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HEALTH ACT 1911



HEALTH LOCAL LAWS 2007

Health Act 1911

Health Local Laws 2007

Made by the Governor in Executive Council under section 343B of the Act.

1. Citation

These local laws are the *Health Local Laws 2007*.

2. Meaning of Health Local Laws

In these local laws —

“**Health Local Laws**” means the local laws made by a local government under section 342 of the *Health Act 1911*.

3. Health Local Laws relating to storage of food amended

The Health Local Laws of a local government listed in Schedule 1 are amended by deleting the provision listed in column 2 of the Schedule for that local government and inserting instead the following provision with the same designation as the deleted provision —

“

A person must not store, or allow to be stored, on any premises, any food, refuse or other waste matter unless it is contained in a rodent proof receptacle or compartment.

”.

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4. Health Local Laws relating to limitation of liability amended

- (1) The Health Local Laws of a local government listed in Schedule 1 are amended by deleting each provision listed in column 3 of the Schedule for that local government and inserting instead the following provision with the same designation as the deleted provision —

“

The local government is not 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 local government under this section, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.

”

- (2) The Health Local Laws of a local government listed in Schedule 1 are amended by deleting the provision listed in column 4 of the Schedule for that local government and inserting instead the following provision with the same designation as the deleted provision —

“

The local government is not liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government or any of its staff under this section, other than compensation or damages for loss or damage suffered because the local government or any of its staff acted negligently or in breach of duty.

”

- (3) The Health Local Laws of a local government listed in Schedule 1 are amended by deleting each provision listed in column 5 of the Schedule for that local government and

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inserting instead the following provision with the same designation as the deleted provision —

“

The local government is not liable to pay compensation or damages of any kind to the person referred to in subclause (1) in relation to any action taken by the local government under this clause, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.

”

- (4) The Health Local Laws of a local government listed in Schedule 1 are amended by deleting each provision listed in column 6 of the Schedule for that local government and inserting instead the following provision with the same designation as the deleted provision —

“

The local government is not liable to pay compensation or damages of any kind to the owner or occupier of premises in relation to any action taken by the local government or any of its staff under this clause, other than compensation or damages for loss or damage suffered because the local government or any of its staff acted negligently or in breach of duty.

”

- (5) The Shire of Busselton Health Local Laws are amended by repealing section 3(5)(c) and inserting instead —

“

- (c) The local government is not liable to pay compensation or damages of any kind to the person referred to in paragraph (a) in relation to any action taken by the local government under these local laws, other than compensation or damages for loss or damage suffered because

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the local government acted negligently or in breach of duty.

”

- (6) The Town of Cambridge Health Local Laws are amended by repealing clause 5.2(4) and inserting instead —

“

- (4) The local government is not liable to pay compensation or damages to the permit holder for any disruption to business or loss arising from the local government taking any action referred to in subclause (1) or (2), other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty; and all rights and privileges granted by the permit shall be suspended in accordance with clause 3.11(2).

”

- (7) The City of Cockburn Health Local Laws are amended by repealing section 4(5) and inserting instead —

“

- (5) The local government is not liable to pay compensation or damages of any kind to the person referred to in subsection (4)(a) in relation to any action taken by the local government under this section, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.

”

- (8) The Town of Cottesloe Health Local Laws are amended by repealing section 3(5)(c) and inserting instead —

“

- (c) The local government is not liable to pay compensation or damages of any kind to the person referred to in paragraph (a) in relation to

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cl. 4

any action taken by the local government under these local laws, other than compensation or damages for loss or damage suffered because the local government acted negligently or in breach of duty.

”.

Health Local Laws 2007**Schedule 1** Health Local Laws amended**Schedule 1 — Health Local Laws amended**

[cl. 3 and 4]

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
City of Albany	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
City of Armadale	55			70(3)	63(4)
Shire of Ashburton	100	89(3), 125(3)	118(4)		
Shire of Augusta - Margaret River	113	100(3), 110(3), 138(3)	130(4)		
Town of Bassendean	6.17	6.5(3), 7.10(3)	7.3(4)		
City of Bayswater	6.17	6.5(3), 7.10(3)	7.3(4)		
City of Belmont	95			84(3), 118(3)	111(4)
Shire of Beverley	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Boddington	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Boyup Brook	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Bridgetown - Greenbushes	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Brookton	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		

