



ATTACHMENT BOOK

ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
24 MARCH 2021

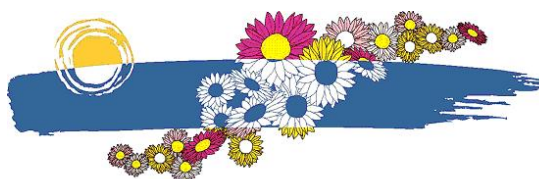


WILDFLOWER COUNTRY

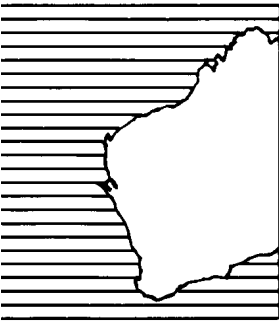


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WILDFLOWER COUNTRY



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HEALTH ACT 1911

SHIRE OF THREE SPRINGS

HEALTH LOCAL LAWS 1998

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HEALTH LOCAL LAWS 1998

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HEALTH ACT 1911**SHIRE OF THREE SPRINGS****HEALTH LOCAL-LAWS 1998**

Made by the Council of the Shire of Three Springs.

PART 1—PRELIMINARY**Citation**

1.1 These Local-laws may be cited as *“The Shire of Three Springs Health Local-Laws 1998”*.

Repeal

1.2 (1) The Health Local Laws adopted by the Shire of Three Springs and published in the *Government Gazette* on the 31 May 1929 and amended from time to time, are repealed;

(2) The Health Local Laws adopted by the Shire of Three Springs on 17 August 1953 and published in the *Government Gazette* on the 13 November 1953 and amended from time to time, are repealed;

(3) The Health Local Laws adopted by the Shire of Three Springs on 16 October 1956 and published in the *Government Gazette* on the 21 January 1957 and amended from time to time, are repealed; and

(4) The Health Local Laws adopted by the Shire of Three Springs on 13 July 1965 and published in the *Government Gazette* on the 9 September 1965, and amended from time to time, are repealed.

Interpretation

1.3 (1) In these Local-Laws, unless the context otherwise requires—

“**Act**” means *Health Act 1911* and includes subsidiary legislation made under the *Health Act 1911*;

“**adequate supply of water**” means a flow of water of not less than 0.076 litres per second;

“**approved**” means approved by the Council of the Shire of Three Springs;

“**AS**” means Australian Standard published by the Standards Association of Australia;

“**Building Code**” means the Building Code of Australia as adopted by the *Building Regulations 1989* made under the *Local Government (Miscellaneous Provisions) Act 1960*;

“**Chief Executive Officer**” means the Chief Executive Officer of the Shire of Three Springs and includes the Acting Chief Executive Officer;

“**Council**” means the Council of the Shire of Three Springs;

“**district**” means the district of the Shire of Three Springs and includes any area placed under the jurisdiction of the Council pursuant to Section 22 of the Act;

“**dwelling house**” means a place of residence or house containing at least one sleeping room and includes a room or outbuilding separate from, but ancillary to, the building in which the sleeping room is located;

“**Environmental Health Officer**” means an Environmental Health Officer appointed by the Council under the Act and includes an Acting or Assistant Environmental Health Officer;

“**habitable room**” means a room used for normal domestic activities; and

(a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, play-room, family room and sun-room; but

(b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, lobby, photographic dark room, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods;

“**hot water**” means a water at a temperature of at least 75 degrees Celsius;

“**Medical Officer**” means the Medical Officer appointed by the Council under the Act and includes an Acting Medical Officer so appointed;

“**Principal Environmental Health Officer**” means an Environmental Health Officer appointed by the Council to the office of Principal Environmental Health Officer and includes an Acting Principal Environmental Health Officer;

“**public place**” includes every place to which the public ordinarily have access, whether by payment of a fee or not;

“**sanitary convenience**” includes urinals, water closets, earth-closets, privies, sinks, baths, wash troughs, apparatus for the treatment of sewage, ash-pits, ash-tubs, or other receptacle for the deposit of ashes, faecal matter, or refuse, and all similar conveniences;

“sewage” means any kind of sewage, nightsoil, faecal matter or urine, and any waste composed wholly or in part of liquid;

“sewer” includes sewers and drains of every description, except drains to which the word “drain” as defined in the Act applies, also water channels constructed of stone, brick, concrete, or any other material, including the property of the Council;

“street” includes any highway, any public bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not;

“toilet” means a water closet, earth closet, privy or urinal and includes a room or cubicle in which one or more of these is located;

“water” means drinking water within the meaning of the Australian Drinking Water Guidelines—1987 as published by the National Health and Medical Research Council; and

“window” means a glass panel, roof light, glass brick, glass louver, glazed sash, glazed door, or other device which transmits natural light directly from outside a building to the room concerned when in the closed position.

(2) Where in these Local-Laws, a duty or liability is imposed on an “owner or occupier”, the duty or liability shall be deemed to be imposed jointly and severally on each of the owner or occupier.

(3) Where under these Local-Laws an act is required to be done or forbidden to be done in relation to any premises, the owner or occupier of those premises has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

PART 2—SANITATION

Division 1—Sanitary Conveniences

Interpretation

2.1.1 In this Part, unless the context otherwise requires—

“festival” includes a fair, function or event;

“organiser” means a person—

- (a) to whom approval has been granted by the Council to conduct the festival; or
- (b) responsible for the conduct of the festival;

“public sanitary convenience” means a sanitary convenience to which the public ordinarily have access, whether by payment of a fee or not; and

“temporary sanitary convenience” means a sanitary convenience, temporarily placed for use by—

- (a) patrons in conjunction with a festival; or
- (b) employees at construction sites or the like.

Dwelling House

2.1.2 (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house unless it has at least one toilet.

(2) A room in which a toilet is located shall have adequate lighting.

Premises other than a Dwelling House

2.1.3 (1) The owner of premises other than a dwelling house shall not use or occupy, or permit to be used or occupied, premises other than a dwelling house unless—

- (a) the premises have sanitary conveniences in accordance with the Building Code and this Part;
- (b) the toilets required by this section are situated within 90m and are easily accessible to the persons for whom they are provided; and
- (c) the premises have hand wash basins—
 - (i) in accordance with the Building Code;
 - (ii) for the use of persons employed or engaged on the premises;
 - (iii) provided with an adequate supply of water supplied by taps located over each basin;
 - (iv) separate from any trough, sink or basin used in connection with any process carried out on the premises; and
 - (v) situated with or adjacent to the sanitary conveniences and easily accessible to the person for whom they are provided.

(2) The occupier of premises other than a dwelling house shall ensure that—

- (a) clean toilet paper is available at all times in each cubicle;
- (b) a sanitary napkin disposal facility is provided in each toilet set aside for the use of females; and
- (c) each hand wash basin is provided with—
 - (i) an adequate supply of soap or other hand cleaning substances; and
 - (ii) hand drying facilities, situated adjacent to and visible from the hand basin.

Outdoor Festivals

2.1.4 (1) The organiser of an outdoor festival at which not more than 20,000 people are expected to attend shall provide sanitary conveniences in accordance with the following scale—

- (a) for the first 1,000 males—
 - (i) one water closet for each 333;
 - (ii) one urinal stall for each 100; and
 - (iii) one hand wash basin for each 500;
- (b) for additional males—
 - (i) one water closet for each 500;
 - (ii) one urinal stall for each 100; and
 - (iii) one hand wash basin for each 500;
- (c) for the first 1,000 females—
 - (i) one water closet for each 77; and
 - (ii) one wash hand basin for each 500; and
- (d) for additional females—
 - (i) one water closet for each 100; and
 - (ii) one wash hand basin for each 500.

(2) Where, under subsection (1), the number of a particular sanitary convenience to be provided is not a whole number, that number shall be rounded up to the next higher whole number.

(3) The organiser of an outdoor festival at which more than 20,000 people are expected to attend shall provide sanitary conveniences of a number as directed by the Principal Environmental Health Officer.

Toilets

2.1.5 (1) Toilets on premises shall be maintained in accordance with the following requirements—

- (a) the door to a toilet, other than an internal toilet, shall be properly screened to a continuous height of 1.8 metres from the floor;
- (b) a toilet or its entrance which is visible from overlooking windows shall be properly screened;
- (c) the floor of any internal toilet shall be—
 - (i) of concrete or of other approved impervious material of an approved thickness; and
 - (ii) graded to a floor waste outlet and proper discharge pipe with flap valve fitted, and where necessary, protected by an approved sump; and
- (d) the floor of any external toilet shall be—
 - (i) of concrete or of other approved impervious material of an approved thickness; and
 - (ii) graded to the door or alternatively an approved outlet.

(2) Toilets on premises other than a dwelling house shall be maintained in accordance with the following additional requirements—

- (a) a toilet for the exclusive use of males shall not adjoin any toilet for the exclusive use of females unless the toilets are separated by a wall extending from floor to ceiling and of sufficient density to have a Sound Transmission Class of not less than 50 as required by AS1276;
- (b) where more than one toilet is provided on the premises, the entrance to each toilet shall bear a suitable sign indicating for which sex its use is intended.

Temporary Works

2.1.6 A person who undertakes temporary work at any place shall ensure every temporary sanitary convenience is installed and maintained in accordance with the requirements of the *Health (Temporary Sanitary Conveniences) Regulations 1997*.

Maintenance of Sanitary Conveniences and Fittings

2.1.7 (1) The occupier of premises shall—

- (a) keep clean, in good condition and repair; and
- (b) whenever required by an Environmental Health Officer, effectively disinfect and clean,

all sanitary conveniences including sanitary fittings in or on the premises.

(2) The owner of premises shall—

- (a) keep or cause to be kept in good repair; and
- (b) maintain an adequate supply of water to,

all sanitary conveniences including sanitary fittings in or on the premises.

Ventilation of Toilets

2.1.8 (1) A toilet in any premises shall be ventilated in accordance with the *Sewage (Lighting, Ventilation and Construction) Regulations 1971* and the Building Code and shall be—

- (a) mechanically ventilated to the external air, through a fully enclosed duct at a minimum rate of 25 litres per second per fixture, but in no case less than 10 air changes per hour; or

- (b) naturally ventilated to the external air by the provision of—
 - (i) fixed and permanently ventilated windows or skylights;
 - (ii) fixed glazed louvered windows; or
 - (iii) wall or ceiling vents, ducted as direct to the outside air as is practical and boxed throughout,

situated in both the room in which the toilet is located and any adjacent airlock.

(2) A mechanical ventilation system provided under subsection (1)(a) shall—

- (a) be separate and distinct from any other system of mechanical ventilation in the building;
- (b) be of an exhaust type;
- (c) where it is provided for a building of more than 2 storeys, have a ventilating fan and power unit in duplicate; and
- (d) be maintained in good working order and condition.

(3) A natural ventilation system provided under subsection (1)(b) shall have—

- (a) a clear ventilation area of not less than 0.015 square metres per fixture; and
- (b) a window of light transmitting area equivalent to not less than ten percent of the floor area.

(4) A toilet with an entrance opening from—

- (a) a room used for the manufacture, storage or consumption of food;
- (b) a room used for sleeping or other domestic activities; or
- (c) a room used as a work place,

shall be mechanically ventilated as required by subsection (1)(a) and the entrance shall be fitted with a door having an efficient self closing device.

Public Sanitary Conveniences

2.1.9 (1) A person shall not—

- (a) foul
- (b) damage or vandalise; or
- (c) write on or otherwise deface,

a public convenience or sanitary fixtures or fittings or the premises in or on which the sanitary convenience is located.

(2) A person shall not live or sleep in a the premises in which a public sanitary convenience is located or use it for a purpose other than that for which it was intended.

Lighting

2.1.10 The owner and occupier of a premises in which a sanitary convenience or a public sanitary convenience is located shall provide and maintain adequate electric lighting for persons using the convenience.

Installation

2.1.11 Every sanitary convenience shall be installed in accordance with the requirements of the *Country Water Supply Sewage and Drainage Act 1909* and shall have an adequate supply of water.

Division 2—Bathroom, Laundries and Kitchens

Bathrooms

2.2.1 (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a bathroom that—

- (a) is adequately lined with an impervious material and has an adequate ceiling;
- (b) complies with the *Health Act (Laundries and Bathrooms) Regulations*; and
- (c) is equipped with—
 - (i) a wash basin; and
 - (ii) either a shower in a shower recess or a bath.

(2) The floor of the bathroom referred to in subsection (1) shall be—

- (a) of concrete or other approved impervious material of an approved thickness;
- (b) properly surfaced with an even fall to a floor waste, suitably trapped and discharging to—
 - (i) the sewer of a licensed water service operator; or
 - (ii) a proper discharge pipe with flap valve fitted and, where necessary, protected by an approved sump.

(3) All baths, showers, hand basins and similar fittings shall be provided with an adequate supply of hot and cold water.

Laundries

2.2.2 (1) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a laundry that—

- (a) is properly enclosed and roofed;
- (b) is adequately lined with an impervious material;

- (c) has a floor constructed of concrete or other approved, impervious material of an approved thickness;
 - (d) has a minimum floor area of 3 square metres and a room width of not less than 1.5 metres;
 - (e) is properly surfaced, with an even fall to a floor waste, suitably trapped and discharging to—
 - (i) the sewer of a licensed waste service operator; or
 - (ii) a proper discharge pipe with flap valve fitted and, where necessary, protected by an approved sump; and
 - (f) is not a room in which food is stored, prepared, served or consumed.
- (2) In the case of a single occupancy dwelling, the laundry referred to in subsection (1) shall have—
- (a) either—
 - (i) two wash troughs and one copper; or
 - (ii) a washing machine and a wash trough; and
 - (b) a clothes drying facility comprising either a mechanical clothes dryer or not less than 20 metres of clothes line erected externally.
- (3) All wash troughs, sinks, coppers and washing machines shall be—
- (a) in a laundry and connected to an adequate supply of hot and cold water; and
 - (b) installed to Manufacturers' specifications,
- and all wash troughs shall have a capacity of at least 36 litres.
- (4) Sole or multiple units, each being a separate dwelling, shall have—
- (a) laundry facilities, in accordance with the Building Code, for the exclusive use of the occupants of each unit; or
 - (b) a separate laundry with communal laundry facilities in accordance with the Building Code, for up to 4 sole occupancy units that do not have their own laundry facilities.
- (5) Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry shall be separated from the kitchen by a wall extending from the floor to the roof or ceiling.
- (6) Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening shall—
- (a) not be more than 1220 millimetres wide; and
 - (b) have a door which when closed shall completely fill the opening.

Washing or Keeping of Clothes in Kitchens

2.2.3 A person shall not in any kitchen or other place where food is kept—

- (a) wash or permit to be washed any clothing or bedding; or
- (b) keep or permit to be kept any soiled clothing or bedding.

Kitchens

2.2.4 (1) In this section, "a cooking facility" includes a stove, oven, facility or appliance used for or in connection with the cooking of food.

(2) A person shall not use or occupy, or permit to be used or occupied, a dwelling house without a kitchen equipped with—

- (a) an electric, gas, wood or other fuel burning stove;
- (b) an oven with a capacity of not less than 0.005 cubic metres per person usually accommodated in the house with a minimum capacity of 0.03 cubic metres; and
- (c) a sink which shall
 - (i) be at least 380 millimetres long, 300 millimetres wide and 150 millimetres deep; and
 - (ii) have an adequate supply of hot and cold water.

(3) The occupier of a dwelling house shall ensure that the stove, oven and sink are kept clean, in good order and repair and fit for use.

(4) A cooking facility shall—

- (a) be installed in accordance with the requirements of the "Manufacturers' Specifications"; and
- (b) not be installed or used in any room other than a kitchen.

(5) Mechanical extraction shall be provided in a kitchen and the exhaust air shall be—

- (a) carried to the outside air as directly as practicable; and
- (b) boxed throughout.

PART 3—HOUSING AND GENERAL

Division 1—Maintenance of Houses

Dwelling House Maintenance

3.1.1 The owner or occupier of a dwelling house shall maintain the dwelling house and any appurtenant buildings in sound condition and fit for use and, in particular, shall—

- (a) maintain all roofs, guttering and downpipes in sound weatherproof condition;

- (b) maintain any footings, foundations and walls, either external or internal, in a sound condition;
- (c) replace any missing, broken, decayed or termite-eaten timber or other deteriorated material in any veranda, roof, walls, steps, handrails, floors or their supports with material of sound quality;
- (d) comply with the directions of an Environmental Health Officer to treat the premises for the purpose of destroying any termites;
- (e) maintain any brick, stone, mortar or cement work in a sound condition;
- (f) maintain, repair or replace any flashings or ant caps which are missing or defective;
- (g) maintain all ventilators in good order and repair;
- (h) maintain all floors even and level in surface and free from cracks and gaps;
- (i) maintain all ceilings, internal wall finishes, skirtings, architraves and other fixtures and fittings complete and with smooth unbroken surfaces;
- (j) maintain all doors and windows in good working order and weatherproof condition;
- (k) retain all natural lighting free from any obstruction which would reduce the natural lighting, below the ratio of 10% of the floor area;
- (l) maintain all pipes, fittings and fixtures connected with water supply, drainage or sewerage so that they comply in all respects with the provisions of the *Country Water Supply, Sewerage and Drainage Act 1909* and any other legal requirements to which they are subject; and
- (m) maintain all electric wiring, gas services and fittings to comply in all respects with the requirements of the Office of Energy.

Guttering and Downpipes

3.1.2 Unless approved by the Council the owner of a house shall not use or occupy, or permit to be used or occupied, a house unless—

- (a) the house is provided with adequate guttering, downpipes and drains sufficient to receive normal intensities of rainwater flowing into them and for the rain water to be effectively disposed of to the satisfaction of an Environmental Health Officer;
- (b) the guttering and downpipes are fixed to the eaves of the house so that all normal intensities of rain water flowing from the roof shall be received by such guttering and downpipes;
- (c) all downpipes from guttering are connected so as to discharge into drains, which shall empty into a soak well, or other suitable storm water system or rainwater tanks;
- (d) each soak well is located at least 1.8 metres from any building and at least 1.8 metres from the boundary of the block; and
- (e) any rainwater from any downpipe is not discharged onto any unpaved surface of land within 1.8 metres of any house.

