

**HEALTH ACT 1911
LOCAL GOVERNMENT ACT 1995**

SHIRE OF CUBALLING HEALTH LOCAL LAWS 2007

Made by the Council of the Shire of Cuballing 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 “*Shire of Cuballing Health Local Laws 2007*”.

Incorporation by Reference

2. (i) In these Local Laws, “*The Shire of Victoria Plains Health Local Laws 2003*”;

(a) means *The Shire of Victoria Plains Health Local Laws 2003* published in the *Government Gazette*, special edition number 14, on the 20 January 2004; and

(b) does not include any amendments that might be made to those Local Laws

(ii) Subject to the modifications set out in the Schedule, the *Shire of Victoria Plains Health Local Laws 2003* are incorporated with and form part of these Local Laws.

Repeal

3. (1) The Health Local Laws adopted by the Cuballing Road Board and published in the *Government Gazette* on 13 August 1937, and amended from time to time are repealed;

(2) The Health Local Laws adopted by the Shire of Cuballing and published in the *Government Gazette* on 6 December 1946, and amended from time to time are repealed; and

(3) The Health Local Laws adopted by the Shire of Cuballing on 7 November 1956 and published in the *Government Gazette* on 13 February 1957, and amended from time to time are repealed.

SCHEDULE

Modifications to the *Shire of Victoria Plains Health Local Laws 2003*

| Item | Sections Affected | Description |
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| 1 | 1.1 | Delete Section 1.1 and substitute the following: “ 1.1 These Local Laws may be cited as the <i>“Shire of Cuballing Health Local Laws 2007”</i> . ” |
| 2 | 1.2 | Delete Section 1.2. |
| 3 | 1.3(1) and Schedules 1-10 | Delete “Shire of Victoria Plains” wherever it occurs and substitute “Shire of Cuballing”. |
| 4 | 1.3 (1) | Delete the definition of “ AS/NZS 1276.1: 1999 ” and substitute the following definition: ““ AS/NZS ISO 7171.1: 2004 ” means the standard published by the Standards Association of Australia as AS/NZS ISO 7171.1: 2004 and called “Acoustics – Rating of sound insulation in buildings and of building elements – Airborne sound insulation.” ” |
| 5 | 1.3 (1) | Delete the definition of “Principal Environmental Health Officer”. |
| 6 | 2.1.4 (3); 4.2.7 (1); 4.2.7 (3)(f); 5.1.7 (a) & 7.1.6 (2) | In each of these subsections delete the words “the Principal” from before the word “Environmental” and substitute the word “an”. |
| 7 | 3.2.4 (4) | In subsection 3.2.4 (4), delete the words “The Principal” from before the word “Environmental” and substitute the word “an”. |
| 8 | 4.2.7 (2)(a) & (d); and 4.2.9 (1)(a)(ii); | In each of these subsections delete the word “Principal” from before the word “Environmental”. |
| 9 | 1.3 (1) | After the definition of “toilet” insert the following definition: <i>“Townsite” means the area as outlined under the Shire of Cuballing Town Planning Scheme No. 2 for Cuballing and Popanyinning</i> |
| 10 | 2.1.2 (2) | In subsection (2), delete the word “adequate” and insert after the word “lighting”, the words: “in accordance with the requirements of the Building Code”. |
| 11 | 2.1.5 | In paragraph (a) delete “AS1276” and substitute “AS/NZS ISO 7171.1: 2004”. |
| 12 | 2.1.11 | Make the existing text of this section into subsection (1) and then insert a new subsection (2) as follows: |

