

CITY OF BELMONT

**THE CITY OF BELMONT
HEALTH LOCAL LAW 2026**

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LOCAL GOVERNMENT ACT 1995

CITY OF BELMONT

HEALTH LOCAL LAW 2026

Under the powers conferred on it by the *Local Government Act 1995* and all other enabling powers, the Council of the City of Belmont resolved on _____ to make the following local law.

Part 1 – Preliminary

1.1 Citation

These local laws may be cited as the *City of Belmont Health Local Law 2026*.

1.2 Commencement

This local law comes into operation 14 days after the date on which it is published in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Read as a whole

This local law must be read as a whole and the treatment of the subject matter in one part does not exclude the treatment of the same subject matter in another part.

1.5 Repeal

The *City of Belmont Health Local Law 2002* published in the *Government Gazette* 18 April 2002, and as amended from time to time are repealed.

1.6 Savings and Transitional

Without limiting the operation of the provisions of the *Interpretation Act 1984*, the repeal of any local laws by these Local Laws does not affect any document made or anything done under any local laws so repealed, and each such document or thing, so far as it is subsisting or in force at the time of the repeal and could have been made or done under these local laws, shall continue and have effect as if it had been made or done under the corresponding clauses of these Local Laws, and as if that clause had been in effect when that document was made or that thing was done.

1.7 Access to Australian Standards

Where the local law refers to an Australian Standard, access to the relevant Standard may be provided by the City upon a request in writing by an applicant. Access shall be subject to the City meeting its requirements under the *Copyright Act 1968 (Cth)*.

Part 2 – General Interpretation

2.1 Terms used

(1) In this local law unless the context otherwise requires—

affiliated person means a person who is a member of a pigeon club, cage-bird club, poultry breeding club or poultry breeding society which is an incorporated body under the *Associations Incorporation Act 2015*;

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

approved means approved by the Principal Environmental Health Officer;

arthropod vectors of disease includes -

- (a) fleas (*Siphonaptera*);
- (b) bedbugs (*Cimex lectularius*);
- (c) crab lice (*Phthirus pubis*);
- (d) body lice (*Pediculus humanus var. corporis*); and
- (e) head lice (*Pediculus humanus var. capitis*);

AS 1530.2: 1993 means the standard published by Standards Australia as AS 1530.2: 1993 and called “Methods for fire tests on building materials, components and structures – Tests for flammability of materials”;

AS 1530.3: 1999 means the standard published by Standards Australia as AS 1530.3: 1999 and called “Methods for fire tests on building materials, components and structures – Simultaneous determination of ignitability, flame propagation, heat release and smoke release”;

AS 1668.2:2024 means the standard published by Standards Australia as AS 1668.2:2024 and called “The use of mechanical ventilation and air-conditioning in buildings – Mechanical ventilation for acceptable indoor-air quality”;

AS/NZS 3666.2:2011 means the standard published by Standards Association of Australia as AS/NZS 3666.2:2011 and called “Air-handling and water systems of buildings - Microbial Control, Part 2 Operation and maintenance”;

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

bed linen includes sheets and pillow cases and, in the case of a short term hostel or recreational campsite, mattress protectors;

bee means an insect belonging to any of the various hymenopterous insects of the super family Apoidea and commonly known as a bee;

Building Code means the latest edition of the Building Code of Australia and National Construction Code published from time to time by, or on behalf of, the Australian Building Codes Board as amended from time to time, but not including explanatory information published with that code;

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

butchers' waste includes animal skeletons and rib cages from a boning room and the inedible products of an abattoir;

CEO means the chief executive officer of the local government;

cage-birds means smaller cage-birds and larger cage-birds;

cockroach means any of the various orthopterous insects commonly known as cockroaches;

communal toilet means a room which has more than one toilet with each toilet being divided from the other toilets with a cubicle surrounding it, whether or not the walls of that cubicle extend to the floor or the ceiling, or both, of the room;

communal bathroom means a room which has more than one shower or more than one bath or any combination of more than one shower and one bath, whether or not they are divided by cubicles, designed with the intention that the bathroom may be used by more than one person at any particular time;

cow includes an ox, calf or bull;

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

dwelling house means a place of residence 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 under the Health Laws and includes an Acting or Assistant Environmental Health Officer;