Maintenance of Guttering and Downpipes and Disposal of Rainwater

3.1.3 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.

Division 2—Ventilation of Houses

Exemption for Short Term Hostels and Recreational Campsites

3.2.1 This Division shall not apply to short term hostels and recreational campsites referred to in Division 1 of Part 8.

Overcrowding

3.2.2 The owner or occupier of a house shall not permit—

- (a) a room in the house that is not a habitable room to be used for sleeping purposes; or
- (b) a habitable room in the house to be used for sleeping purposes unless—
 - (i) for every person over the age of 10 years using the room there is at least 14 cubic metres of air space per person; and
 - (ii) for every person between the ages of 1 and 10 years there is at least 8 cubic metres of air space per person; or
- (c) any garage or shed to be used for sleeping purposes.

Calculated Sufficient Space

3.2.3 For the purpose of Section 3.2.2, in calculating the space required for each person—

- (a) each room shall be considered separately and sufficient space shall be allowed in each room for the number of persons present in the room at any one time; and
- (b) a deduction shall be made for the space occupied by furniture, fittings and projections of the walls into a room.

Ventilation

3.2.4 (1) A person shall not use or occupy, or permit to be used or occupied, a house unless the house is properly ventilated.

(2) For the purpose of subsection (1) a house shall be deemed to be properly ventilated if it complies with the Building Code, including the provision of—

- (a) natural ventilation; or
- (b) a mechanical ventilation or air-conditioning system complying with AS1668.2.

(3) The owner of a house provided with mechanical ventilation or an air-conditioning system shall ensure that the system is—

- (a) maintained in good working condition and in accordance with AS3666-1989; and
- (b) in use at all times the building is occupied.

(4) If, in the opinion of an Environmental Health Officer, a house is not properly ventilated, the Council may by notice require the owner of the house to—

- (a) provide a different, or additional method of ventilation; or
- (b) cease using the house until it is properly ventilated.

(5) the owner shall comply with a notice under subsection (4).

Sub-Floor Ventilation

3.2.5 The owner or occupier of a house shall make provision for sub-floor ventilation by ensuring that air bricks and other openings are kept clean of refuse, vegetation, building materials, dirt and the like.

*Division 3—Water Supply***Water Supply**

3.3.1 (1) The owner of a house shall ensure that it is connected with a separate and independent water supply from the mains of a licensed water service operator or a water supply to the satisfaction of the Council.

(2) The water supply shall at all times deliver an adequate supply of drinking water to each tap in the house.

(3) The water supply to toilets, or for garden use may be from an alternative source, not necessarily drinking water.

Rain Water Tanks

3.3.2 The owner or occupier of a house where part of the water supply is drawn from a rain water tank shall—

- (a) maintain in a clean condition—
 - (i) the roof forming the catchment for the tank; and
 - (ii) the guttering and downpipes appurtenant to the roof;
- (b) ensure that each rain water tank is fitted with a tight-fitting mosquito proof cover which shall not be removed at any time except for the purpose of cleaning, repairing or maintaining the tank;
- (c) annually clean any tank which is used to store water for human consumption;
- (d) when directed by an Environmental Health Officer, empty, clean and disinfect any tank upon the premises, used to store water for human consumption.

Wells

3.3.3 The owner or occupier of any premises shall not use or permit for human consumption the use of the water from any bore or well unless the bore or well is—

- (a) at least 30 metres from any soak or other possible source of pollution unless otherwise approved by the Executive Director of Public Health; and
- (b) covered with a tight-fitting cover without openings of any sort other than those essential for the insertion of a pump.

Pollution

3.3.4 A person shall not deposit on any land, any sewage, offensive matter or any other thing which may pollute or render unfit for human consumption, water from a well or other underground source.

*Division 4—Secondhand Furniture, Bedding and Clothing***Prohibition of Sale**

3.4.1 A person shall not offer for sale or sell any secondhand furniture, bedding or clothing which is filthy or infested with vectors of disease.

Prohibition of Possession

3.4.2 A dealer in secondhand furniture, bedding or clothing shall not have on any premises used for the operation of the business any secondhand furniture, bedding or clothing which is filthy or infested with vectors of disease.

*Division 5—Morgues***Application and Licensing of Morgues**

3.5.1 (1) An application for a licence of a morgue shall be—

- (a) made by the applicant;
- (b) made in the form prescribed in schedule (7); and
- (c) forwarded to the Chief Executive Officer with the fee prescribed in Schedule (12).

(2) All morgues, other than those of any public hospital or any Council or police morgue, shall be licensed annually in accordance with the requirements of this Division.

(3) A licence shall—

- (a) be in the form prescribed in Schedule (8); and
- (b) expire on 30 June next and after the date of its issue.

(4) A licence shall not be granted in respect of any premises unless—

- (a) provision has been made for the keeping of the bodies of the dead at a temperature not exceeding zero degrees Celsius;
- (b) the walls are constructed of stone or brickwork or other approved material;
- (c) the interior surface of all walls is covered with glazed tiles or is rendered impervious so as to be non-absorbent and washable;
- (d) all floors are constructed of an approved impervious material, having a fall to an outlet discharging over a trapped gully; and
- (e) the premises are adequately ventilated by direct communication with the outside air.

PART 4—WASTE FOOD AND REFUSE*Division 1—Liquid Refuse***Interpretation**

4.1.1 In this division, unless the context otherwise requires—

“liquid refuse” includes swimming pool discharges, all washings from windows, vehicles and carpet cleaning, overflow, bleed off, condensate and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes;

“liquid waste” means bathroom, kitchen, scullery and laundry wastes, the contents of septic tanks, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage; and

“approved carrier” means a carrier approved by the Council.

Deposit of Liquid Refuse

4.1.2 A person shall not deposit or cause or permit to be deposited liquid refuse or liquid waste—

- (a) on a street;
- (b) in a stormwater disposal system; or
- (c) on any land or place other than a place or depot duly authorised for that purpose.

Disposal of Liquid Waste

4.1.3 (1) The owner or occupier of premises shall—

- (a) provide, one of the methods prescribed in this section, for the disposal of all liquid waste produced on the premises; and
- (b) at all times maintain in good working order and condition any apparatus used for the disposal of liquid waste.

(2) Liquid waste shall be disposed of by one of the following methods—

- (a) discharging it into the sewerage system of a licensed water service operator in a manner approved by the licensed water service operator;
- (b) discharging it into an apparatus for the treatment of sewage and disposal of effluent and liquid waste approved by the Executive Director, Public Health or the Council;
- (c) collection and disposal at an approved liquid waste disposal site in a manner approved by the Executive Director Public Health.

Approval for Septic Tank Pumpouts and Removal of Liquid Waste

4.1.4 A person shall not—

- (a) unless he or she is an approved carrier;
- (b) without the written approval of the Council; and
- (c) except in accordance with any terms and conditions imposed by the Council or the Executive Director, Public Health in connection with the approval under paragraph (b),

collect, remove or dispose of the contents of a septic tank, the pumpouts from holding tanks or an apparatus for the treatment of sewage and other liquid wastes.

Application for Approval

4.1.5 (1) A carrier may apply in writing to the Council for approval to collect, remove or dispose of the contents of a septic tank, the pumpouts from holding tanks or an apparatus for the treatment of sewage.

(2) The Council may grant or refuse an application under this section subject to conditions relating to—

- (a) the time and method of collection, removal or disposal of the contents; or
- (b) the route to be followed by a vehicle used in collection, removal or disposal of the contents; or
- (c) the type of liquid waste that can be collected.

(3) Any conditions imposed by the Council under this section shall be—

- (a) specified in the written approval of the Council; and
- (b) in addition to any conditions imposed by the Executive Director of Public Health or conditions applying under any other law.

(4) The Council may from time to time vary conditions imposed by it under this section by giving written notice of the variation to the person to whom approval was given.

Provision of Quarterly Reports

4.1.6 The approved carrier may be required to provide Quarterly Reports to the Council containing accurate details of—

- (a) the date of servicing the liquid waste system;
- (b) the address or location of the involved property; and
- (c) the type of system serviced.

Division 2—Disposal of Refuse

Interpretation

4.2.1 In this division, unless the context otherwise requires—

“**approved enclosure**” means an enclosure for the storage of receptacles which complies with Section 4.2.7;

“**building line**” has the meaning given to it in and for the purposes of the *Local Government (Miscellaneous Provisions) Act 1960*;

“**collection day**” means the day of the week on which rubbish and refuse is collected and removed by the Council or its contractor;

“**commercial waste**” means refuse and other rubbish generated by or originating from commercial or industrial premises and includes trade refuse;

“**domestic waste**” means refuse and other rubbish generated by or emanating from residential premises and includes house refuse;

“**public place**” includes a street, way or place which the public are allowed to use, whether the street, way or place is or is not on private property;

“**receptacle**” means a polyethylene cart fitted with wheels, a handle and a lid and having a capacity of 120 litres or 240 litres, or other type of receptacle specified or approved by the Council;

“**rubbish or refuse**” includes any filth, dirt, ashes, vegetation, garden refuse, waste material, waste food, sludge, offensive matter, cinders, wood or metal shavings and sawdust but does not include liquid waste or liquid refuse;

“**street**” includes a highway and a thoroughfare which the public are allowed to use and includes every part of the highway or thoroughfare, and other things including bridges and culverts, appurtenant to it;

“**street alignment**” means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed under the *Local Government (Miscellaneous Provisions) Act 1960*, means the new street alignment so prescribed; and

“**waste**” means commercial or domestic waste or both as the context requires.

Receptacles

4.2.2 An owner or occupier of premises shall—

- (a) provide a receptacle for the depositing of rubbish or refuse and maintain the receptacle in a serviceable condition
- (b) at all times keep the lid of the receptacle closed except when depositing rubbish or refuse or cleaning the receptacle;
- (c) except for a reasonable period before and after collection time, keep the receptacle on the premises and located—
 - (i) behind the street alignment and so as not to be visible from a street or public place; or
 - (ii) in such other position as is approved by the Council;
- (d) on each collection day at or prior to 6.00am place the receptacle out in the street in a position, prescribed by the Council, where it is visible from the carriageway of the street or the right of way, but so that it does not obstruct any thoroughfare, land, footpath, cycleway or other carriageway and positioned with the handle facing away from the kerb line, or placed in such other position as is approved by the Council.

Exemption

4.2.3 (1) An owner or occupier of premises may apply in writing to the Council for an exemption from compliance with the requirements of Section 4.2.2 (c) or (d).

(2) The Council may grant or refuse, with or without conditions, an application for exemption from compliance under this Section.

(3) An exemption granted under this Section shall state—

- (a) the premises to which the exemption applies;
- (b) the period during which the exemption applies; and
- (c) any conditions imposed by the Council.

(4) The Council may rescind the exemption or from time to time vary conditions imposed by it under this Section by giving written notice of the variation to the person to whom the exemption was given.

Use of Receptacles

4.2.4 An owner or occupier of premises shall—

- (a) not deposit or permit to be deposited in a receptacle—
 - (i) more than 70 kilograms of rubbish or refuse;
 - (ii) hot or burning ash;
 - (iii) oil, motor spirit or other flammable liquid;
 - (iv) liquid paint or other solvent;
 - (v) bricks, concrete, building rubble, asbestos, earth or other like substances;
 - (vi) drugs, dressings, bandages, swabs or blood samples unless placed in a sealed impervious and leak-proof container;
 - (vii) hospital, medical, veterinary, laboratory or pathological substances containing blood unless placed in a sealed impervious and leak-proof container;
 - (viii) syringes, needles, surgical hardware, broken glass, sharps or other sharp objects;
 - (ix) cytotoxics, radioactive substances and dangerous chemicals;
 - (x) sewage, manure, nightsoil, faeces or urine;
 - (xi) any object which is greater in length, width or breadth than the corresponding dimension of the receptacle or which will not allow the lid of the receptacle to be tightly closed;
 - (xii) rubbish or refuse which is or is likely to become offensive or a nuisance, or give off an offensive or noxious odour, or to attract flies or cause fly breeding unless it is first wrapped in non-absorbent or impervious material or placed in a sealed impervious material or placed in a sealed impervious container; or
 - (xiii) hazardous products including ammunition and flares;
- (b) at all times keep the receptacle in a clean condition;
- (c) whenever directed to do so by an Environmental Health Officer, thoroughly clean, disinfect, deodorise and apply a residual insecticide to the receptacle;
- (d) take all reasonable steps to prevent—
 - (i) fly breeding and keep the receptacle free of flies, maggots, cockroaches, rodents and other vectors of disease; and
 - (ii) the emission of offensive and noxious odours from the receptacle; and
- (e) ensure that the receptacle does not cause a nuisance to the occupiers of adjoining premises.

Damage to Receptacles

4.2.5 A person shall not—

- (a) damage, destroy or interfere with a receptacle; or
- (b) except as permitted by these Local-Laws or as authorised by the Council, remove a receptacle from any premises.

Use of Other Containers

4.2.6 (1) In the case of premises consisting of more than 3 dwellings, any premises used for commercial or industrial purposes or a food premises, the Council may authorise rubbish or refuse to be deposited in a container other than a receptacle.

(2) The owner or occupier of premises who is authorised under this Section to deposit rubbish or refuse in a container shall—

- (a) unless approved by the Council not deposit or permit to be deposited in the container anything specified in Section 4.2.4 (a) (ii) to (xiii);
- (b) take all reasonable steps to prevent fly breeding in, and the emission of offensive or noxious odours from the container;
- (c) whenever directed by an Environmental Health Officer to do so, thoroughly clean, disinfect, deodorise and apply a residual insecticide to the container;
- (d) cause the container to be located on the premises in an enclosure constructed and located as approved by the Council;
- (e) ensure that the container is not visible from the street but is readily accessible for the purposes of collection; and
- (f) ensure that the container does not cause a nuisance to an occupier of adjoining premises.

(3) An owner or occupier shall—

- (a) ensure that there are a sufficient number of containers provided to contain all rubbish and refuse which accumulates or may accumulate in or from the premises;
- (b) ensure that each container on the premises—
 - (i) has a close fitting lid;
 - (ii) is constructed of non-absorbent and non-corrosive material; and
 - (iii) is clearly marked, for the use of, and is used only for, the temporary deposit of rubbish or refuse;
- (c) keep or cause to be kept each container thoroughly clean and in good condition and repair;
- (d) place any rubbish or refuse in, and only in, a container marked for that purpose;
- (e) keep the cover on each container except when it is necessary to place something in, or remove something from, it; and
- (f) ensure that each container is emptied at least weekly or as directed by the Council.

Suitable Enclosure

4.2.7 (1) An owner or occupier of premises—

- (a) consisting of more than three (3) dwellings; or
- (b) used for commercial or industrial purposes, or a food premises;

shall if required by the Council provide a suitable enclosure for the storage and cleaning of receptacles on the premises.

(2) An owner or occupier of premises required to provide a suitable enclosure under this Section shall keep the enclosure thoroughly clean and disinfected.

(3) For the purposes of this Section, a “suitable enclosure” means an enclosure—

- (a) of sufficient size to accommodate all receptacles used on the premises but in any event having a floor area not less than a size approved by the Council;
- (b) constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the Council;
- (c) having walls not less than 1.8 metres in height and having an access way of not less than 1 metre in width and fitted with a self closing gate;
- (d) containing a smooth, non-slip and impervious floor—
 - (i) of not less than 75 millimetres in thickness; and
 - (ii) which is evenly graded to an approved liquid refuse disposal system;
- (e) which is easily accessible to allow for the removal of the receptacles;
- (f) provided with a ramp into the enclosure having a gradient no steeper than 1:8 unless otherwise approved by the Council; and
- (g) provided with a tap connected to an adequate supply of water.

Deposit of Refuse

4.2.8 A person shall not deposit or cause or permit to be deposited any rubbish or refuse in or on any street or on any land other than a refuse disposal site.

Removal of Rubbish from Premises or Receptacle

4.2.9 (1) A person shall not remove any rubbish or refuse from premises unless that person is—

- (a) the owner or occupier of the premises;
- (b) authorised to do so by the owner or occupier of the premises; or
- (c) authorised in writing to do so by the Council.

(2) A person shall not, without the approval of the Council or the owner of a receptacle, remove any rubbish or refuse from the receptacle or other container provided for the use of the general public in a public place.

(3) Where the Council provides—

- (a) a collection service for recyclable material, the occupier of premises shall comply with and observe the directions given by the Council in relation to that collection;
- (b) a collection for bulk material, the occupier of premises shall comply with and observe the directions given by the Council in relation to that collection.

(4) Where additional collection services are provided upon request by the occupier of premises, fees as prescribed by the Council shall be paid.

Burning Rubbish or Refuse

4.2.10 (1) A person shall not—

- (a) without the approval of the Council; and
- (b) except in accordance with the terms and conditions to which the approval is subject, set fire to, or cause to be set on fire, any rubbish or refuse either—
 - (i) in any incinerator; or
 - (ii) on the ground.

(2) Subject to subsection (3), an approval of the Council is issued subject to the following conditions—

- (a) the material to be burnt—
 - (i) does not include any plastic, rubber, food scraps, green garden cuttings or other material which may become offensive when burnt; and
 - (ii) is of such quantity, or of such a nature, as to be unsuitable for removal by the Council's refuse collection service;
- (b) there is no other appropriate means of disposal;
- (c) burning shall not take place—
 - (i) during any period for which an air dispersion alert has been issued by the Bureau of Meteorology; or
 - (ii) where there is no current dispersion alert, outside the hours of 10.00am to 6.00pm;
- (d) an incinerator must meet the standards specified in A.S.1875-1976; and
- (e) an incinerator unit used for fire must be located—
 - (i) at least 3 metres from a fence, building or inflammable matter; and
 - (ii) in such a position so as not to create a nuisance or be offensive to other persons.

(3) Subject to the Fire Rules of the Local Fire Brigade issued by the Western Australian Fire Brigades Board the Council may grant approval to clear by burning fire breaks or vacant blocks of grass, straw, hay undergrowth, herbage and other similar vegetation.

