleted

58. The principle local laws are amended by deleting each of the sections listed in the table to this section—

	Table	
208	209	210
	212	213

Section 211 amended

59. Section 211 of the principal local laws is amended by—

- (a) deleting the word “non-toxic” appearing in subparagraph (i) of paragraph (b) and inserting in its place the word “impervious”;

- (b) deleting the words “a non-toxic” appearing in subparagraph (ii) of paragraph (c) and inserting in its place the word “an impervious”; and
- (c) in paragraph (g), deleting the comma after the word “fibreglass”, and deleting the word “non-toxic” and inserting in its place the word “impervious”.

Section 217 amended

60. Section 217 of the principal local laws is amended by—

- (a) in paragraph (a) deleting the word “concrete” and replacing it with “smooth, durable, non absorbent material; and
- (b) in paragraph (b) deleting all of the words after “of” and inserting in their place the words “smooth, non-corrosive and impervious materials, devoid of cracks and crevices”.

Section 218 amended

61. Section 218 of the principal local laws is amended by deleting the semi colon appearing after the word “manufacture” in paragraph (b).

Section 219 amended

62. Section 219 of the principal local laws is amended by deleting the “or” appearing after the word “fill”.

Section 220 amended

63. Section 220 of the principal local laws is amended by—

- (a) in paragraph (ii) of the definition of “**dry cleaning establishment**” inserting the word “a” before the word “full”;
- (b) deleting the definition of “**exempt laundry**”; and
- (c) in the definition of “**laundry**” deleting the words “an exempt laundry or”.

Section 223 amended

64. Section 223 of the principal local laws is amended by deleting the comma appearing after the word “cracks” in paragraph (a) and inserting in its place the word “and”.

Section 224 amended

65. Section 224 of the principal local laws is amended by deleting the numeral “910” and inserting in its place the words and numeral “at least 900”.

Division 7 of Part 10 repealed

66. Division 7 of Part 10 of the principal local laws is repealed.

Section 243 amended

67. Section 243 of the principal local laws is amended by—

- (a) deleting the word “cages” and inserting in its place the word “caged”; and
- (b) deleting the words “by one of the following methods—
 - (a) incineration of the carcasses in an incinerator approved by the local authority;
 - (b) burial of the carcasses; or
 - (c) by some other method approved by the local authority.”
 and inserting in their place “in accordance with the current Code of Practice—Poultry Industry published by the Department of Environmental Protection.”

Section 260 amended

68. Section 260 of the principal local laws is amended by deleting the term “wast” appearing in paragraph (a) and inserting in its place the word “waste”.

Various Schedules amended

69. The principle local laws are amended in each of the Schedules in the table to this section by deleting the prefix “19” wherever it appears in a date line to one of those Schedules:

Table				
2	4	5		
	9	12	17	

Schedule 9 amended

70. Schedule 9 to the principle Local Laws is amended by—

- (a) deleting the numerals 4, 5, 6, 7 and 8 appearing before each of the conditions and replacing them with the numerals 1, 2, 3, 4 and 5 respectively;
- (b) deleting the word “registration” appearing in condition 3 and inserting in its place “Registration”;
- (c) deleting the word “maximum” appearing in condition 4; and
- (d) deleting the words “or registration” appearing in the last sentence and inserting in their place “of Registration”.

Schedule 13 amended

71. Schedule 13 to the principle Local Laws is amended by deleting the words “with more than 20 sleeping apartments” from the heading.

Schedules 14 and 14A inserted

72. Immediately following Schedule 13, the following Schedules 14 and 14A are inserted—

(Section 68)

Schedule 14*City of Armadale*

HEALTH ACT 1911

Application for approval to keep a farm animal in other than a Rural Zone

Given Names Family Name

Residential Address

..... Post Code

Type of animal for which approval is sought

Address at which it is proposed animal is to be kept

..... Post Code

I hereby apply for approval to keep the animal at the premises indicated and submit herewith—

- a 1:200 scale diagram of the property clearly showing its dimensions, where it is proposed that the animal be kept and the distance of that location from neighbouring houses;
- a sketch plan at scale 1:100 indicating the nature of the shelter or housing to be provided for the animal and
- a plan for management of manure.

I understand that approval, if granted, is subject to such conditions as Council sees fit to impose, and that they may be varied, or the approval withdrawn, at Council's discretion.

Signature..... Date

Section 68

Schedule 14A*City of Armadale*

HEALTH ACT 1911

Certificate of registration of premises upon which a farm animal may be kept.

This is to certify that premises situated at
 and occupied by are registered as premises
 upon which a may be kept, subject at all times to strict compliance with
 Council's Health Local Laws and such conditions of approval as are set out below—

Conditions—

- 1.
- 2.
- 3.

This Certificate is valid until 30 June 20.....

Signature.....

Principal Environmental Health Officer

Schedule 18 deleted

73. Schedule 18 to the principal Local Laws is deleted.

Passed by a resolution of a special majority of the Council of the City of Armadale at its meeting held on 15th January 2001.

Dated this 19th day of January 2001.

The Common Seal of the City Of Armadale was hereunder affixed in the presence of—

R. C. STUBBS, JP, Mayor.
 R. S. TAME, Chief Executive Officer.

Consented to—

Dr V. MCLAUGHLIN, delegate of Executive
 Director, Public Health.

Dated 12th February 2001.



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