European wasp means the species of wasp known as *Vespula germanica*;

festival includes a fair, function or event;

fertiliser includes manure;

fly means any of the two-winged insects constituting the order *Diptera* commonly known as flies;

footpath includes a path used by, or set aside or intended for use by, pedestrians, cyclists or both pedestrians and cyclists;

Guideline means the guidelines issued under the Health Laws by the Department of Health named *Guideline for the management of public health risk associated with temporary toilets in Western Australia*, as amended from time to time;

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;

Health Laws means the *Health Act 1911*, the *Health (Miscellaneous Provisions) Act 1911* and the *Public Health Act 2016* and all subsidiary legislation made under any of these Acts;

hive means a moveable or fixed structure, container or object in which a colony of bees is kept;

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

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;

LG Act means the *Local Government Act 1995*

large animal includes a pig, sheep, goat or any beast of burden;

larger cage-birds includes parrots, galahs or corellas and the like;

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 of each washing machine;

local government means the City of Belmont

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

lodging house includes a serviced apartment and a short term hostel;

lot has the meaning given to it in the *Planning and Development Act 2005*;

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

mosquito means any of the two-winged insects constituting the family Diptera Culicidae commonly known as mosquitoes;

organiser, in relation to a festival, means a person -

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

Pigeon Code of Practice means the Code of Practice for Pigeon Keeping and Racing, published in March 2003, amended from time to time and approved by the Pigeon Racing Federations of WA and the Independent Racing Pigeon Federation Inc;

pigeon includes all breeds of domestic pigeon of the genus *Columba livia domestica*;

poultry includes fowls, peafowls, turkeys, geese, ducks and other domestic fowls;

Principal Environmental Health Officer means the Environmental Health Officer with managerial authority over one or more other Environmental Health Officers;

private street means a street, court, alley, lane, yard, passage or thoroughfare which is not dedicated, whether under an Act or at common law, to use as such by the public and which -

- (a) forms a common access to lands or premises, separately occupied; or

(b) is accessible from a street, court, alley, lane, yard, passage, thoroughfare, or public place, which is dedicated, whether under an Act or at common law, to use as such by the public;

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

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

register of lodgers means the register kept in accordance with the Health Laws and this Part;

regulations means the *Local Government (Functions and General) Regulations 1996*;

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

rodent means an animal belonging to the order Rodentia and includes a rat or a mouse but does not include an animal (other than a rat) kept as a pet in an enclosure designed for the purpose of keeping as a pet an animal of that kind;

sanitary convenience includes a urinal, water-closet, earth-closet, privy, sink, bath, wash trough, apparatus for the treatment of sewage, ash-pit, ash-tub or other receptacle for the deposit of ashes, faecal matter, or refuse, and all similar conveniences;

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;

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

sewer includes a sewer or drain of any kind, except –

- (a) a drain to which the Health Laws apply; or
- (b) a water channel constructed of stone, brick, concrete, or any other material, including the property of the local government;

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

smaller cage-birds include budgerigars, canaries, finches, quail, doves and other small birds kept in cages on residential premises but does not include poultry and larger cage-birds;

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;

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;

vector of disease means an arthropod or rodent that transmits or may transmit 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 head lice;

water means drinking water within the meaning of the *Australian Guidelines for Drinking Water* as published by the National Health and Medical Research Council and amended and endorsed by the Minister for health from time to time;

window means a glass panel, roof light, glass brick, glass louvre, 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;

young birds includes -

- (a) pigeons under 24 days of age and recognised as birds without feathers on the flesh under their wings; and
 - (b) smaller cage-birds under 24 days of age and recognised as confined to their nests.
- (2) Where in this local law, a duty or liability is imposed on an **owner or occupier**, the duty or liability is taken to be imposed jointly and severally on each of the owner or occupier.
- (3) Where under this local law, 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 3 – Sanitary conveniences

3.1 Dwelling house

- (1) A person must 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 must have adequate lighting.

3.2 Premises other than a dwelling house

- (1) The owner of premises other than a dwelling house must 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 these local laws are situated within a reasonable distance 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; and
 - (iv) separate from any trough, sink or basin used in connection with any process situated within a reasonable distance of the sanitary conveniences and easily accessible to the person for whom they are provided.
- (2) The occupier of premises other than a dwelling house must 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.

3.3 Outdoor festival

- (1) The organiser of an outdoor festival at which not more than 20,000 people are expected to attend must 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 subclause (1), the number of a particular sanitary convenience to be provided is not a whole number, that number is to 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 must provide sanitary conveniences of a number as directed by the Principal Environmental Health Officer.