Rubbish Removal Vehicles

4.2.11 A vehicle used by the Council or its contractor for the collection and transport of rubbish shall—

- (a) be provided with a compartment in which all rubbish shall be deposited for removal, and of which the interior is constructed from or surfaced with impermeable material; and
- (b) have a cover over the compartment at all times when the vehicle is engaged in the transport of rubbish.

Method of Removal of Rubbish

4.2.12 A person engaged in the removal of rubbish from premises shall—

- (a) convey all rubbish from the receptacles of the occupier of the premises and deposit the rubbish in the portion of the collection vehicle intended to hold the rubbish; and
- (b) replace the receptacle in the position it was lifted from.

4.2.13 The town sites of Arrino and Three Springs are specified as the areas of the district, within which the provision of Section 112A of the Act, shall operate and have effect.

Division 3—Transport of Butchers' Waste

Interpretation

4.3.1 In this Division, unless the context otherwise requires—

“**butchers' waste**” includes animal skeletons, rib cages from a boning room and the inedible products of an abattoir.’

Restriction of Vehicles

4.3.2 A person shall not use, for the transport of butchers' waste—

- (a) a vehicle or container not approved by the council; or
- (b) a vehicle used for the transport of food or drugs; or
- (c) anything intended to be used for the packing or handling of food or drugs.

Transport of Butchers' Waste

4.3.3 (1) A person shall not transport butchers' waste other than in—

- (a) a compartment complying with the following specifications—
 - (i) all internal surfaces to be constructed of an approved, smooth, impervious material not less than 910 millimetres high;
 - (ii) all joints to be sealed and made water-tight;
 - (iii) the loading doors, if any, to be water-tight and kept closed at all times except when loading; and
 - (iv) the top to be completely covered by a tarpaulin or other impervious material approved by Council, carried over, and secured to the outside of the walls at least 300 millimetres from the top so as to keep the load out of sight of the public; or
- (b) a sealed container fitted with a lid which can be tightly closed.

(2) A person shall not transport any butchers' waste in a vehicle unless the vehicle and its fittings, including the compartment or container referred to in this Section, are—

- (a) maintained in good order and condition; and
- (b) thoroughly cleaned at the conclusion of each day's work.

(3) A person shall not load, transport, or unload butchers' waste in a manner that is or maybe offensive due to—

- (a) the sight of animal skeletons, bones, offal or waste matter;
- (b) the odour of putrefaction, offal or waste matter; or
- (c) the presence of blood and particles of flesh or fat dropping onto the surface of the street pavement or ground.

PART 5—NUISANCES AND GENERAL

Division 1—Nuisances

Interpretation

5.1.1 In this Division, unless the context otherwise requires—

“fertiliser” includes manure.

Footpaths etc. to be kept clean

5.1.2 An owner or occupier of premises shall maintain in a clean condition any footpath, pavement, area or right of way immediately adjacent to the premises.

Escape of Smoke etc.

5.1.3 An owner or occupier shall not cause or permit the escape of smoke except that from the chimney of a dwelling house, dust, sand, fumes, offensive or foul odours, liquid waste or liquid refuse from the premises in such quantity or of such nature as to cause or to be a nuisance.

Public Vehicles to be kept clean

5.1.4 The owner or person in control of a public vehicle shall—

- (a) maintain the vehicle at all times—
 - (i) in a clean condition; and
 - (ii) free from vectors of disease; and
- (b) whenever directed to do so by the Environment Health Officer, thoroughly clean and disinfect the vehicle as directed.

Prohibition against Spitting

5.1.5 A person shall not spit—

- (a) on a footpath, street or public place; or
- (b) in a train, bus or other public transport.

Transportation, Use and Storage of Offal, Blood, or other Offensive Matter

5.1.6 (1) A person shall not transport or store offal or blood, for the purpose of being used as manure, unless it has been sterilised by steam and properly dried.

(2) No person shall remove any offensive matter unless such offensive matter is carried in sealed containers to prevent the escape of any of the contents thereof, or the emission of any offensive odour therefrom.

(3) Every person using any sealed containers or vehicle for the removal of offensive matter shall keep such container or vehicle in a thoroughly clean condition and in good repair.

Use or Storage of Fertiliser

5.1.7 An owner or occupier of premises shall not use or keep for the purpose of use, as fertiliser any—

- (a) pig manure;
- (b) human faeces; or
- (c) urine.

Storage and Dispatch of Artificial Fertiliser

5.1.8 An owner or occupier of premises where fertiliser is stored in bulk for sale shall—

- (a) keep all artificial fertiliser in a building—
 - (i) of which all internal surfaces are constructed of durable and non-absorbent materials, finished internally with a smooth surface;
 - (ii) that protects it from the absorption of moisture; and
 - (iii) that is adequately ventilated;
- (b) take adequate measures to prevent the emission of dust or offensive effluvia from the building; and
- (c) ensure that all artificial fertiliser despatched from the premises is handled and loaded in such a manner as to prevent any nuisance arising during transit.

Storage of Fertiliser in a House

5.1.9 The owner or occupier of a house where fertiliser or compost is stored or used shall—

- (a) prevent the escape of odours, dust or particles of fertiliser or compost;
- (b) treat the fertiliser or compost in such a manner as to effectively prevent it attracting or being a breeding place for flies or other vectors of disease; and

- (c) store only such amounts of fertiliser or compost—
 - (i) as can be readily used within a reasonable period; or
 - (ii) as may be directed by an Environmental Health Officer.

Vehicles Used for Transporting of Animals and Birds

5.1.10 No person having the control or management of any vehicle in which animals or birds are being or have been transported or confined shall allow such vehicles to stand within a townsite until such vehicles has been thoroughly cleaned.

Division 2—Keeping of Animals and Birds

Interpretation

5.2.1 In this division, unless the context otherwise requires—

“**animal**” includes cats, rabbits and ferrets or the like; and

“**bird**” includes galahs, parrots, budgerigars, finches, pigeons and doves or the like.

Cleanliness

5.2.2 An owner or occupier of premises, excluding extensive farming premises, in or on which an animal or bird is kept shall—

- (a) keep the premises free from excrement, filth, food waste and all other matter which is or likely to become offensive or injurious to health or to attract rats or other vectors of disease;
- (b) when so directed by an Environmental Health Officer, clean and disinfect the premises; and
- (c) keep the premises, so far as possible, free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
- (d) ensure the animal or bird kept is not causing a nuisance or is injurious, offensive or dangerous to health.

Animal Enclosures

5.2.3 (1) A person shall not keep or cause or permit to be kept any animals or birds on premises which are not effectively drained.

(2) The owner or occupier of premises, where animals or birds are kept shall, when directed by the Council, pave, grade and drain the floors of all structures and the surface of the ground of all enclosures used for the keeping of animals or birds.

Cats

5.2.4 (1) Subject to subsection (6), a person shall not, without an exemption in writing from the Council, keep more than 2 cats over the ages of 3 months on premises on any land within the District.

(2) An owner or occupier of premises may apply in writing to the Council for exemption from the requirements of subsection (1).

(3) the Council shall not grant an exemption under this Section unless it is satisfied that the number of cats to be kept will not be a nuisance or injurious or dangerous to health.

(4) An exemption granted under this Section shall specify—

- (a) the owner or occupier to whom the exemption applies;
- (b) the premises to which the exemption applies; and
- (c) the maximum number of cats which may be kept on the premises.

(5) A person who is granted an exemption under subsection (3) may be required by Council to:

- (a) provide for each cat kept at or on the premises, a properly constructed shelter with an enclosure complying with the following—
 - (i) each shelter shall have a floor area of not less than 0.5 square metres for each cat over the age of 3 months kept or to be kept therein; and
 - (ii) the area of the enclosure appurtenant to each shelter shall be not less than 3 times the area of the shelter;
- (b) provide a shelter or an enclosure to be situated at a distance of not less than—
 - (i) 2 metres from the boundary of any lot not owned or occupied by the person by whom the cats are kept;
 - (ii) 10 metres from any dwelling, church, schoolroom, hall or premises in which food is manufactured, packed or prepared for human consumption;
- (c) keep all shelters, enclosures, yards and grounds in which cats are kept in a clean condition and free from vectors of disease at all times and clean, disinfect or otherwise deal with them as directed by an Environmental Health Officer from time to time.

(6) A person may keep more the 2 cats on premises used for veterinary purposes or as a pet shop.

Slaughter of Animals

5.2.5 (1) Subject to subsection (2), a person shall not slaughter any animal within the district.

(2) Subsection (1) does not apply to:

- (a) euthanasia of animals by veterinarians or other duly authorised persons;
- (b) slaughter of animals for the purposes of pet meat and game meat operations;
- (c) slaughter of animals for human consumption in abattoirs approved by the Council; and
- (d) farming or grazing property occupiers preparing meat for their own consumption.

Disposal of Dead Animals

5.2.6 (1) An owner or operator of a veterinary practice where dead animals are kept for more than 12 hours, shall refrigerate the carcass prior to its removal and disposal, at an approved disposal site.

(2) An owner or occupier of premises, other than a veterinary practice, on which there is a dead animal shall immediately arrange to remove the carcass for its disposal at an approved disposal site.

(3) An owner, or a person having the care, of any animal that dies or is killed in a public or private place shall immediately remove the carcass and arrange for its disposal at an approved disposal site.

*Division 3—Keeping of Large Animals***Interpretation**

5.3.1 In this Division, unless the context otherwise requires—

“**approved animal**” includes a horse, cow or large animal the subject of an approval by Council under Section 5.3.2;

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

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

“**large animal**” includes a pig, sheep, goat, deer or camel.

Conditions for keeping of an animal

5.3.2 (1) An owner or occupier of premises, within a townsite shall not keep a horse, cow or large animal on those premises without approval of the Council.

(2) An owner or occupier of premises who has an approved animal shall ensure—

(a) The premises has an area of not less than 0.2 of a hectare for the exclusive use of the animal; and

(b) the approved animal does not approach within 30 metres of a dwelling.

Stables

5.3.3 (1) The owner or occupier of premises within a townsite, who has an approved animal may provide for its use a stable which shall—

(a) not be situated within 30 metres of a house or other premises;

(b) have a proper separate stall—

(i) for each horse or cow; and

(ii) the floor area of which shall be a minimum of 6 square metres;

(c) have each wall and roof constructed of an approved impervious material;

(d) have on all sides of the building between the wall and the roof a clear opening of at least 150 millimetres in height;

(e) have a floor, the surface of which shall—

(i) be at least 75 millimetre above the surface of the ground;

(ii) be constructed of cement, concrete or other similar impervious materials;

(iii) have a fall of 1 in 100 to a drain which shall empty into a trapped gully situated outside the stable and shall discharge in a manner approved by the Council.

(2) The owner or occupier of any premises on which a stable is located shall—

(a) maintain the stable in a clean condition and when so directed by an Environmental Health Officer, clean, wash and disinfect it;

(b) keep all parts of the stable so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and

(c) when so ordered by an Environmental Health Officer, spray the stable or such parts as maybe directed, with a residual insecticide.

Manure Receptacle

5.3.4 An owner or occupier of premises on which an approved animal is kept shall—

(a) provide in a position convenient to the stable a receptacle for manure, constructed with smooth, impervious, durable, easily cleanable materials and, provided with a tight-fitting cover, and with no part of the base lower than the surface of the adjoining ground;

(b) keep the lid of the receptacle closed except when manure is being deposited or removed;

(c) cause the receptacle to be emptied at least once a week and as often as may be necessary to prevent it becoming offensive or a breeding place for flies or other vectors of disease;

(d) keep the receptacle so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and

(e) cause all manure produced on the premises to be collected daily and placed in the receptacle.

*Division 4—Keeping of Poultry and Pigeons***Interpretation**

5.4.1 In this Division, unless the context otherwise requires—

“**poultry**” includes bantams, ducks and other domestic fowls;

Limitation on Numbers of Poultry and Pigeons

5.4.2 An owner or occupier of premises within a townsiteshall not keep a combined total of more than 12 poultry and pigeons without the express approval of Council, on any one lot of land.

Conditions for Keeping Poultry in Limited Numbers

5.4.3 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 is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (d) no poultry is able to approach within 15 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) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with in a way as directed by an Environmental Health Officer.

Roosters, Geese, Turkeys, Peafowl's and Gamebirds

5.4.4 (1) An occupier of premises within a townsiteshall not without the written approval of the Council, keep or permit to be kept on those premises, any one or more of the following fowl—

- (a) a rooster;
- (b) a goose or gander;
- (c) a turkey;
- (d) a peacock or peahen;
- (e) a gamebird (includes emus and ostriches)

(2) The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1) of this section.

(3) A person who has been granted approval under this Section to keep a bird may keep the bird on the premises only while he is the occupier thereof.

(4) The Council may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

Pigeons or Doves

5.4.5 A person who keeps, or permits to be kept, pigeons or doves shall ensure that—

- (a) none is able to approach within 15 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold; and
- (b) except where registered homing pigeons are freed for exercise, the pigeons or doves are kept in a properly constructed pigeon loft or dove cote that—
 - (i) is in a yard having an otherwise unobstructed area of at least 30 square metres; and
 - (ii) is maintained in such a manner so as not to create a nuisance by the emission of dust, effluvia or odours.

Removal of Non-Conforming Structure or Enclosure

5.4.6 (1) If a structure or enclosure is used for the keeping of poultry, pigeons or doves contrary to the provision of Sections 5.4.3 and 5.4.5, the Council may direct the owner or occupier to remove it.

(2) An owner or occupier shall comply with a direction from the Council under this Section.

Restrictions on Pigeon Nesting or Perching

5.4.7 (1) The Council may order an owner or occupier of a house in or on which pigeons which 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 the Council order under this Section.

*Division 5—Feedlots***Interpretation**

5.5.1 For the purpose of this division—

“**feedlot**” means a confined area with watering and feeding facilities where animals or birds are held and fed for the purpose of weight gain;

“**animal**” includes sheep, lambs, goats, deer, cattle and buffalo;

“**birds**” includes roosters, hens, geese, turkeys, ducks, poultry, emus and ostriches.

Premises to be approved

5.5.2 (1) No premises shall be used as a feedlot unless approved by Council;

(2) Subject to subsection 3, no premises shall be approved as a feedlot by Council unless every portion of such feedlot complies with the minimum separation distances listed in Table 1: and

(3) Sites unable to satisfy the separation requirements may be approved at the discretion of Council, if Council is satisfied that approving the feedlot will not give rise to a health nuisance.

Table 1.—Required Buffer Distances for Feedlots

BUFFER	DISTANCES
Townsite boundaries	5000m
Isolated rural dwellings, dairies and industries	1000m
Public roads and recreation areas	100m
Neighbouring rural property boundaries	50m
Major water course and water impoundments	300m
Bores, wells or soaks used for drinking, stock or irrigation	300m
Minor water courses	100m

Site Conditions

5.5.3 (1) The owner or occupier of the approved feedlot shall ensure the premises—

- (a) is sited on gently sloping land, no greater than 1:20 but not less than 1:100;
- (b) is sited on soils composed of sandy loam soils with sufficient infiltration to avoid surface ponding and reduce run-off;
- (c) has a minimum groundwater clearance of 3 metres;
- (d) drainage diverts all uncontaminated stormwater from the general waste stream;
- (e) has solid and liquid waste disposal arrangements that are not offensive or injurious to health.

(2) The owner or occupier of the approved feedlot shall take effective measures to prevent the discharge of dust which may involve—

- (a) reducing the stocking rate immediately to a level that does not cause the discharge of dust; or
- (b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or
- (c) provision of adequate windbreaks to effectively prevent the discharge of dust.

*Division 6—Piggeries***Interpretation**

5.6.1 For the purpose of this division—

“**intensive piggery**” means pigs are housed, fed and watered in breeding and growing pens in sheds;

“**piggery**” in relation to premises shall include any portion of premises to which the pigs have access.

Premises to be Approved

5.6.2 (1) Subject to subsection 3, no premises shall be approved as a piggery by Council unless every portion of such piggery complies with the minimum separation distances listed in Table 2 or if it is an intensive piggery, the minimum separation distances listed in Table 3; and

(2) Sites unable to satisfy the separation requirements may be approved at the discretion of Council, if Council is satisfied that approving the piggery will not give rise to a health nuisance.

Table 2.—Required Buffer Distances for Piggeries

BUFFER	DISTANCE
Townsite boundaries	5000m
Isolated rural dwellings, dairies and industries	1000m
Public roads and recreation areas	100m
Neighbouring rural property boundaries	50m
Major water course and water impoundments	300m
Bores, wells or soaks used for drinking, stock or irrigation	300m
Minor water courses	100m

Site Conditions

5.6.3 The owner or occupier of premises shall take effective measures to prevent the discharge of dust which may involve—

- (a) reducing the stocking rate immediately to a level that does not cause the discharge of dust; or
- (b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or
- (c) provision of adequate windbreaks to effectively prevent the discharge of dust.

Prevention of Nuisances

5.6.4 In order to prevent dust, offensive fumes and effluent becoming a nuisance to the health of the inhabitants of the district, an intensive piggery shall comply with the minimum separation distances listed in Table 3.

Table 3—Required Buffer Distances for Intensive Piggeries

	Townsite boundaries	Isolated rural dwellings, dairies, industries	Public roads, recreation areas	Neighbouring rural property boundaries	Surface water supply catchments	Water-courses/rural water impoundments	Bores/wells/soaks Drinking water supply	Stock irrigation supply
Piggeries and facilities catering for more than 5000 pigs	5 000m	300m	200m	50m	not permitted	300m	300m	100m
500 - 5000 pigs	3 500m	300m	150m	50m	not permitted	300m	300m	100m
50 - 500 pigs	2 000m	300m	100m	50m	not permitted	300m	300m	100m
less than 50 pigs	500m	300m	50m	30m	not permitted	200m	300m	100m
Land used to dispose of raw or partly treated wastes	1000m	300m	100m	50m	not permitted	300m	300m	300m
Land used to dispose of effectively treated wastes	200m	50m	20m	20m	not permitted	100m	100m	100m

*Division 7—Car Parks***Interpretation**

5.7.1 In this Division, unless the context otherwise requires—

“**car parks**” means premises, or part of premises, set aside for parking of 3 or more vehicles; and

“**occupier**” means a person having the charge, management or control of a car park.