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| | | “(2) Every temporary sanitary convenience shall be installed in accordance with the <i>Health (Temporary Sanitary Conveniences) Regulations 1997</i> .” |
| 13 | 2.2.1 | In subsection (1), paragraph (a) delete the word “adequate” and insert after the word “ceiling”, the words: “in accordance with the requirements of Part F2.4.1 of the Building Code”. |
| 14 | 2.2.2 (1) | In subsection (1), delete the words “A laundry must conform” and substitute the words “A person shall not use or occupy or permit to be used or occupied, a dwelling house that does not conform”. |
| 15 | 2.2.5 | After section 2.2.4 insert a new section 2.2.5 as follows: “Floor of Wet Areas 2.2.5 The floor of every bathroom, ensuite, laundry, toilet and any other ablution area within the building shall be properly surfaced, impervious to water and evenly graded to an approved floor waste outlet.” |
| 16 | 3.1.1 | In paragraph (m) delete the words “Office of Energy” and substitute the words “Energy Safety”. |
| 17 | 3.1.2 | Delete Section 3.1.2 and substitute: “3.1.2 The owner or occupier of a house shall— (a) maintain all guttering, downpipes and drains on the premises in a good state of repair, clean and free from obstructions; and (b) not permit any rainwater from the premises to discharge onto or over a footpath, street or other property.” |
| 18 | 3.2.4 (2) | In subsection (2), after the word “Code” insert the words “and with the <i>Sewerage (Lighting, Ventilation and Construction) Regulations 1971</i> ”. |
| 19 | 4.2.16 | Delete Section 4.2.16. |
| 20 | 4.2.3 (2) | Delete the word “Principal” and substitute the word “an”. |
| 20 | 5.1.3 | Delete “(1) Subject to subsection (2), an” and substitute “An”, then delete all of subsection (2) |
| 21 | 5.2.4 (7)(b) | In paragraph (b) delete the numeral “3” after the word “Schedule” and substitute the numeral “1”. |
| 22 | 5.2.4 (8)(a) | In paragraph (a) delete the numeral “4” after the word “Schedule” and substitute the numeral “2”. |
| 23 | 5.4.1 | Insert above the definition of “poultry” a new definition of “Affiliated Person” as follows: ““ Affiliated Person ” means a person who is a member of a pigeon club, caged bird club, poultry breeding club or poultry breeding society which is an incorporated body under the <i>Associations Incorporation Act 1987</i> .” |
| 24 | 5.4.2 | Delete Section 5.4.2 and substitute: “5.4.2 An owner or occupier of premises- (a) who is not an Affiliated Person shall not keep a combined total of more than 12 poultry and |

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| | | <p>pigeons, exclusive of any chickens and squabs, within a townsite; and</p> <p>(b) who is an Affiliated Person shall not keep a combined total of more than 150 poultry and pigeons, exclusive of any chickens and squabs, within a townsite.”</p> |
| 25 | 5.4.4 | Delete “ Roosters, ” from the title of Section 5.4.4 and then delete “(a) a rooster;” from the list of specified birds. |
| 26 | 6.3.3 | In Section 6.3.3, insert the word “stored” before the word “food” in both paragraphs (a) and (b). |
| 27 | 8.1.3 (c) | In paragraph (c) delete the numeral “5” after the word “Schedule” and substitute the numeral “3”. |
| 28 | 8.1.4 | Delete the numeral “6” after the word “Schedule” and substitute the numeral “4”. |
| 29 | 8.1.6 | Delete the numeral “7” after the word “Schedule” and substitute the numeral “5”. |
| 30 | 8.1.7 | In paragraph (d) delete the word “the” before the words “Environmental Health Officer” and substitute the word “an”. |
| 31 | 8.3.2 (1) | In subsection (1), delete the numeral “8” after the word “Schedule” and substitute the numeral “6”. |
| 32 | 8.3.3 | Delete the numeral “9” after the word “Schedule” and substitute the numeral “7”. |
| 33 | 8.3.4 (1) | In subsection (1), delete the numeral “10” after the word “Schedule” and substitute the numeral “8”. |
| 34 | 9.1.2 | Delete the numeral “11” after the word “Schedule” and substitute the numeral “9”. |
| 35 | 9.1.4 (a) | In paragraph (a) delete the numeral “12” after the word “Schedule” and substitute the numeral “10”. |
| 36 | 9.1.4 (b) | In paragraph (b) delete the word “ <i>Trade</i> ” in the title of the regulations and substitute the word “ <i>Trades</i> ”. |
| 37 | 9.1.5 | Delete the numeral “13” after the word “Schedule” and substitute the numeral “11”. |
| 38 | 10.1.2 (2) | In paragraph (b) of subsection (2), delete the numeral “14” after the word “Schedule” and substitute the numeral “12”. |
| 39 | 10.1.2 (4) | In paragraph (a) of subsection (4), delete the numeral “15” after the word “Schedule” and substitute the numeral “13”. |

Made at a meeting of the Council of the Shire of Cuballing held on:
19 April 2007.

The Common Seal of the Shire of Cuballing was hereunto affixed in the presence of:

on this Day of....., 2007

CR. T. H. Wittwer

PRESIDENT

P. T. NAYLOR

CHIEF EXECUTIVE OFFICER

Consented to

EXECUTIVE DIRECTOR, PUBLIC HEALTH

dated this day of....., 2007