Health Local Laws 2007Health Local Laws amended **Schedule 1**

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
Shire of Broome		6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Broomehill	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Bruce Rock		6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
City of Bunbury	6.2.3			6.1.3(3), 7.1.10(3)	7.1.2(4)
Shire of Busselton [see also cl. 4(5)]	100	49(4), 87(3), 97(3)	114(4)		
Town of Cambridge [see also cl. 4(6)]				6.5(3)	
City of Canning	88			79(3)	
Shire of Capel	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Carnamah	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Carnarvon	90	80(3), 115(3)	108(4)		
Shire of Chittering	100	89(3), 125(3)	118(4)		
City of Cockburn [see also cl. 4(7)]	56	76(3)	69(4)		
Shire of Collie	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Coolgardie	93	82(3), 118(3)	111(4)		

Health Local Laws 2007**Schedule 1** Health Local Laws amended

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
Shire of Coorow	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Corrigin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Town of Cottesloe [see also cl. 4(8)]	95	44(4), 82(3), 92(3), 116(3)	108(4)		
Shire of Cranbrook	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Cuballing			7.1.2(4)		
Shire of Cue	98			87(3), 123(3)	116(4)
Shire of Cunderdin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Dalwallinu	93	82(3), 118(3)	111(4)		
Shire of Dandaragan	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Dardanup	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Denmark	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Derby - West Kimberley	100	89(3), 125(3)	118(4)		
Shire of Dowerin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		

Health Local Laws 2007Health Local Laws amended **Schedule 1**

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
Shire of Dumbleyung	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of East Pilbara	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Exmouth	89	79(3), 114(3)	107(4)		
City of Fremantle	103	90(3), 100(3), 126(3)	118(4)		
Shire of Gnowangerup	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Goomalling		6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
City of Gosnells	87			78(3)	
Shire of Halls Creek	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Harvey	101	88(3), 98(3), 124(3)	116(4)		
Shire of Irwin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Kalamunda	81	98(3)	92(4)		
City of Kalgoorlie - Boulder	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Katanning	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		

Health Local Laws 2007**Schedule 1** Health Local Laws amended

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
Shire of Kellerberrin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Kojonup	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Kondinin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Koorda	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Kulin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Lake Grace	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Laverton	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Leonora	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
City of Mandurah	98			87(3), 123(3)	116(4)
Shire of Manjimup	112	101(3), 137(3)	130(4)		
City of Melville	93	82(3), 118(3)	111(4)		
Shire of Merredin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		

Health Local Laws 2007Health Local Laws amended **Schedule 1**

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
Town of Mosman Park	92			79(3), 89(3), 113(3)	105(4)
Shire of Mount Magnet	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Mt. Marshall	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Murray	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Nannup	6.16	6.5(3), 7.10(3)	7.3(4)		
City of Nedlands	101	88(3), 98(3), 105(3), 121(3)	113(4)		
Shire of Northampton				6.1.5(3), 6.2.3(3), 6.3.3(3), 6.4.3(3), 6.8.3(3), 7.1.9(3)	7.1.2(4)
Shire of Perenjori	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
City of Perth	99			88(3), 122(3)	115(4)
Shire of Pingelly	6.16	6.5(3), 7.10(3)	7.3(4)		
Shire of Plantagenet	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		

Health Local Laws 2007**Schedule 1** Health Local Laws amended

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
Town of Port Hedland	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Quairading	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
City of Rockingham	98			87(3), 126(3)	119(4)
Shire of Roebourne	96	85(3), 120(3)	113(4)		
Shire of Serpentine - Jarrahdale	88	77(3), 113(3)	106(4)		
Shire of Shark Bay	90	80.3, 115.3	108.4		
City of South Perth	94			81(3), 91(3), 119(3)	112(4)
City of Subiaco	100	87(3), 97(3), 123(3)	115(4)		
City of Swan	6.13			10.3(3)	
Shire of Tambellup	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Tammin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Three Springs	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Trayning	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Victoria Plains			7.1.2(4)		

Health Local Laws 2007Health Local Laws amended **Schedule 1**

Local Government	Column 2	Column 3	Column 4	Column 5	Column 6
Town of Vincent				87(3), 121(3)	
Shire of Wagin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
City of Wanneroo	6.7				
Shire of Waroona	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Wickepin	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Williams	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Wiluna	98			87(3), 123(3)	116(4)
Shire of Wongan - Ballidu	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		
Shire of Wyalkatchem	6.3.3	6.1.5(3), 6.2.3(3), 7.1.9(3)	7.1.2(4)		
Shire of Yilgarn	92	81(3), 117(3)	110(4)		
Shire of York	6.3.3	6.1.5(3), 6.2.3(3), 7.1.10(3)	7.1.2(4)		

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