Ventilation

5.7.2 (1) A person shall not use or occupy, or permit to be used or occupied, a car park unless it is ventilated by either—

- (a) natural ventilation; or
- (b) mechanical means,

in accordance with AS1668.2 Part 2 1991.

(2) If, in the opinion of the Council, a car park is not properly ventilated, the Council may by notice require the occupier within a specified time to—

- (a) provide a different or additional method of ventilation; and
- (b) cease using the car park until it is properly ventilated.

(3) An occupier shall comply with a notice under subsection (2).

Exhaust Air Discharge Points and Exhaust Registers

5.7.3 An owner or occupier shall ensure that—

- (a) all exhaust air that is discharged from a car park shall be discharged—
 - (i) at discharge points—
 - (a) in accordance with AS1668.2 Part 2 1991; and
 - (b) located so that the hourly average exhaust flow rate is not reduced below the minimum requirements of AS1668.2 Part 2 1991;
 - (ii) at a velocity and in a direction so as not to be a danger to health or a nuisance;
- (b) exhaust registers are located as far as possible from the source of supply air;
- (c) in the case of a car park having a floor level below that of the external ground level, at least 50% of the required air is drawn into exhaust registers having their bottom edge located within 100 millimetres of the floor level; and
- (d) any mechanical ventilation system is—
 - (i) maintained in good working condition; and
 - (ii) in operation at all times when the car park is in use.

PART 6—PEST CONTROL*Division 1—Flies***Interpretation**

6.1.1 In this Division, unless the context otherwise requires—

“**flies**” means any of the two-winged insects constituting the order Diptera commonly known as flies.

Fly breeding matter not to be left on Premises unless Covered or Treated

6.1.2 An owner or occupier of premises shall not place, throw or leave, or permit or cause to be placed, thrown or left, in, on or about the premises any matter or thing which is liable to attract or be a breeding place for flies, unless that matter or thing is covered, protected, treated or dealt with in such a manner as to effectively prevent it from attracting or being a breeding place for flies.

Measures to be taken by an Occupier

6.1.3 An owner or occupier of premises shall ensure that—

- (a) rubbish receptacles are kept clean and tightly sealed at all times except when refuse is being deposited or emptied;
- (b) food scraps and uneaten pet food are wrapped tightly and deposited in a rubbish receptacle without delay;
- (c) lawn clippings used on gardens as mulch are raked out thinly;
- (d) fertilisers are dug well into the soil;
- (e) compost heaps are kept well covered;
- (f) barbecues are kept clean and free from food scraps;
- (g) anything that is buried and may attract or be a breeding place for flies is covered with at least 100 millimetres of soil; and
- (h) excrement from pets is collected and properly disposed of without delay.

Officer may give Notice directing Measures to be Taken

6.1.4 Where in the opinion of an Environmental Health Officer, flies are prevalent or are breeding on any premises, the Environmental Health Officer may give to the owner or occupier of the premises notice in writing directing him or her to take, within the time specified in the notice, such measures as in the opinion of the Environmental Health Officer are necessary to—

- (a) control the prevalence;
- (b) effect the eradication; or
- (c) effectively prevent the breeding of flies.

Council may Execute Work and Recover Costs

6.1.5 (1) Where—

- (a) a person is required under this Division or directed by a notice given under section 6.1.4, to execute any work; and
- (b) that person fails or neglects to comply with the requirement,

the Council may execute the work and may recover from that person the cost of executing the work, in addition to any penalty for which that person may be liable under this Section.

(2) The costs and expenses incurred by the Council in the execution of a power under subsection (1) may be recovered in a court of competent jurisdiction from the person referred to in subsection (1).

(3) The Council shall not be liable to pay compensation or damages of any kind to the person referred to in subsection (1) in relation to any action taken by the Council under this Section.

*Division 2—Mosquitoes***Interpretation**

6.2.1 In this Division, unless the context otherwise requires—

“**mosquitoes**” means any of the two-winged insects constituting the family Diptera Culicidae commonly known as mosquitoes.

Measures to be taken to prevent mosquitoes breeding

6.2.2 (1) An owner or occupier of premises shall ensure that the premises are kept free from possible mosquito breeding sites and shall—

- (a) follow any direction of an Environmental Health Officer for the purpose of
 - (i) controlling the prevalence of mosquitoes;
 - (ii) eradication; or
 - (iii) effectively preventing the breeding of mosquitoes.
- (b) assist the Environmental Health Officer to locate any possible mosquito breeding sites that may be present in, or about the premises.

(2) An owner or occupier of premises where water is kept in a horse trough, poultry drinking vessel or other receptacle shall—

- (a) frequently change the water; and
- (b) keep the water clean and free from vegetable matter and slime.

(3) An owner or occupier of premises where a septic tank is installed shall ensure the fixture is in sound condition at all times, and mesh having openings no larger than 1.2mm covers any educt vent to the system.

(4) An owner or occupier of land shall cause all drains and channels in or on the land to be kept in good order and free from obstruction.

Council may Execute and Recover Costs

6.2.3 (1) Where—

- (a) a person is required under this division or directed by a notice given under Section 6.2.2, to execute any work; and
- (b) that person fails or neglects to comply with the requirement,

the Council may execute the work and recover from that person the cost of executing the work, in addition to any penalty for which that person may be liable.

(2) The costs and expenses incurred by the Council in the execution of a power under Section (1) may be recovered in a court of competent jurisdiction from that person.

(3) The Council shall not be liable to pay compensation or damages of any kind to the person referred to in Section (1) in relation to any action taken by the Council.

Division 3—Rodents

Interpretation

6.3.1 In this Division, unless the context otherwise requires—

“**rodents**” means those animals belonging to the order Rodentia and includes rats, mice and rabbits but does not include animals kept as pets in an enclosure designed for the purpose of keeping as pets animals of that kind.

Measures to be taken to eradicate Rodents

6.3.2 (1) An owner or occupier of premises shall at all times take effective measures to eradicate any rodents in or on the premises.

(2) An Environmental Health Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action, in the opinion of the Environmental Health Officer, is necessary or desirable to prevent or deter the presence of rodents in or on the premises.

(3) An owner or occupier shall within the time specified comply with any direction given by an Environmental Health Officer under this Section.

Food and Wastes to be kept in rodent proof Receptacles

6.3.3 A person shall not place or cause to be placed in or on any premises, and an owner or occupier of premises shall not permit to remain in or on the premises—

(a) any food, refuse, or other waste matter which might attract rodents to the premises or which might afford harbourage for rodents; or

(b) any food intended for birds or other animals,

unless it is contained in a rodent proof receptacle or a compartment which is kept effectively protected against access by rodents.

Restrictions on the Keeping of Rodents

6.3.4 A person or body which keeps rodents shall—

(a) at all times ensure that all live rodents are kept in the effective control of a person or in locked cages; and

(b) if a rodent escapes, forthwith comply with the requirements of Section 6.3.2 and ensure that all reasonable steps are taken to destroy or recapture the rodent.

Food Premises etc. to be cleaned after Use

6.3.5 An owner or occupier of a food premises, theatre or place of entertainment, whether indoor or outdoor, shall cause the premises to be cleaned immediately after the last occasion on which the premises has been used on that day or, if the use extends after midnight, then immediately after that use.

Division 4—Cockroaches

Interpretation

6.4.1 In this Division, unless the context otherwise requires—

“**cockroach**” means any of the various orthopterous insects commonly known as cockroaches.

Measures to be taken to eradicate Cockroaches

6.4.2 (1) An owner or occupier of premises shall take effective measures to eradicate any cockroaches in or on the premises.

(2) An Environmental Health Officer may direct, orally or in writing, an owner or occupier of premises to take whatever action that, in the opinion of the Environmental Health Officer, is necessary or desirable to prevent or deter the presence of cockroaches in or on the premises.

(3) An owner or occupier shall within the time specified comply with any direction given by an Environmental Health Officer under this Section.

Division 5—Argentine Ants

Interpretation

6.5.1 In this Division, unless the context otherwise requires—

“**Argentine Ant**” means an ant belonging to the species *Irdomyrmex humilis*.

Measures to be taken to keep premises free from Argentine Ants

6.5.2 An owner or occupier of premises shall ensure that the premises are kept free from Argentine Ant colonies and shall—

(a) take all steps to locate any nests, if Argentine Ants are noticed in, on or about the premises;

(b) properly treat all nests of Argentine Ants with an approved residual based insecticide; and

(c) whenever required by an Environmental Health Officer—

(i) treat any area or infestation with an insecticide referred to in paragraph (b); and

(ii) removed any objects, including timber, firewood, compost or pot plants in accordance with a direction from the Environmental Health Officer.

*Division 6—European Wasps***Interpretation**

6.6.1 In this Division, unless the context otherwise requires—

“**European Wasp**” means a wasp *Vespula germanica*.

Measures to be taken to keep premises free from European Wasp Nests

6.6.2 An owner or occupier of premises shall ensure that the premises are kept free from European Wasp nests and shall—

- (a) follow any direction of an Environmental Health Officer for the purpose of destroying the wasps and their nest; and
- (b) assist an Environmental Health Officer to trace any nest that may be present in, on or about the premises.

*Division 7—Bee keeping***Interpretation**

6.7.1 In this Division, unless the context otherwise requires—

“**bees**” means an insect belonging to any of the various hymenopterous insects of the super family Apoidea and commonly known as a bee.

Restrictions on keeping of Bees in Hives

6.7.2 A person shall not keep or permit the keeping of bees anywhere within the district unless approval to do so has been given by the Council.

- (1) If, in the opinion of an Environmental Health Officer, the approved bee hives are causing a nuisance, the Council may direct any bees or approved bee hives to be removed.
- (2) A person shall comply with a direction within the time specified.

*Division 8—Arthropod Vectors of Disease***Interpretation**

6.8.1 In this Division, unless the context otherwise requires—

“**Arthropod vectors of disease**” includes—

- (a) fleas (*Siphonaptera*);
- (b) bedbugs (*Cimex lectularius*);
- (c) crab lice (*Phthirus pubis*);
- (d) body lice (*Pediculus humanus var. corporis*);
- (e) head lice (*Pediculus humanus var. capitis*); and
- (f) any other insect prescribed by the Council.

Responsibility of the Owner or Occupier

6.8.2 The owner or occupier of premises shall—

- (a) keep the premises and any person residing in or on the premises free from any arthropod vectors of disease; and
- (b) comply with the direction of an Environmental Health Officer to treat the premises, or anything on the premises, for the purpose of destroying any arthropod vectors of disease.

PART 7—INFECTIOUS DISEASES*Division 1—General Provisions***Requirements for an owner or occupier to clean, disinfect and disinfest.**

7.1.1 (1) The Council or an Environmental Health Officer may, by notice in writing, direct an owner or occupier of premises, within the time and in the manner specified in the notice, to clean, disinfect and disinfest—

- (a) the premises; or
 - (b) such things in or on the premises as are specified in the notice,
- or both, to the satisfaction of an Environmental Health Officer.

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

Environmental Health Officer may disinfect or disinfest premises

7.1.2 (1) Where the Council or the Medical Officer is satisfied that any case of infectious disease has occurred on any premises, the Council or the Medical Officer may direct an Environmental Health Officer, other Council officer or other person to disinfect and disinfest the premises or any part of the premises and anything in or on the premises.

(2) An owner or occupier of premises shall permit, and provide access to enable, an Environmental Health Officer, other Council officer or other person to carry out the direction given under subsection (1).

(3) The Council may recover, in a court of competent jurisdiction, the cost of carrying out the work under this Section from the owner or occupier of the premises in or on which the work was carried out.

(4) The Council shall not be liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the Council or any of its staff or employees under this Section.

Insanitary houses, premises and things

7.1.3 (1) An owner or occupier of any house or premises shall maintain the house or premises free from any insanitary condition or thing.

(2) Where an Environmental Health Officer considers that a house is insanitary, the officer may, by notice in writing, direct an owner of the house, within the time and in the manner specified in the notice, to amend the house.

(3) Where an Environmental Health Officer considers that—

- (a) a house or premises is not being maintained in a sanitary condition; or
- (b) any thing is insanitary,

the officer may, by notice in writing, direct, as the case may be—

- (i) the owner or occupier of the house or premises to amend any insanitary condition; or
- (ii) the owner or occupier of the thing to destroy or amend it,

within the time and in the manner specified in the notice.

(4) A person to whom a notice has been given under subsections (2) or (3) shall comply with the terms of the notice.

Medical Officer may Examine Persons

7.1.4 The Medical Officer may enter any house and examine bacteriologically or otherwise any inmate of the house, or any person found thereon at the time, for the purpose of ascertaining whether the inmate or person is suffering from an infectious disease or is a medium for the transmission of an infectious disease, and the person shall submit to an examination and shall permit the medical officer to remove whatever specimens are considered necessary for proper examination.

Medical Officer may authorise disinfecting

7.1.5 (1) Where the Medical Officer believes that a person is or may be infected by an infectious disease, the Officer may direct the person to have his or her body, clothing and effects disinfected at a place and in a manner directed by the Medical Officer.

(2) A person shall comply with any direction of the Medical Officer under this Section.

Persons in contact with an infectious disease sufferer

7.1.6 If a person in any house is, or is suspected of, suffering from an infectious disease, any occupant of the house or any person who enters or leaves the house—

- (a) shall obey such instructions or directions as the Council or the Medical Officer may issue;
- (b) may be removed, at the direction of the Council or the Medical Officer to isolation in an appropriate place to prevent or minimise the risk of the infection spreading and if so removed, shall remain in that place until the Medical Officer otherwise directs.

Declaration of infected house or premises

7.1.7 (1) To prevent or check the spread of infectious disease, the Council or the Medical Officer may from time to time declare any house or premises to be infected.

(2) A person shall not enter or leave any house or premises declared to be infected without the written consent of the Medical Officer or an Environmental Health Officer.

Destruction of infected animals

7.1.8 (1) An Environmental Health Officer, upon being satisfied that an animal is or may be infected or is liable to be infected or to convey infection may, by notice in writing, direct that the animal be examined by a registered veterinary officer and that all steps be taken to enable the condition to be controlled or eradicated or the animal destroyed and disposed of—

- (a) in the manner and within the time specified in the notice; and
- (b) by the person in whose possession, or upon whose premises, the animal is located.

(2) A person who has in his or her possession or upon premises occupied by him or her, an animal which is the subject of a notice under subsection (1) shall comply with the terms of the notice.

Disposal of a body

7.1.9 (1) An occupier of premises in or on which is located the body of a person who has died of any infectious disease shall, subject to subsection (2), cause the body to be buried or disposed of in such manner, within such time and with such precautions as may be directed by the Medical Officer.

(2) A body shall not be removed from premises where death occurred except to a morgue.

Council may carry out work and recover costs

7.1.10 (1) Where—

- (a) a person is required under this Division or by a notice given under this Division, to carry out any work; and
- (b) that person fails or neglects to comply with the requirement,

that person commits an offence and the Council may carry out the work or arrange for the work to be carried out by another.

(2) The costs and expenses incurred by the Council in the execution of a power under this Section may be recovered in a court of competent jurisdiction from the person referred to in subsection (1)(a).

(3) The Council shall not be liable to pay compensation or damages of any kind to the person referred to in subsection (1)(a) in relation to any action taken by the Council under this Section.

Division 2—Disposal of used Condoms and Needles

Disposal of used condoms

7.2.1 (1) An occupier of premises on or from which used condoms are produced shall ensure that the condoms are—

- (a) placed in a sealed impervious container and disposed of in a sanitary manner; or
- (b) disposed of in such a manner as may be directed by the Council.

(2) A person shall not dispose of a used condom in a public place except in accordance with subsection (1).

Disposal of used needles

7.2.2 A person shall not dispose of a used hypodermic syringe or needle in a public place unless it is placed in an impenetrable, leak-proof container and deposited in a refuse receptacle.

PART 8—LODGING HOUSES

Division 1—Registration

Interpretation

8.1.1 (1) In this Part, unless the context otherwise requires—

“**bed**” means a single sleeping berth only. A double bed provided for the use of couples, shall have the same floor space requirements as two single beds;

“**bunk**” means a sleeping berth comprising one of two arranged vertically;

“**dormitory**” means a building or room utilised for sleeping purposes at a short term hostel or recreational campsite;

“**keeper**” means a person whose name appears on the register of keepers, in respect of a lodging house, as the keeper of that lodging house;

“**lodger**” means a person who obtains, for hire or reward, board or lodging in a lodging house;

“**lodging house**” includes a recreational campsite, a serviced apartment and a short term hostel.

“**manager**” means a person duly appointed by the keeper in accordance with this Division to reside in, and have the care and management of, a lodging house;

“**recreational campsite**” means a lodging-house—

- (a) situated on a campsite principally used for—
 - (i) recreational, sporting, religious, ethnic or educational pursuits; or
 - (ii) conferences or conventions; and

- (b) where the period of occupancy of any lodger is not more than 14 consecutive days; and includes youth camps, youth education camps, church camps and riding schools;

“**register of lodgers**” means the register kept in accordance with Section 157 of the Act and this Part;

“**resident**” means a person, other than a lodger, who resides in a lodging house;

“**serviced apartment**” means a lodging house in which each sleeping apartment, or group of sleeping apartments in common occupancy, is provided with its own sanitary conveniences and may have its own cooking facilities;

“**short term hostel**” means a lodging house where the period of occupancy of any lodger is not more than 14 consecutive days and shall include youth hostels and backpacker hostels; and

“**vector of disease**” means an arthropod or rodent that transmits, by biological or mechanical means, an infectious agent from a source or reservoir to a person, and includes fleas, bedbugs, crab lice, body lice and headlice.

(2) Where in this Part an act is required to be done or forbidden to be done in relation to any lodging house, the keeper of the lodging house has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

Lodging House not to be kept unless registered

8.1.2 A person shall not keep or cause, suffer or permit to be kept a lodging house unless—

- (a) the lodging house is constructed in accordance with the requirements of this Part;
- (b) the lodging house is registered by the Council under Section 8.1.4;
- (c) the name of the person keeping or proposing to keep the lodging house is entered in the register of keepers; and
- (d) either—
 - (i) the keeper; or
 - (ii) a manager who, with the written approval of the Council, has been appointed by the keeper to have the care and management of the lodging house, resides or intends to reside continuously in the lodging house whenever there is one or more lodgers in the lodging house;

Application for registration

8.1.3 An application for registration of a lodging house shall be—

- (a) in the form prescribed in Schedule (1);
- (b) duly completed and signed by the proposed keeper; and
- (c) accompanied by—
 - (i) the fee prescribed in Schedule (12) by Council from time to time pursuant to section 344 (c) of the Health Act; and
 - (ii) detailed plans and specification of the lodging house.

Approval of application

8.1.4 The Council may approve, with or without conditions, an application under Section 8.1.3 by issuing to the applicant a certificate in the form prescribed in Schedule (2).

Renewal of registration

8.1.5 A person who keeps a lodging house which is registered under this Part shall—

- (a) during the month of June in each year apply to the Council for the renewal of the registration of the lodging house; and
- (b) pay the fee prescribed in Schedule (12) at the time of making each application for renewal.

Notification upon sale or transfer

8.1.6 If the owner of a lodging house sells or transfers or agrees to sell or transfer the lodging house to another person, he or she shall, within 14 days of the date of sale, transfer or agreement, give to the Council written notice in the form prescribed in Schedule (3) of the full name, address and occupation of the person to whom the lodging house has been, or is to be sold or transferred.

Revocation of registration

8.1.7 (1) Subject to subsection (3), the Council may, at any time, revoke the registration of a lodging house for any reason which, in the opinion of the Council, justifies the revocation.

(2) Without limiting the generality of subsection (1), the Council may revoke a registration upon any one or more of the following grounds—

- (a) that the lodging house has not, to the satisfaction of Council, been kept free from vectors or disease or in a clean, wholesome and sanitary condition;
- (b) that the keeper has—
 - (i) been convicted of an offence against these local laws in respect of the lodging house;
 - (ii) not complied with a requirement of this Part; or
 - (iii) not complied with a condition of registration;
- (c) that the Council, having regard to a report from the Police Service, is satisfied that the keeper or manager is not a fit and proper person; and
- (d) that, by reason of alterations or additions or neglect to repair and renovate, the condition of the lodging house is such as to render it, in the opinion of an Environmental Health Officer, unfit to remain registered;

(3) before revoking the registration of a lodging house under this section, the Council shall give notice to the keeper requiring him or her, within a time specified in the notice, to show cause why the registration should not be revoked;

(4) Whenever the Council revokes the registration of a lodging house, it shall give the keeper notice of the revocation and the registration shall be revoked as from the date on which the notice is served on the keeper.

Division 2—Construction and Use Requirements

General Construction Requirements

8.2.1 The general construction requirements of a lodging house shall comply with the Building Code and the Act.

Kitchen

8.2.2 A keeper of a lodging house shall provide in that lodging house a kitchen which

- (a) has adequate—
 - (i) food storage facilities and cupboards to prevent contamination of food, or cooking or eating utensils, by dirt, dust, flies or vectors of disease of any kind; and
 - (ii) refrigerator space for storage of perishable goods; and
- (b) may be required by Council to comply with the requirements of the *Health (Food Hygiene) Regulation 1993*.

Dining Room

8.2.3 The keeper of a lodging house shall provide in that lodging house a dining room—

- (a) located in close proximity to, or combined with, the kitchen;
- (b) the floor area of which shall be 0.5 square metres per person or not less than 10 square metres whichever is the greater; and

- (c) which shall be—
 - (i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and
 - (ii) provided with a suitable floor covering.

Lounge Room

8.2.4 The keeper of a lodging house shall provide in that lodging house a lounge room—

- (a) with a floor area of—
 - (i) where the lounge is not combined with the dining room—not less than 0.6 square metres per person; or
 - (ii) where the lounge room is combined with a dining room—not less than 1.2 square metres per person,but in either case having a minimum of 13 square metres; and
- (b) which shall be—
 - (i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and
 - (ii) provided with a suitable floor covering.

Sanitary conveniences

8.2.5 (1) A keeper shall maintain in good working order and condition and in convenient positions on the premises—

- (a) toilets; and
- (b) bathrooms, each fitted with a shower, bath and wash basin,

in accordance with the requirements of the Building Code.

(2) A bathroom or toilet which is used as a private bathroom or toilet to the exclusion of other lodgers or residents shall not be counted for the purposes of subsection (1).

(3) Each bath, shower and hand wash basin shall be provided with an adequate supply of hot and cold water.

(4) The walls of each shower and bath shall be of an impervious material to a minimum height of 1.8 metres above the floor level.

(5) Each toilet and bathroom shall—

- (a) be situated, separated and screened as to ensure privacy;
- (b) be apportioned to each sex;
- (c) have a distinct sign displayed in a prominent position denoting the sex for which the toilet or bathroom is provided;
- (d) be provided with adequate electric lighting; and

(6) Paragraphs (b) and (c) of subsection (5) do not apply to a serviced apartment.

Laundry

8.2.6 (1) A keeper shall—

- (a) subject to subsection (2)—
 - (i) in the case of a recreational campsite, provide on the premises a laundry consisting of at least one 45 litre stainless steel trough; and
 - (ii) in any other case, provide on the premises a laundry unit for each 15 lodgers;
- (b) at all times maintain each laundry in a proper sanitary condition and in good repair;
- (c) provide an adequate supply of hot and cold water to each wash trough, sink, copper and washing machine; and
- (d) ensure that the floor area of each laundry is properly surfaced with an even fall to a floor waste.

(2) An Environmental Health Officer may approve the provision of a reduced number of laundry units if suitable equipment of a commercial type is installed.

(3) In this section—

“laundry unit” means a group of facilities consisting of—

- (a) a washing machine with a capacity of not less than 4 kilograms of dry clothing;
- (b) one wash trough of not less than 36 litres capacity, connected to both hot and cold water; and
- (c) either an electric drying cabinet or not less than 30 metres of clothes line, and for which a hot water system is provided that—
 - (d) is capable of delivering 136 litres of water per hour at a temperature of at least 75°C for each washing machine provided with the communal facilities; and
 - (e) has a delivery rate of not less than 18 litres per minute to each washing machine.

Fire prevention and control

8.2.7 (1) A keeper shall—

- (a) in each passage of the lodging house provide an emergency light—
 - (i) in such a position and of such a pattern, as shall be approved by an Environmental Health Officer; and
 - (ii) which shall be kept separate from the general lighting system and kept illuminated during the hours of darkness;

- (b) provide an approved fire blanket positioned within 2 metres of the cooking area in each kitchen;
- (c) ensure that each exit sign and fire fighting appliance is clearly visible, accessible and maintained in good working order at all times;
- (d) ensure all fire fighting equipment and fire detection and alarm systems are adequately maintained at all times in such a condition as will enable their proper performance.

(2) A keeper shall ensure that all buildings comprising the lodging house are fitted with fire protection equipment as advised by the Western Australian Fire Brigades Board and approved by the Council.

Obstruction of passages and stairways

8.2.8 A keeper shall not cause, suffer or permit furniture, fittings or other things to be placed either temporarily or permanently in or on—

- (a) a stairway, stair landing, fire-escape, window or common passageway; or
- (b) part of the lodging house in common use or intended or adapted for common use,

in such a manner as to form an obstruction to the free passage of lodgers, residents or persons in or occupying the lodging house.

Fitting of locks

8.2.9 A person shall not fit, or cause or permit to be fitted, to an exit door a lock or other device which prevents the door being opened from within a lodging house.

Restriction on use of rooms for sleeping

8.2.10 (1) Subject to subsection (3) and Section 8.3.10, a keeper shall not use or permit to be used as a sleeping apartment a room in a lodging house—

- (a) which contains food;
- (b) which contains or is fitted with a cooking appliance or kitchen sink;
- (c) which is used as a kitchen, scullery, store room, dining room, general sitting room, lounge room or for the preparation or storage of food;
- (d) which is not reasonably accessible without passing through a sleeping or other room in the private occupation of another person;
- (e) which, except in the case of a short term hostel or a recreational campsite, contains less than 5.5 square metres of clear space for each lodger occupying the room;
- (f) which is naturally illuminated by windows having a ratio of less than 0.1 square metre of unobstructed glass to every 1.0 square metre of floor area;
- (g) which is ventilated at a ratio of less than 0.5 square metre of unobstructed ventilating area to every 10 square metres of floor area;
- (h) in which the lighting or ventilation referred to in paragraphs (f) and (g) is obstructed or is not in good and efficient order;
- (i) which is not free from internal dampness;
- (j) of which any part of the floor is below the level of the adjoining ground; or
- (k) the floor of which is not fitted with an approved carpet or vinyl floor covering or other floor treatment approved by an Environmental Health Officer.

(2) For the purpose of this Section, two children under the age of 10 year shall be counted as one lodger.

(3) Paragraphs (a), (b) and (c) of subsection (1) shall not apply to a serviced apartment.

Sleeping Accommodation, Short Term Hostels and Recreational Campsites

8.2.11 (1) A keeper of a short term hostel or recreational campsite shall provide—

- (a) clear floor space of not less than—
 - (i) 4 square metres per person in each dormitory utilising beds;
 - (ii) 2.5 square metres per person in dormitories utilising bunks.
- (b) the calculation of floor space in subsection (1) (a) shall exclude the area occupied by any large items of furniture, such as wardrobes, but may include the area occupied by beds.
- (c) the minimum height of any ceiling in a short term hostel or recreational campsite shall be 2.4 metres in any dormitory utilising beds and 2.7 metres in any dormitory utilising bunks.
- (d) the minimum floor area requirements in subsection (1) (a) will only apply if there is ventilation, separation distances, fire egress and other safety requirements in accordance with the Building Code.
- (e) either:
 - (i) natural ventilation via vents or windows fixed open and within 230mm of the ceiling level; or
 - (ii) mechanical ventilation in lieu of fixed ventilation, subject to the Council's approval.
- (f) beds with a minimum size of—
 - (i) in short term hostels—800 millimetres x 1.9 metres;
 - (ii) in recreational campsites—750 millimetres x 1.85 metres;
- (g) storage space for personal effects, including backpacks, so that cleaning operations are not hindered and access spaces are not obstructed.

- (2) The keeper of any short term hostel or recreational campsite shall:
- (a) ensure that at all times a minimum distance of 750 millimetres between beds and a minimum distance of 900 millimetres between bunks is maintained;
 - (b) where bed or bunk heads are placed against the wall on either side of a dormitory, ensure there is a passageway of at least 1.35 metres between each row of beds and a passageway of at least 2 metres between each row of bunks. The passageway shall be kept clear of obstructions at all times;
 - (c) ensure all doors, windows and ventilators are kept free of obstruction.
- (3) The keeper shall ensure that:
- (a) materials used in dormitory areas comply with AS 1530.2 and AS 1530.3 as follows:-
 - (i) drapes, curtains, blinds and bed covers—maximum Flammability Index of 6;
 - (ii) upholstery and bedding —a maximum Spread of Flame Index of 6;
—a maximum Smoke Developed Index of 5;
 - (iii) floor coverings —a maximum Spread of Flame Index of 7;
—a maximum Smoke Developed Index of 5;
 - (b) Fire retardant coatings used to make a material comply with these indices must be—
 - (i) certified by the manufacturer as approved for use with the fabric to achieve the required indices; and
 - (ii) certified by the manufacturer to retain its fire retardancy effect after a minimum of 5 commercial dry cleaning or laundering operations carried out in accordance with AS 2001.5.4-1987, Procedure 7A, using ECE reference detergent; and
 - (iii) certified by the applicator as having been carried out in accordance with the manufacturer's specification;
 - (c) emergency lighting is provided in accordance with the Building Code;
 - (d) no person shall smoke in any dormitory, kitchen, or dining room, within a short term hostel or recreational campsite. The keeper may permit smoking in a meeting or assembly hall area, within a short term hostel or recreational campsite;
 - (e) the keeper of any short term hostel or recreational campsite shall ensure all mattresses are fitted with a mattress protector.

Furnishing etc. of sleeping apartments

8.2.12 (1) A keeper shall—

- (a) furnish each sleeping apartment with a sufficient number of beds and sufficient bedding of good quality;
- (b) ensure that each bed—
 - (i) has a bed head, mattress and pillow; and
 - (ii) is provided with a pillow case, mattress cover, two sheets, two blankets or equivalent; and
- (c) furnish each bedroom so that there are adequate storage facilities for belongings within the room.

(2) A keeper shall not cause, suffer or permit any tiered beds or bunks to be used in a sleeping apartment other than in a lodging house used exclusively as a short term hostel or recreational campsite.

Ventilation

8.2.13 (1) If, in the opinion of an Environmental Health Officer, a kitchen, bathroom, toilet, laundry or habitable room is not adequately or properly ventilated, he or she may direct the keeper to provide a different or additional method of ventilation.

(2) the keeper shall comply with any direction given under subsection (1) within such time as directed.

Numbers to be placed on Doors

8.2.14 (1) A keeper shall, when directed by the Council, place or cause to be placed on the outside of the doors of all rooms available to lodgers in the lodging house, serial numbers so that—

- (a) the number "1" is placed on the outside of the door of the room nearest to the front or main entry door of the lodging house; and
- (b) the numbers continue in sequence throughout each floor (if there is more than one) of the lodging house.

(2) The numbers to be placed on the doors under subsection (1) shall be—

- (a) not less than 40 millimetres in height;
- (b) 1.5 metres from the floor; and
- (c) permanently fixed either by being painted on the doors or by other legible means.

Division 3—Management and Care

Keeper or manager to reside in the lodging house

8.3.1 Whenever there is one or more lodgers in a lodging house, a keeper or manager shall—

- (a) reside continuously in the lodging house; and
- (b) not be absent from the lodging house unless he or she arranges for a reputable person to have the care and management of the lodging house.

Register of lodgers

8.3.2 (1) A keeper shall keep a register of lodgers in the form prescribed in Schedule (4).

(2) The Register of lodgers shall be—

- (a) kept in the lodging house; and
- (b) open to inspection at any time on demand by any member of the Police Service or by an Environmental Health Officer.

Keeper Report

8.3.3 A keeper shall, whenever required by the Council, report to the Council in the form prescribed in Schedule (5), the name of each lodger who lodged in the lodging house during the preceding day or night.

Certificate in respect of sleeping accommodation

8.3.4 (1) An Environmental Health Officer may issue to a keeper a certificate, in respect of each room, which shall be in the form prescribed in Schedule (6).

(2) The certificate issued under subsection (1) shall specify the maximum number of persons who shall be permitted to occupy each room as a sleeping apartment at any one time.

(3) When required by an Environmental Health Officer, a keeper shall exhibit the certificate issued under this section in a conspicuous place.

(4) A person shall not cause, suffer or permit a greater number of persons than is specified on a certificate issued under this Section to occupy the room to which it refers.

Duplicate keys and inspection

8.3.5 Each keeper and manager of a lodging house shall—

- (a) retain possession of a duplicate key to the door of each room; and
- (b) when required by an Environmental Health Officer, open the door of any room for the purpose of inspection by the Officer.

Room occupancy

8.3.6 (1) A keeper shall not—

- (a) cause, suffer or permit more than the maximum number of persons permitted by the Certificate of Registration of the lodging house to be lodged at any one time in the lodging house;
- (b) cause, suffer or permit to be placed or kept in any sleeping apartments—
 - (i) a larger number of beds; or
 - (ii) a larger quantity of bedding,than is required to accommodate and provide for the maximum number of persons permitted to occupy the sleeping apartment at any one time; and
- (c) use or cause, suffer or permit to be used for sleeping purposes a room that—
 - (i) has not been certified for that purpose; and
 - (ii) the Council or Medical Officer has forbidden to be used as a sleeping apartment.

(2) For the purpose of this Section, two children under 10 years of age shall be counted as one lodger.

Maintenance of a room by a lodger or resident

8.3.7 (1) A keeper may permit, or contract with, a lodger or resident to service, clean or maintain the room or rooms occupied by the lodger or resident.

(2) Where permission is given or a contract entered into under subsection (1), the keeper shall—

- (a) inspect each room the subject of the permission or agreement at least once a week; and
- (b) ensure that each room is being maintained in a clean and sanitary condition.

(3) A lodger or resident who contracts with a keeper to service, clean or maintain a room occupied by him or her, shall maintain the room in a clean and sanitary condition.

Cleaning and maintenance requirements

8.3.8 (1) In this Section—

“**bed linen**” includes sheets, pillow cases and in the case of a short term hostel or a recreational campsite, mattress protectors and mattress covers.

(2) A keeper of a lodging house shall—

- (a) maintain in a clean, sound and undamaged condition—
 - (i) the floor, walls, ceilings, woodwork and painted surfaces;
 - (ii) the floor coverings and window treatments; and
 - (iii) the toilet seats;
- (b) maintain in a clean condition and in good working order—
 - (i) all fixtures and fittings; and
 - (ii) windows, doors and furniture;
- (c) ensure that the internal walls of each bathroom and toilet have a smooth impervious washable surface;

- (d) whenever there is one or more lodgers in a lodging house, ensure that the laundry floor is cleaned daily;
- (e) ensure that—
 - (i) all bed linen, towels, and house linen in use is washed at least once a week;
 - (ii) within a reasonable time of a bed having been vacated by a lodger or resident, the bed linen is removed and washed;
 - (iii) a person does not occupy a bed which has been used by another person unless the bed has been provided with clean bed linen;
 - (iv) all beds, bedheads, blankets, rugs, covers, bed linen, towels and house linen are kept clean, in good repair and free from vectors of disease;
 - (v) when any vectors of disease are found in a bed, furniture, room or sleeping apartment, immediate effective action is taken to eradicate the vectors of disease; and
 - (vi) a room which is not free from vectors of disease is not used as a sleeping apartment;
- (f) when so directed by an Environmental Health Officer, ensure that—
 - (i) a room, together with its contents, and any other part of the lodging house, is cleaned and disinfected; and
 - (ii) a bed or other article of furniture is removed from the lodging house and properly disposed of;
- (g) ensure that the yard is kept clean at all times;
- (h) provide all bedrooms, passages, common areas, toilets, bathrooms and laundries with adequate lighting; and
- (i) comply with any direction, whether orally or in writing, given by the Council or an Environmental Health Officer.

Responsibilities of lodgers and residents

8.3.9 A lodger or resident shall not—

- (a) use any room available to lodgers—
 - (i) as a shop, store or factory; or
 - (ii) for manufacturing or trading services;
- (b) keep or store in or on the lodging house any goods or materials which are inflammable, obnoxious or offensive;
- (c) use a bath or wash hand basin other than for ablutionary purposes;
- (d) use a bathroom facility or fixture for laundry purposes;
- (e) use a sink installed in a kitchen or scullery for any purpose other than the washing and cleaning of cooking and eating utensils, other kitchenware and culinary purposes;
- (f) deposit rubbish or waste food other than into a proper rubbish receptacle;
- (g) in a kitchen or other place where food is kept—
 - (i) wash or permit the washing of clothing or bedding; or
 - (ii) keep or permit to be kept any soiled clothing or bedding;
- (h) subject to Section 8.3.10—
 - (i) keep, store, prepare or cook food in any sleeping apartment; or
 - (ii) unless sick or invalid and unable to leave a sleeping apartment for that reason, use a sleeping apartment for dining purposes;
- (i) place or keep, in any part of a lodging house, any luggage, clothing, bedding or furniture that is infested with vectors of disease;
- (j) store or keep items other than personal effects—
 - (i) in any kitchen, living or sleeping apartment so as to prevent the cleaning of the floors, walls, fittings or fixtures; or
 - (ii) in a sleeping apartment so as to decrease the air space to less than the minimum required by this Part;
- (k) obstruct or prevent the keeper or manager from inspecting or examining the room or rooms occupied by the lodger or resident; and
- (l) fix any fastener or change any lock to a door or room without the written approval of the keeper.

Approval for storage of food

8.3.10 (1) An Environmental Health Officer may—

- (a) upon written application from a keeper, approve the storage of food within a refrigerator or sealed container in a sleeping apartment; and
- (b) withdraw the approval if a nuisance or vector of disease infestation is found to exist in the lodging house.

(2) The keeper of a serviced apartment may permit the storage and consumption of food within that apartment if suitable storage and dining facilities are provided.

PART 9—OFFENSIVE TRADES***Division 1—General*****Interpretation**

9.1.1 In this Part, unless the context otherwise requires—

“**occupier**” in relation to premises includes the person registered as the occupier of the premises specified in the Certificate of Registration;

“**offensive trade**” means any one or more of the trades, businesses or occupations usually carried on, in or connected with, the following works or establishments—

- (a) fish processing premises, fish curing premises and shellfish and crustacean processing establishments;
- (b) laundries, dry cleaning premises and dye works;
- (c) any trade as defined by Section 186 of the Act; and
- (d) any other trade that, unless preventive measures are adopted, may become a nuisance to the health of the inhabitants of the district; and

“**premises**” includes houses.

Consent to establish an Offensive Trade

9.1.2 A person seeking the consent of the Council under Section 187 of the Act to establish an offensive trade shall make application in the form prescribed in Schedule (9) and in accordance with Council's Town Planning Scheme.

False Statement

9.1.3 A person who makes a false statement in an application under Section 9.1.2 shall be guilty of an offence.

Registration of Premises

9.1.4 An application for the registration of premises pursuant to Section 191 of the Act shall be—

- (a) in the form prescribed in Schedule (10);
- (b) accompanied by the fee prescribed in the *Offensive Trade (Fees) Regulations 1976* as amended from time to time; and
- (c) lodged with the Council.

Certificate of Registration

9.1.5 Upon the registration of premises for the carrying on of an offensive trade, the Council shall issue to the applicant a certificate on the form prescribed in Schedule (11).

Change of Occupier

9.1.6 Where there is a change of occupier of the premises registered pursuant to this Division, the new occupier shall forthwith notify the Chief Executive Officer in writing of such change.

Alterations to Premises

9.1.7 While any premises remain registered under this Division, a person shall not, without the written permission of the Council, make or permit any change or alteration whatever to the premises.

Occupier Includes Employee

9.1.8 Where in any Section contained in this Part a duty is imposed upon the occupier of premises in or upon which an offensive trade is carried on, the reference to the occupier shall be interpreted to include the employees of the occupier and any employee committing a breach of any provision of this Part shall be liable to the same penalties as if he were the occupier.

Division 2—General Duties of an Occupier**Interpretation**

9.2.1 In this Division, unless the context otherwise requires—

“**occupier**” means the occupier, or where there is more than one occupier, each of the occupiers of the premises in or upon which an offensive trade is carried on; and

“**the premises**” means those premises in or upon which an offensive trade is carried on.

Cleanliness

9.2.2 The occupier shall—

- (a) keep or cause to be kept in a clean and sanitary condition and in a state of good repair the floors, walls and ceilings and all other portions of the premises;
- (b) keep or cause to be kept in a clean and sanitary condition and in a state of good repair all fittings, fixtures, appliances, machinery, implements, shelves, counters, tables, benches, bins, cabinets, sinks, drain boards, drains, grease traps, tubs, vessels and other things used on or in connection with the premises;
- (c) keep the premises free from any unwholesome or offensive odour arising from the premises;
- (d) maintain in a clean and tidy condition all yards, footpaths, passage ways, paved areas, stores or outbuildings used in connection with the premises; and
- (e) clean daily and at all times keep and maintain all sanitary conveniences and all sanitary fittings and grease traps on the premises in a clean and sanitary condition.

Rats and Other Vectors of Disease

9.2.3 The occupier shall—

- (a) ensure that the premises are kept free from rodents, cockroaches, flies and other vectors of disease; and
- (b) provide in and on the premises all effective means and methods for the eradication and prevention of rodents, cockroaches, flies, and other vectors of disease.

Sanitary Conveniences and Wash Basins

9.2.4 The occupier shall provide on the premises in an approved position sufficient sanitary conveniences and wash hand basins, each with an adequate supply of hot and cold water for use by employees and by all other persons lawfully upon the premises.

Painting of Walls etc.

9.2.5 The occupier shall cause the internal surface of every wall, the underside of every ceiling or roof and all fittings as may be directed in and on the premises to be cleaned and painted when instructed by an Environmental Health Officer.

Effluvia, Vapours, Gases or Dust

9.2.6 The occupier shall provide, use and maintain in a state of good repair and working order, appliances and preventive measures capable of effectively destroying or of rendering harmless all offensive effluvia, vapours, dust or gases arising in any process of his business or from any material, residue or other substance which may be kept or stored upon the premises.

Offensive Material

9.2.7 The occupier shall—

- (a) provide on the premises impervious receptacles of sufficient capacity to receive all offensive material and trade refuse produced upon the premises in any one day;
- (b) keep air-tight covers on impervious receptacles, except when it is necessary to place something in or remove something from them;
- (c) cause all offensive material and trade refuse to be placed immediately in the receptacles;
- (d) cause the contents of the receptacles to be removed from the premises at least once in every working day and at such more frequent intervals as may be directed by an Environmental Health Officer; and
- (e) cause all receptacles after being emptied to be cleaned immediately with an efficient disinfectant.

Storage of Materials

9.2.8 The occupier shall cause all material on the premises to be stored so as not to be offensive or injurious to health whether by smell or otherwise and so as to prevent the creation of a nuisance.

Specified Offensive Trade

9.2.9 (1) For the purposes of this Section, “specified offensive trade” means one or more of the offensive trades carried on, in or connected with the following works or premises—

- (a) fish processing premises, fish curing premises, and shellfish and crustacean processing establishments; and
- (b) laundries, dry cleaning premises and dye works.

(2) Where premises are used for or in relation to a specified offensive trade, the occupier shall—

- (a) cause the floor of the premises to—
 - (i) be properly paved and drained with impervious material;
 - (ii) have a smooth surface; and
 - (iii) have a fall to a bucket trap or spoon drain in such a way that all liquids falling on the floor shall be conducted by the trap or drain to a drain inlet situated inside the building where the floor is situated;
- (b) cause the angles formed by the walls with any other wall, and by the wall with the floor, to be coved to a radius of not less than 9.5 millimetres;
- (c) cause all liquid refuse to be—
 - (i) cooled to a temperature not exceeding 26 degrees Celsius and in accordance with the *Metropolitan Water Supply, Sewerage and Drainage Board By-Laws 1981* before being discharged into any drain outlet from any part of the premises; and
 - (ii) directed through such screening or purifying treatment as an Environmental Health Officer may from time to time direct.

Directions

9.2.10 (1) An Environmental Health Officer may give to the occupier directions to prevent or diminish the offensiveness of a trade or to safeguard the public health.

(2) The occupier shall comply with any directions given under this Section.

Other Duties of Occupier

9.2.11 In addition to the requirements of this Division, the occupier shall comply with all other requirements of this Part that apply to the particular offensive trade or trades carried on by him.

*Division 3—Fish Premises***Interpretation**

9.3.1 In this Division, unless the context otherwise requires—

“**fish premises**” may include a fish processing establishment, fish curing establishment and a shellfish and crustacean processing establishment;

Duties of an Occupier

9.3.2 The occupier of a Fish premises shall—

- (a) not suffer or permit any decomposing fish to be kept on the premises where his trade is carried on for a longer period than is reasonably necessary to dispose of them;
- (b) cause all decomposing fish, to be immediately deposited in an impervious receptacle furnished with an airtight cover; and
- (c) cause the brine of pickle to be removed as often as is necessary to prevent it from becoming offensive.

Disposal of Waste

9.3.3 The occupier of a fish premises shall cause all offal and wastes, all rejected and unsaleable fish and any rubbish or refuse which is likely to be offensive or a nuisance to be—

- (a) placed in the receptacles referred to in 9.2.7 and disposed of in accordance with that Section; or
- (b) kept in a frozen state in an approved enclosure before its removal from the premises.

Fish Containers

9.3.5 The occupier of a fish premises shall not allow any container used for the transport of fish to—

- (a) remain on the premises longer than is necessary for it to be emptied; or
- (b) be kept so as to cause a nuisance or to attract flies.

*Division 4—Laundries, Dry Cleaning Establishments and Dye Works***Interpretation**

9.4.1 In this Division, unless the context otherwise requires—

“**dry cleaning establishment**”—

- (i) means premises where clothes or other articles are cleaned by use of solvents without using water; but
- (ii) does not include premises in which perchlorethylene or arklone is used as dry cleaning fluid in a fully enclosed machine operating on a full cycle;

“**dye works**” means a place where articles are commercially dyed, but does not include dye works in which provision is made for the discharge of all liquid waste there from, in to a public sewer;

“**exempt laundromat**” means a premises in which—

- (a) laundering is carried out by members of the public using, machines or equipment provided by the owners or occupiers of those establishments;
- (b) laundering is not carried out by those owners or occupiers for or on behalf of other persons;
- (c) provision is made for the discharge of all liquid waste therefrom into a public sewer;

“**laundromat**” means a public place with coin operated washing machines, spin dryers or dry cleaning machines; and

“**laundry**” means any places where articles are laundered for the purpose of trade but does not include an exempt laundromat.

Receiving Depot

9.4.2 An owner or occupier of premises shall not use or permit the premises to be used as a receiving depot for a laundry, dry cleaning establishment or dye works except with the written permission of the Council who may at any time by written notice withdraw such permission.

Reception Room

9.4.3 (1) The occupier of a laundry or dry cleaning establishment or dye works shall—

- (a) provide a reception room in which all articles brought to the premises for treatment shall be received and shall not receive or permit to be received any such articles except in that room; and
- (b) cause such articles as may be directed by an Environmental Health Officer to be thoroughly disinfected to the satisfaction of the officer.

(2) A person shall not bring or permit food to be brought into the reception room referred to in this Section.

Walls and Floors

9.4.4 The occupier of a laundry, dry cleaning establishment or dye works shall cause—

- (a) the internal surfaces of all walls to be rendered with a cement plaster with a steel float finish or other approved material to a height of 2 metres with a smooth impervious surface;
- (b) the floor to be constructed of concrete and finished with a smooth impervious surface; and

- (c) every floor and wall of any building on the premises to be kept at all times in good order and repair, so as to prevent the absorption of any liquid which may be splashed or spilled or may fall or be deposited on it.

Laundry Floor

9.4.5 The occupier of a laundry shall provide in front of each washing machine a non-corrosive grating, at least 910 millimetres in width and so constructed as to prevent any person from standing in water on the floor.

Escape of Dust

9.4.6 The occupier of a dry cleaning establishment shall provide effective means to prevent the escape into the open air of all dust or other material from the premises.

Precautions Against Combustion

9.4.7 The occupier of a dry cleaning establishment where volatile liquids are used shall take all proper precautions against combustion and shall comply with all directions given by an Environmental Health Officer for that purpose.

Trolleys

9.4.8 The occupier of a dry cleaning establishment shall—

- (a) provide trolleys for the use of transporting dirty and clean linen; and
- (b) ensure that each trolley is—
 - (i) clearly designated to indicate the use for which it is intended;
 - (ii) lined internally with a smooth impervious non-absorbent material that is easily cleaned; and
 - (iii) thoroughly cleaned and disinfected on a regular basis.

Sleeping on Premises

9.4.9 A person shall not use or permit any room in a laundry, dry cleaning establishment or dye works to be used for sleeping purposes.

PART 10—OFFENCES AND PENALTIES

Division 1—General

Penalties

10.1.1 (1) A person who contravenes a provision of these local-laws commits an offence.

(2) A person who commits an offence under subsection (1) is liable to—

- (a) a penalty which is not more than \$1,000 and not less than—
 - (i) in the case of a first such offence, \$100;
 - (ii) in the case of a second such offence, \$200; and
 - (iii) in the case of a third and subsequent such offence, \$500; and
- (b) if the offence is a continuing offence, a daily penalty which is not more than \$100 and not less than \$50.

Schedule 1

Health Act 1911

SHIRE OF THREE SPRINGS

APPLICATION FOR REGISTRATION OF A LODGING-HOUSE

To—

SHIRE OF THREE SPRINGS, PO BOX 117 THREE SPRINGS 6519

I/We,

(Full name of Applicant/s)

of

.....

(Residential Address of Applicant/s)

apply for the registration of premises situated (or to be situated) at—

.....

.....

as a lodging-house to be classified as—

a lodging house; a recreational campsite; a short term hostel; or serviced apartments.

(delete as required)

and for my name to be entered in the Register as the keeper of the lodging-house.

1. That, whose name is entered on the register of keepers of the Shire of Three Springs, continues to be the keeper of the lodging-house;
2. that, appointed by the keeper to be the manager of the lodging-house, continues to be manager of the lodging-house;

Schedule 5
Health Act 1911
SHIRE OF THREE SPRINGS
LIST OF LODGERS

To—

SHIRE OF THREE SPRINGS, PO BOX 117, THREE SPRINGS, 6519.

The following is the name of every person who resided in the lodging-house at

.....

On the day of

.....

.....

.....

.....

.....
(Signature of Keeper)

.....
(Date)

Schedule 6
Health Act 1911
SHIRE OF THREE SPRINGS
CERTIFICATE OF SLEEPING ACCOMMODATION FOR A LODGING-HOUSE

To—

(Name of Keeper)

.....

(Address of Keeper)

For the registered lodging-house situated at—

.....

The rooms listed below are not to be occupied by more than the number of lodgers or residents indicated below.

ROOM NUMBER:

MAXIMUM OCCUPANCY:

.....

.....

.....

.....

.....

.....
Environmental Health Officer

.....
Date

Schedule 7
Health Act 1911
SHIRE OF THREE SPRINGS
HEALTH LOCAL LAWS
APPLICATION FOR LICENCE OF A MORGUE

To— Chief Executive Officer
Shire of Three Springs

I.....

(Full Name of Applicant)

of

.....

(Residential Address of Applicant)

apply for registration for the year ended of

.....

(Location and Name of Premises)

.....
Signature of Applicant

.....
Date

Schedule 8

Health Act 1911

SHIRE OF THREE SPRINGS

HEALTH LOCAL LAWS

CERTIFICATE OF LICENCE OF A MORGUE

This is to certify that the premises situated at

.....

known as

.....

Is registered as a morgue.

.....

Chief Executive Officer
Shire of Three Springs.

Schedule 9

Health Act 1911

SHIRE OF THREE SPRINGS

APPLICATION FOR CONSENT TO ESTABLISH AN OFFENSIVE TRADE

To— Chief Executive Officer
Shire of Three Springs

I/We,

(Full Name of Applicant/s)

of

(Residential Address of Applicant/s)

apply for consent to establish an offensive trade being

(Description of Offensive Trade)

in or upon

(Location of the House or Premises)

Notice of my/our intentions to make this application was advertised in

(Name of Newspaper)

on

(Date of Advertisement)

Plans and specifications of the building proposed to be used or erected in connection with the proposed offensive trade are attached.

.....

(Signature of Applicant/s)

.....

(Date)

Schedule 10

Health Act 1911

SHIRE OF THREE SPRINGS

HEALTH LOCAL LAWS

**APPLICATION FOR REGISTRATION OF PREMISES
FOR OFFENSIVE TRADE**

To— Chief Executive Officer
Shire of Three Springs

I/We,

(Full Name of Applicant/s)

of

(Residential Address of Applicant/s)

apply for registration, for the year ended

of

(Location of Premises)

being premises in or upon which there is (or is to be) carried on an offensive trade, namely

(Description of Offensive Trade)

under the business name of

The prescribed fee of \$..... is attached.

(Signature of Applicant/s)

(Date)

Schedule 11

Health Act 1911

SHIRE OF THREE SPRINGS

HEALTH LOCAL LAWS

CERTIFICATE OF REGISTRATION OF PREMISES FOR OFFENSIVE TRADE

This is to certify that the premises situated at

..... of which

is the occupier, are registered for the carrying on of the trade of

Trade Name

This registration expires on the 19.....

Dated this day of 19.....

Principal Environmental Health Officer
Shire of Three Springs

Schedule 12

Health Act 1911

SHIRE OF THREE SPRINGS

HEALTH LOCAL LAWS PRESCRIBED FEE

DESCRIPTION	PRESCRIBED FEE
Registration of Offensive Trade. As per regulation.	
License to Conduct Lodging House	\$70.00
License of a Morgue	\$80.00

Passed at a meeting of the Council of the Shire of Three Springs held on 9th day of June 1998.

The Common Seal of the Shire of Three Springs was hereunto affixed in the presence of—

VICTOR C. HAEUSLER, Shire President.
GRAHAM J. LITTLE, Chief Executive Officer.

On this 9th day of February 1999.

Consented to—

Dr C. F. QUADROS, delegate of Executive Director,
Public Health.

Dated this 29th day of April 1999.



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GOVERNANCE

Code of Conduct - Council Members, Committee Members and Candidates

Adoption		
Date	Meeting	Council Decision
	OCM	
Review		
Date	Meeting	Council Decision
	OCM	
Delegation		
No.	Title: Code of Conduct for Council Members, Committee Members and Candidates	
Legislative Reference		
The Local Government (Model Code of Conduct) Regulations 2021		

PURPOSE

Code of Conduct for Council Members, Committee Members and Candidates

POLICY

Division 1 - Preliminary provisions

1. Citation

This is the *Shire of Three Springs Code of Conduct for Council Members, Committee Members and Candidates*.

2. Terms used

(1) In this code -

Act means the *Local Government Act 1995*;

candidate means a candidate for election as a council member; **complaint** means a complaint made under clause 11(1); **publish** includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 - General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should -

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and

- (e) avoid damage to the reputation of the local government.
- (2) A council member or committee member should -
 - (a) act in accordance with the trust placed in council members and committee members; and
 - (b) participate in decision-making in an honest, fair, impartial and timely manner; and
 - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
 - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

- (1) A council member, committee member or candidate should -
 - (a) treat others with respect, courtesy and fairness; and
 - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should -

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

Division 3 - Behaviour

7. Overview of Division

This Division sets out -

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

- (1) A council member, committee member or candidate -
 - (a) must ensure that their use of social media and other forms of communication complies with this code; and
 - (b) must only publish material that is factually correct.
- (2) A council member or committee member -
 - (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
 - (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate -

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate -

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made -
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within **1** month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise **1** or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause **14(1)**, make a finding as to whether the alleged breach the subject of the complaint has occurred.

- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may-
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following -
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of -
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred - its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that -
 - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either -
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.

- (2) The withdrawal of a complaint must be -
 - (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 - Rules of conduct

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

- (1) In this clause -

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;

resources of a local government includes -

 - (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

- (1) A council member must not make improper use of their office -
 - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
 - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

- (1) In this clause -
local government employee means a person -
 - (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not -
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means -
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XX.XV.

21. Disclosure of information

- (1) In this clause -
closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
document includes a part of a document;
non-confidential document means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member -
 - (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information -
 - (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or
 - (e) to the Minister; or
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

- (1) In this clause -
interest-
 - (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest -
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know -
 - (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then -
 - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if -

- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

GOVERNANCE

39. MODEL STANDARDS – CHIEF EXECUTIVE OFFICER RECRUITMENT

Adoption		
Date	Meeting	Council Decision
	OCM	
Review		
Date	Meeting	Council Decision
	OCM	
Delegation		
No.	Title	
Legislative Reference		

PURPOSE

Chief Executive Officer Recruitment, Performance and Termination.

POLICY

1. Citation

These are the *Shire of Three Springs Standards for CEO Recruitment, Performance and Termination*.

2. Terms used

- (1) In these standards -

Act means the *Local Government Act 1995*;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the *[insert name of local government]*;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

- (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

DIVISION 2 - STANDARDS FOR RECRUITMENT OF CEOS

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply -
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out -
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 1SA.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 1SA as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must -

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 1SA(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address-
 - (i) email a copy of the job description form to an email address provided by the
person; or

- (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (I) In this clause -
independent person means a person other than any of the following -
 - (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise -
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (I) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government -
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government -
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (I), (2) and (3) -
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has -
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant

- claims to hold; and
- (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria -
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve -

- (a) the making of the offer of employment to the applicant; and
- (b) The proposed terms of the Contract of employment to be entered into by the local government applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the ***negotiated contract***) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause-
commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if-
 - (a) upon the expiry of the contract of employment of the person (the ***incumbent CEO***)

who holds the position of CEO -

- (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;
- and
- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
 - (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

DIVISION 3- STANDARDS FOR REVIEW OF PERFORMANCE OF CEOS

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (I) The local government and the CEO must agree on -
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (I) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

- (2) The local government must-
 - (a) collect evidence regarding the CEO's in respect of the contractual performance criteria and any additional performance criteria in a thorough and **comprehensive manner; and**
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO -how the local government proposes to address and manage those issues.

DIVISION 4- STANDARDS FOR TERMINATION OF EMPLOYMENT OFCEOS

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including-
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance-related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has-
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified

any issues (the ***performance issues***) related to the performance of the CEO;
and

- (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- a. If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- b. The notice must set out the local government's reasons for terminating the employment of the CEO.

Council

CODE OF CONDUCT COMPLAINTS FORM

Complaint About Alleged Breach Form - Code of
Conduct for Council Members, Committee Members
and Candidates

Shire of Three Springs

G0/47/4

Complaint About Alleged Breach Form - Code of conduct for council members, committee members and candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

NOTE: A complaint about an alleged breach must be made -

- (a) in writing in the form approved by the local government
- (b) to an authorised person
- (c) within one month after the occurrence of the alleged breach.

Name of person who is making the complaint:

Name: _____
 Given Name(s) Family Name

Contact details of person making the complaint:

Address: _____

Email: _____

Contact number: _____

Name of the local Government (city, town, shire) concerned:

**Name of council member, committee member, candidate alleged to have
committed the breach:**

State the full details of the alleged breach. Attach any supporting evidence to your complaint form.

Date of alleged breach:

/

/ 20

SIGNED:

Complainant's signature:

Date of signing: / / 20

Received by Authorised Officer

Authorised Officer's Name:

Authorised Officer's Signature:

Date received: / / 20

NOTE TO PERSON MAKING THE COMPLAINT:

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

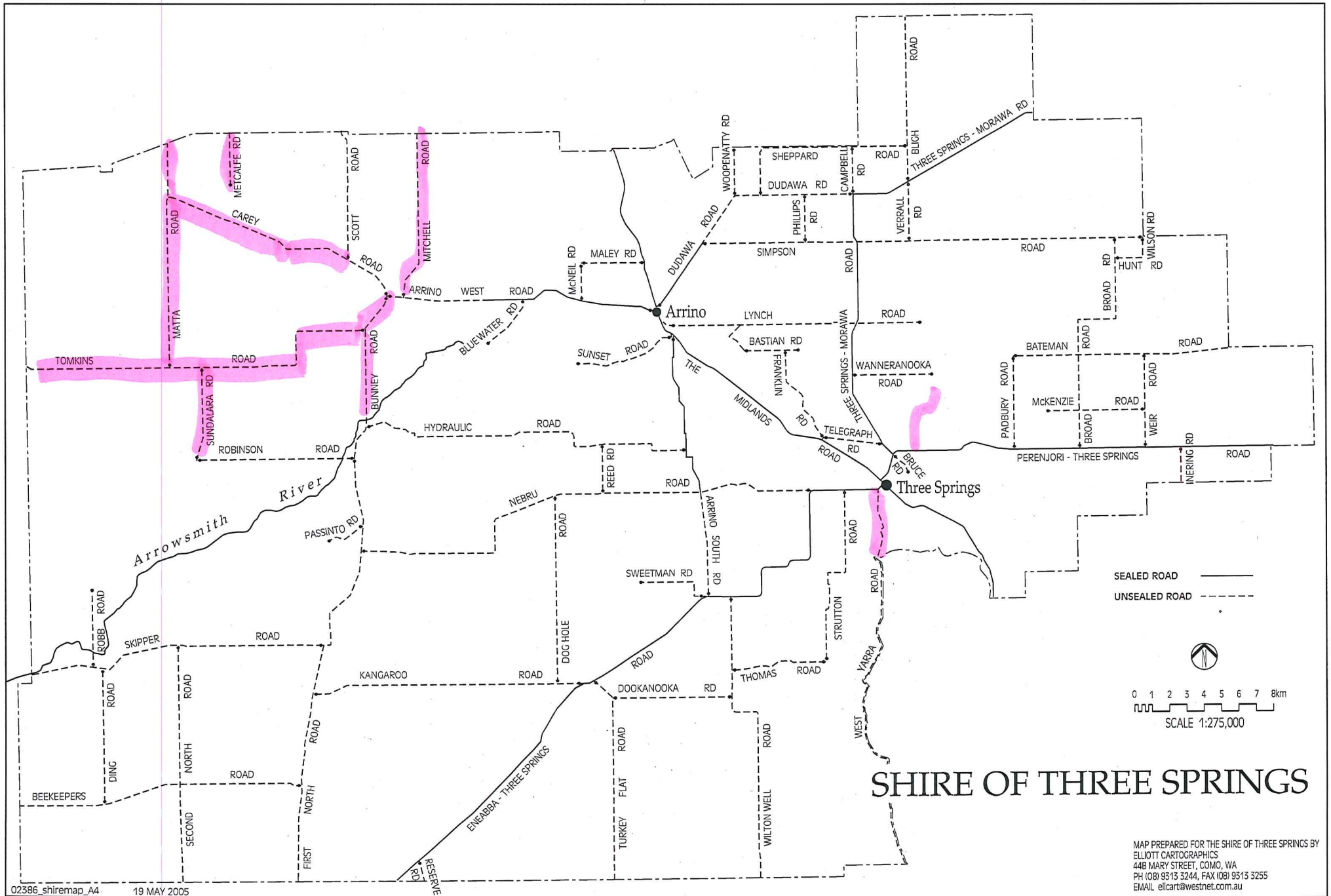
Signed complaint form is to be forwarded to:

CEO
Shire of Three Springs
132 Railway Road (PO Box 117)
Three Springs

or

Email: ceo@threesprings.wa.gov.au

FEB 2021



	Shire of Three Springs							
	Capital Works 2020/21							
			Budget	Actual Cost	Variation	% Complete	Completion Date	Comment
1	Buildings	Staff House Capital Maintenance	\$ 62,900.00	\$ 25,000.00	\$ 37,900.00	50%	Jun-21	Part of the Shires staff housing Capital Program.
2	Buildings	Old Forman's office	\$ 10,000.00	\$ 10,000.00	\$ -	100%	Dec-20	Demolition of the old Forman's office.
3	Building	Duffy Stores	\$ 10,000.00	\$ 10,000.00		0%	Jun-21	According to the Strategic Community Plan community consultation, over 90% of the community ranked heritage as extremely or moderately important.
4	Building	Shire Facility's	\$ 28,895.00			0%	May-21	upgrade of signage to shire facilities.
5	Buildings	Pavilion	\$ 5,000.00	\$ 5,000.00		100%	Jun-20	Capital for replacement of equipment.
6	Buildings	Workshop Shed Extension	\$ 50,000.00	\$ 48,240.00	\$ 1,760.00	100%	Jan-21	This project is to extend the Worksoop allowing the mechanic to work indoors all year round. It will allow us to fit a car hoist and fit full-length trucks and graders over the pit.
7	Furniture & Equipment	Pool Cleaner	\$ 12,000.00	\$ 13,612.50	-\$ 1,612.50	100%	Dec-20	As per the Plant Replacement Schedule for the period 2016-2026.
8	Infrastructure - Parks & Oval	Skate Park revamp	\$ 10,000.00	\$ 10,000.00	\$ -	0%	Mar-21	According to the Strategic Community Plan community consultation, 100% of the community ranked playgrounds as either very important or moderately important. The Skate Park is 20 years old and requires upgrading. The company that did the original installation is no longer in operation. It has made sourcing spare parts difficult, as most skate parks are constructed using concrete.
9	Infrastructure - Roads Black Spot	Midlands - Arrino Intersection	\$ 706,000.00	\$ 706,000.00	\$ 93,000.00	0%	Nov-00	This project is a detailed re-lineament of Sunset road, Lynch road, and a slip lane along the Midlands road from Arrino South road with Main Roads' assistance.
10	Infrastructure - Roads	Neburu Road second coat seal	\$ 100,575.00	\$ 66,658.89	\$ 33,916.11	100%	Feb-21	This project is part of a two-year program. The first year will comprise the construction of a 4.2 km sealed road SLK 0.37-4.58, and the second year being the second coat seal.
11	Infrastructure - Roads	TS - Morawa Road SLK 22.80 - 26.45	\$ 369,688.00	\$ 277,000.00	\$ 92,688.00	80%	Feb-21	This project is funded as part of the Regional Road Group and is part of the shires Regional Roads Resealing 15 year plan. The scope of works is to trim encroaching vegetation, shoulder grade, and drainage reformation. 14mm re-seal.
12	Infrastructure - Roads	Arrino west road second coat seal	\$ 102,000.00	\$ 73,576.47	\$ 28,423.53	100%	Dec-20	Second coat seal from reconstruction in 2019/2020 SLK - 5.30 -8.15.
13	Infrastructure - Roads	Shepard Road Re-sheet	\$ 131,828.00	\$ 21,000.00	\$ 110,828.00	10%	May-21	The project will consist of drainage reformation and gravel Re-sheet (200mm) for 3km with gravel sourced from a gravel pit at the pit field. Sheppard road is part of The Strategic Resource Plan 2016-2031 priorities. Several roads are currently utilised as grain freight routes resulting in an increased frequency of maintenance and renewal.
14	Infrastructure - Roads	Neburu Road Re-sheet	\$ 131,828.00	\$ 21,000.00	\$ 110,828.00	10%	Mar-21	The project will consist of drainage reformation and gravel Re-sheet (200mm) of 3km SLK 21.12-24.12 with gravel sourced from the gravel pit on Neburu road. Neburu road is part of The Strategic Resource Plan 2016-2031 priorities; many roads currently utilised as grain freight routes result in increased maintenance and renewal frequency.
15	Infrastructure - Roads	Mayle Street Re-seal	\$ 25,025.00	\$ 11,472.16	\$ 13,552.84	100%	Dec-20	The project is part of the shires 15-year roads re-sealing program. Savings from using Blue metal already in stock.



Department of
**Local Government, Sport
and Cultural Industries**

Three Springs - Compliance Audit Return 2020

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A	No major trading undertaken.	Rajinder Sunner
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Keith Woodward
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Keith Woodward
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Keith Woodward
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Keith Woodward



Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes		Keith Woodward
2	s5.16	Were all delegations to committees in writing?	Yes		Keith Woodward
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	Yes		Keith Woodward
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes		Keith Woodward
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	Yes	Ordinary Council Meeting 16/12/2020 - Council Resolution - 091/2020.	Rajinder Sunner
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Keith Woodward
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Keith Woodward
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Keith Woodward
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Keith Woodward
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes		Rajinder Sunner
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Keith Woodward
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Keith Woodward
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Keith Woodward

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Keith Woodward



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Keith Woodward
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Keith Woodward
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Rajinder Sunner
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Keith Woodward
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Keith Woodward
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Keith Woodward
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Keith Woodward
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Keith Woodward
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Keith Woodward
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Keith Woodward
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Keith Woodward
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Keith Woodward



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Keith Woodward
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Keith Woodward
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Keith Woodward
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Keith Woodward
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Keith Woodward
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Keith Woodward
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes		Rajinder Sunner
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Keith Woodward

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes		Keith Woodward
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	No		Keith Woodward



Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Rajinder Sunner
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	Yes		Rajinder Sunner
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Rajinder Sunner

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Keith Woodward
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A		Keith Woodward
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	N/A	Appointed by OAG	Rajinder Sunner
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	Yes	Appointed by OAG	Rajinder Sunner
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	Yes	Ordinary Council Meeting 16/12/2020 - Resolution No. 096/2020	Rajinder Sunner
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes		Keith Woodward



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No	Reference	Question	Response	Comments	Respondent
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	Yes		Keith Woodward
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	Yes		Keith Woodward
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	Yes		Keith Woodward
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	Yes		Rajinder Sunner
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes		Keith Woodward

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	17 June 2020	Keith Woodward
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	26 November 2018	Keith Woodward
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Keith Woodward



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Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	Yes		Keith Woodward
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	Yes		Keith Woodward
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes		Keith Woodward
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	Yes		Keith Woodward
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes		Rajinder Sunner
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	Yes		Rajinder Sunner

Official Conduct

No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	N/A	CEO is Complaints Officer	Keith Woodward
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Keith Woodward
3	s5.121(2)	Does the complaints register include all information required by section 5.121 (2)?	Yes		Keith Woodward
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Keith Woodward

Optional Questions



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No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	Ordinary Council Meeting - 12/02/2020 - Resolution No. 002/2020	Rajinder Sunner
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	Yes		Keith Woodward
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	N/A	No disclosure was made	Keith Woodward
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	N/A	No disclosure was made	Keith Woodward
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	Yes		Keith Woodward
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes		Keith Woodward
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Keith Woodward
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Ordinary Council Meeting 17/06/2020 - Resolution No. 034/2020.	Rajinder Sunner
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	Yes		Keith Woodward
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Keith Woodward



Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Keith Woodward
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Keith Woodward
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Keith Woodward
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Keith Woodward
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A	Did not enter into multiple contracts.	Keith Woodward
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Keith Woodward
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Keith Woodward
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Keith Woodward
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Keith Woodward



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No	Reference	Question	Response	Comments	Respondent
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Keith Woodward
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Keith Woodward
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	Yes		Keith Woodward
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	Tenders only, no expression of interest	Keith Woodward
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A	Tenders only, no expressions of interest	Keith Woodward
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	N/A	Tenders only, no expressions of interest	Keith Woodward
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A	Tenders only, no expressions of interest	Keith Woodward
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A	No invite for panel undertaken	Keith Woodward
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A	No invite for panel undertaken	Keith Woodward
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	No invite for panel undertaken	Keith Woodward
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A	No invite for panel undertaken	Keith Woodward



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No	Reference	Question	Response	Comments	Respondent
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	No invite for panel undertaken	Keith Woodward
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	Yes		Keith Woodward
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes		Keith Woodward
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	Yes		Keith Woodward

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Three Springs

Signed CEO, Three Springs

Debtors Trial Balance								
As at 28.02.2021								
Debtor #	Name	Credit Limit	30.11.2020		30.12.2020	29.01.2021	28.02.2021	Total
			GT 90 days	Age	GT 60 days	GT 30 days	Current	
				Of				
				Oldest Invoice (90Days)				
A18			0.00	0	0.00	0.00	0.00	0.00
A78			0.00	0	0.00	0.00	160.00	160.00
B33			0.00	0	40.00	0.00	0.00	40.00
B101			0.00	0	0.00	0.00	200.00	200.00
C92			0.00	0	0.00	0.00	107.97	107.97
C102			0.00	0	0.00	317.88	2752.22	3070.10
D14			0.00	0	0.00	0.00	180.00	180.00
D49			0.00	0	0.00	0.00	240.00	240.00
D55			0.00	0	0.00	0.00	160.00	160.00
D71			0.00	0	0.00	0.00	480.00	480.00
D87			0.00	0	0.00	0.00	460.00	460.00
D91			50.15	143	0.00	0.00	0.00	50.15
E2			0.00	0	0.00	0.00	2750.00	2750.00
H54			0.00	0	0.00	0.00	110.96	110.96
L94			0.00	0	0.00	0.00	160.00	160.00
L97			0.00	0	0.00	0.00	230.00	230.00
M3			0.00	0	0.00	0.00	570.00	570.00
M50			0.00	0	0.00	0.00	160.00	160.00
N7			0.00	0	0.00	0.00	720.00	720.00
O17			0.00	0	0.00	0.00	0.00	-240.00
P43			0.00	0	0.00	0.00	0.00	-20.00
Q1			0.00	0	0.00	0.00	813.49	813.49
Q4			14.95	143	0.00	0.00	0.00	14.95
R8			0.00	0	0.00	0.00	200.00	200.00
R31			0.00	0	0.00	0.00	40.00	40.00
S105			0.00	0	0.00	0.00	2095.50	2095.50
S115			0.00	0	0.00	0.00	0.00	-200.00
S116			0.00	0	0.00	0.00	55.19	55.19
T52			246.90	115	800.00	640.00	640.00	2326.90
T57			0.00	0	0.00	0.00	30.00	30.00
T85			59.93	143	0.00	0.00	0.00	59.93
W60			0.00	0	0.00	0.00	0.00	-172.84
W101			0.00	0	0.00	114.62	415.53	530.15
W102			300.00	145	0.00	0.00	0.00	300.00
W103			0.29	143	0.00	0.00	0.00	0.29

National Business Visa Card

21 January, 2021 to 19 February, 2021

Chief Executive Officer

Plate Changes and Remake Damaged Plates for Shire Plant	\$	146.50
	\$	146.50

Deputy Chief Executive Officer

25/01/2021 Diesel Fuel 001TS	\$	83.57
01/02/2021 J2 EFAX Services	\$	2.09
01/02/2021 Diesel Fuel 001TS	\$	61.20
01/02/2021 Nuford - Replace Broken Light Assembly Right Win	\$	144.95
08/02/2021 Party Pies and Sausage Rolls Purchased from Spud S	\$	14.96
08/02/2021 Diesel Fuel 001TS	\$	73.03
15/02/2021 Diesel Fuel 001TS	\$	72.42
	\$	452.22

Bank Charges	\$	18.06
	\$	18.06

Total Direct Debit Payment made on 25/02/2021	\$	616.78
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Police Licensing

Direct Debits from Trust Account

1 February, 2021 to 28 February, 2021

Tuesday, 2 February 2021	\$	6,824.45
Wednesday, 3 February 2021	\$	458.85
Thursday, 4 February 2021	\$	609.45
Tuesday, 9 February 2021	\$	651.80
Wednesday, 10 February 2021	\$	2,829.85
Thursday, 11 February 2021	\$	259.30
Tuesday, 16 February 2021	\$	118.90
Wednesday, 17 February 2021	\$	1,813.50
Thursday, 18 February 2021	\$	1,645.65
Wednesday, 24 February 2021	\$	483.45
Thursday, 25 February 2021	\$	2,106.25
	\$	17,801.45

Bank Fees

Direct Debits from Muni Account
1 February, 2021 to 28 February, 2021

Total direct debited from Municipal Account	\$	207.47
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Payroll

Direct Payments from Muni Account
1 February, 2021 to 28 February, 2021

Wednesday, 3 February 2021	\$	43,112.52
Wednesday, 17 February 2021	\$	43,468.73
	\$	86,581.25

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Statement of Payments for the Month of February 2021

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		Commissioner of Police		
11624	02/02/2021	Annual Corporate Firearm Licence Renewal		131.00
		Australia Post Office, Three Springs		
11625	18/02/2021	Annual Renewal		95.00
		AMPAC Debt Recovery (WA) Pty Ltd		
EFT16820	02/02/2021	Debt Recovery Costs		2,878.59
		Aussie IT - WA Ink Supplies		
EFT16821	02/02/2021	Monthly Account		444.10
		B W McGree		
EFT16823	02/02/2021	Contractor		110.00
		Bridgestone Service Centre		
EFT16824	02/02/2021	Tyres & Wheel Alignment		2,037.00
		Breeze Connect Pty Ltd		
EFT16825	02/02/2021	Monthly Account		53.58
		Robert Ross Waddell T/A Bob Waddell Consultant		
EFT16826	02/02/2021	Consultant		627.00
		Toll Transport Pty Ltd		
EFT16827	02/02/2021	Freight Account		102.42
		Winc Australia Pty Limited		
EFT16828	02/02/2021	Monthly Meterplan Charges		1,145.06
		DS Agencies Pty Ltd		
EFT16829	02/02/2021	Contractor		12,417.24
		Dormakaba Australia		
EFT16830	02/02/2021	Service Agreement		275.00
		Redframe Pty Ltd T/as Delta Cleaning Services		
EFT16831	02/02/2021	Vacation Clean		541.20
		Mitchell & Brown		
EFT16832	02/02/2021	Monthly Account		1,495.00
		Geraldton Lock & Key Specialists		
EFT16833	02/02/2021	Contractor		1,530.75
		Brooklea Investments Pty Ltd T/a Glenview Machine Kerbing		
EFT16834	02/02/2021	Contractor		1,650.00
		GHD PTY LTD		
EFT16835	02/02/2021	Consultant		6,797.45
		Stephen Walter Hunter		
EFT16836	02/02/2021	Contractor		573.00
		INFINITUM TECHNOLOGIES PTY LTD		
EFT16837	02/02/2021	Contractor		969.63
		Jtagz PTY LTD		
EFT16838	02/02/2021	Monthly Account		102.30
		Honnie Joy Dobber T/as Just Party Linen		
EFT16839	02/02/2021	Monthly Account		480.36
		LG Best Practices		
EFT16840	02/02/2021	Contractor		2,145.00
		M & B (Building Products) Sales Pty Ltd		
EFT16841	02/02/2021	Monthly Account		480.48
		Mitchell and Brown Communications - Vidguard		
EFT16842	02/02/2021	Contractor		300.00
		Paul Bernard Rosair T/as Naja Business Consulting Services		
EFT16843	02/02/2021	Consultant		3,480.40

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		Officeworks		
EFT16844	02/02/2021	Monthly Account		360.33
		Perfect Computer Solutions Pty Ltd		
EFT16845	02/02/2021	Contractor		382.50
		Patience Bulk Haulage Pty Ltd		
EFT16846	02/02/2021	Contractor		4,323.00
		Three Springs Rural Services		
EFT16847	02/02/2021	Monthly Account		1,165.37
		Titanium Services Pty Ltd T/a Sheds N Homes Geraldton		
EFT16848	02/02/2021	Contractor		8,602.50
		Thurkles Eartmoving & Maintenance Pty Ltd		
EFT16849	02/02/2021	Contractor		18,100.00
		The Trustee For EK Taylor Family Trust T/A Dongara Veterinary Hospital		
EFT16850	02/02/2021	Euthanasia of Cat in Pound		153.00
		Westrac Pty Ltd		
EFT16851	02/02/2021	Monthly Account		679.13
		WA Treasury Corporation		
EFT16852	02/02/2021	Government Guarantee Fee		324.92
		Zed Elect		
EFT16853	02/02/2021	Contractor		11,348.93
		Advanced Air Filter Cleaning (Roellary Pty Ltd)		
EFT16854	05/02/2021	Contractor		272.80
		Kruze Design Group Pty Ltd ATF M & H Fawkes Family Trust T/as Adage Furniture		
EFT16855	05/02/2021	Monthly Account		7,956.30
		BOC Gases		
EFT16856	05/02/2021	Monthly Account		62.37
		Robert Ross Waddell T/A Bob Waddell Consultant		
EFT16857	05/02/2021	Contractor		2,277.00
		Toll Transport Pty Ltd		
EFT16858	05/02/2021	Freight Account		21.95
		Castledex Pty Ltd		
EFT16859	05/02/2021	Monthly Account		145.23
		Mitchell & Brown		
EFT16860	05/02/2021	Monthly Account		1,950.00
		Geraldton Lock & Key Specialists		
EFT16861	05/02/2021	Contractor		413.50
		Gaffheap Pty Ltd T/A SailCity North		
EFT16862	05/02/2021	Monthly Account		3,289.00
		Hille, Thompson & Delfos Surveyors & Planners		
EFT16863	05/02/2021	Contractor		3,811.50
		Health Insurance Fund (HIF) Of Australia Ltd		
EFT16864	05/02/2021	Payroll deductions		151.35
		Stephen Walter Hunter		
EFT16865	05/02/2021	Contractor		2,150.00
		IT Vision Australia Pty Ltd		
EFT16866	05/02/2021	Contractor		273.82
		INFINITUM TECHNOLOGIES PTY LTD		
EFT16867	05/02/2021	Contractor		1,093.95
		Somerbank Pty Ltd as Trustee for Franco Family Trust T/A Midwest Windscreens		
EFT16868	05/02/2021	Contractor		176.00

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EFT16869	05/02/2021	Marketforce Pty Ltd Job Position Advertisement		411.60
EFT16870	05/02/2021	Moore Sands Resources Pty Ltd Contractor		1,472.41
EFT16871	05/02/2021	Quantum Surveys Contractor		16,047.63
EFT16872	05/02/2021	Rossiter & Co Monthly Account		282.55
EFT16873	05/02/2021	Ray's Farm Services Contractor		7,397.50
EFT16874	05/02/2021	Dudawa Haulage Contractor		16,878.95
EFT16875	05/02/2021	Sweetman's Hardware Monthly Account		413.95
EFT16876	05/02/2021	Silverwing Holding Pty Ltd t/a Three Springs Sandblasting Contractor		2,750.00
EFT16877	05/02/2021	Three Springs IGA Monthly Account		567.85
EFT16878	05/02/2021	Three Springs Rural Services Monthly Account		14,071.79
EFT16879	05/02/2021	Unisite Group Pty Ltd Atf The Tr Family Trust T/a Grillex Monthly Account		6,215.00
EFT16880	05/02/2021	Van't Veer Services Monthly Account		30.00
EFT16881	05/02/2021	Western Power Monthly Account		1,320.00
EFT16882	05/02/2021	Winchester Industries Contractor		48,737.97
EFT16883	05/02/2021	WA Contract Ranger Services Pty Ltd Contract Ranger Services		1,710.50
EFT16884	11/02/2021	Water Corporation Water Usage and Service Charges		8,081.97
EFT16885	12/02/2021	Department of Mines, Industry Regulation & Safety (previously Building Commission) BSL LEVY COLLECTED FOR JANUARY 2021		113.30
EFT16886	12/02/2021	Breeze Connect Pty Ltd Monthly Account		53.49
EFT16887	12/02/2021	Toll Transport Pty Ltd Freight Account		10.73
EFT16888	12/02/2021	Shire of Carnamah Ranger and Emergency Service		5,881.58
EFT16889	12/02/2021	Winc Australia Pty Limited Monthly Account		168.52
EFT16890	12/02/2021	Cleanaway Pty Ltd Monthly Refuse Collection		4,044.53
EFT16891	12/02/2021	Daimler Trucks Perth Monthly Account		49,644.20
EFT16892	12/02/2021	Fire & Safety WA Monthly Account		354.70
EFT16893	12/02/2021	Geraldton Fuel Company Pty Ltd (Refuel Australia) Monthly Account		205.00

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
EFT16894	12/02/2021	Landgate Midland Monthly Account		40.60
EFT16895	12/02/2021	Silverwing Holding Pty Ltd t/a Three Springs Sandblasting Contractor		5,181.00
EFT16896	12/02/2021	Three Springs Sporting Club Catering for Shire Staff Christmas Party 18/12/2020		2,790.00
EFT16897	12/02/2021	Tara Spencer Reimbursement for Purchase of Water and Ice for Fires West Arrino 06/01/2021		164.50
EFT16898	18/02/2021	AMPAC Debt Recovery (WA) Pty Ltd Debt Recovery Costs		699.53
EFT16899	18/02/2021	Boral Construction Materials Group Limited Contractor		63,751.51
EFT16900	18/02/2021	Toll Transport Pty Ltd Freight Account		38.12
EFT16901	18/02/2021	DS Agencies Pty Ltd Monthly Account		9,188.30
EFT16902	18/02/2021	Geraldton Fuel Company Pty Ltd (Refuel Australia) Monthly Fuel Account		1,467.47
EFT16903	18/02/2021	Mitchell & Brown Monthly Account		650.00
EFT16904	18/02/2021	Health Insurance Fund (HIF) Of Australia Ltd Payroll deductions		151.35
EFT16905	18/02/2021	INFINITUM TECHNOLOGIES PTY LTD Contractor		1,073.91
EFT16906	18/02/2021	Kleenheat (Wesfarmers Kleenheat Gas Pty Ltd) Annual Cylinder Charge		85.80
EFT16907	18/02/2021	Local Government Professionals Australia WA Staff Training		1,053.00
EFT16908	18/02/2021	Moore Australia Audit (WA) Pty Ltd Staff Training		990.00
EFT16909	18/02/2021	Ray's Farm Services Contractor		16,252.50
EFT16910	18/02/2021	Sweetman's Ampol Cafe Monthly Account		50.00
EFT16911	18/02/2021	St John Ambulance - Belmont Monthly Account		225.00
EFT16912	18/02/2021	Three Springs Rural Services Monthly Account		1,719.77
EFT16913	18/02/2021	Dave Watson Contracting Pty Ltd Contractor		1,485.00
EFT16914	18/02/2021	Zed Elect Contractor		1,230.58
EFT16915	02/02/2021	Bunnings Group Limited Monthly Account		69.98
DD12757.1	09/02/2021	Telstra Monthly Telephone Usage		1,319.59
DD12766.1	15/02/2021	Telstra Monthly Mobile Phone Account		1,297.40
DD12777.1	02/02/2021	The Trustee For Aware Super T/a Aware Super Pty Ltd Payroll deductions		5,790.36
		Colonial First State - FirstChoice Wholesale Personal Super		

Date: 12/03/2021
Time: 2:17:08PM

SHIRE OF THREE SPRINGS
Statement of Payments for the Month of February 2021

USER: Donna Newton
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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		Colonial First State - FirstChoice Wholesale Personal Super		
DD12777.2	02/02/2021	Payroll deductions		527.81
		Australian Super		
DD12777.3	02/02/2021	Superannuation contributions		352.07
		ANZ Smart Choice Super		
DD12777.4	02/02/2021	Superannuation contributions		209.46
		Retail Employees Superannuation Pty Ltd (REST)		
DD12777.5	02/02/2021	Superannuation contributions		211.35
		Cbus Super		
DD12777.6	02/02/2021	Superannuation contributions		207.26
		Synergy		
DD12780.1	22/02/2021	Electricity Usage		2,312.50
		Synergy		
DD12784.1	17/02/2021	Electricity Usage Group Account		11,613.51
		Telstra		
DD12792.1	24/02/2021	Monthly Telephone Usage		480.70
		The Trustee For Aware Super T/a Aware Super Pty Ltd		
DD12806.1	16/02/2021	Payroll deductions		5,822.39
		Colonial First State - FirstChoice Wholesale Personal Super		
DD12806.2	16/02/2021	Payroll deductions		527.81
		Australian Super		
DD12806.3	16/02/2021	Superannuation contributions		352.07
		ANZ Smart Choice Super		
DD12806.4	16/02/2021	Superannuation contributions		209.46
		Retail Employees Superannuation Pty Ltd (REST)		
DD12806.5	16/02/2021	Superannuation contributions		211.35
		Cbus Super		
DD12806.6	16/02/2021	Superannuation contributions		207.26
		Water Corporation		
DD12807.2	11/02/2021	Water Use and Service Charges		281.73
		Westnet Pty Ltd		
DD12813.1	14/02/2021	Annual DNS Mail Relay Charges		90.00
		National Mastercard		
DD12832.1	24/02/2021	Monthly Credit Card Account		616.78
		Department Of Transport - Daily Licensing		
DD12837.1	28/02/2021	POLICE LICENSING PAYMENTS FOR FEBRUARY 2021		16,275.10

REPORT TOTALS

Bank Code	Bank Name	TOTAL
L	POLICE LICENSING	16,275.10
M	MUNICIPAL BANK	438,210.51
TOTAL		454,485.61

		Debtors Trial Balance					
		As at 28.02.2021					
Debtor #	Name	Credit Limit	30.11.2020	30.12.2020	29.01.2021	28.02.2021	Total
			GT 90 days	Age	GT 60 days	GT 30 days	
				Of			
				Oldest			
				Invoice			
				(90Days)			
	Totals --- Credit Balances:	-632.84	672.22		840.00	1072.50	13730.86
							15682.74