3.4 Toilets

Toilets on premises other than a dwelling house must, where more than one toilet is provided on the premises, bear, on the entrance to each toilet, a suitable sign indicating for which sex its use is intended.

3.5 Temporary works

A person who undertakes temporary work at any place must -

- (a) provide and maintain for the use of persons engaged, whether as employees or as independent contractors or otherwise, one temporary toilet in accordance with the Health Laws, the Guideline, the *Building Act 2011* and the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*; and
- (b) remove the toilet at the conclusion of the work or at an earlier time in accordance with a direction from the Principal Environmental Health Officer; and
- (c) ensure the site is left clean.

3.6 Maintenance of sanitary convenience and fittings

- (1) The occupier of premises must -
 - (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 must -
 - (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.

3.7 Ventilation of toilet

- (1) A toilet in any premises must be ventilated in accordance with the Building Code.
- (2) A mechanical ventilation system provided under subclause (1) must be maintained in good working order and condition.

3.8 Public sanitary conveniences

- (1) A person must not -
 - (a) foul;
 - (b) damage or vandalise; or
 - (c) write on or otherwise deface,a public sanitary convenience or sanitary fixtures or fittings or the premises in or on which the sanitary convenience is located.
- (2) A person must not live or sleep in or on the premises in which a public sanitary convenience is located or use it for a purpose other than that for which it was intended.

3.9 Lighting

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

3.10 Installation

- (1) Every sanitary convenience must be installed in accordance with the requirements of the *Metropolitan Water Supply Sewerage and Drainage Act 1909* and the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*, and must have an adequate supply of water.
- (2) Every temporary sanitary convenience must be installed in accordance with the requirements of the Health Laws, the Guideline, the *Building Act 2011* and the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

Part 4 - Bathrooms, laundries and kitchens

4.1 Bathrooms

- (1) A person must 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 Laws; and
- (c) is equipped with -
 - (i) a wash hand basin; and
 - (ii) either a shower in a shower recess or a bath.
- (2) All baths, showers, hand basins and similar fittings must be provided with an adequate supply of hot and cold water.

4.2 Laundries

- (1) A laundry must conform to the provisions of the Building Code.
- (2) Where, in any building, a laundry is situated adjacent to a kitchen or a room where food is stored or consumed, the laundry must be separated from the kitchen by a wall extending from the floor to the roof or ceiling.
- (3) Where there is an opening between a laundry and a kitchen or other room where food is stored or consumed, the opening must -
 - (a) not be more than 1220 millimetres wide; and
 - (b) have a door which when closed must completely fill the opening.

4.3 Washing or keeping of clothes in a kitchen

A person must 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.

4.4 Kitchens

- (1) A person must not use or occupy, or permit to be used or occupied, a dwelling house without a kitchen equipped with -
 - (a) an electric, gas or wood stove or other facility or appliance used to cook food;
 - (b) an oven with a capacity of not less than 0.005 cubic metres per person usually accommodated in the dwelling house with a minimum capacity of 0.03 cubic metres; and
 - (c) a sink which must -
 - (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.
- (2) The occupier of a dwelling house must ensure that the stove, oven and sink are kept clean, in good order and repair and fit for use.
- (3) A cooking facility must -
 - (a) be installed in accordance with the requirements of the Building and Energy WA; and

- (b) not be installed or used in any room other than a kitchen.
- (4) Where mechanical extraction is provided in a kitchen, the exhaust air must be -
 - (a) carried to the outside air as directly as practicable; and
 - (b) ducted throughout.
- (5) In this clause, a **cooking facility** includes a stove, oven, facility or appliance used for or in connection with the cooking of food.

Part 5 - Maintenance of dwelling houses

5.1 Dwelling house maintenance

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

- (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 verandah, 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 in surface and free from cracks;
- (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 *Metropolitan 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 Building and Energy WA.

5.2 Maintenance of guttering and downpipes and disposal of rainwater

The owner or occupier of a dwelling house must -

- (a) maintain all guttering, downpipes and drains on the premises in a good state of repair, clean and free from obstruction; and
- (b) not permit any rainwater from the premises to discharge onto or over a footpath, street or other property.

Part 6 - Ventilation of houses

6.1 Exemption for short term hostels

This Division does not apply to short term hostels referred to in Part 22.

6.2 Overcrowding

The owner or occupier of a house must 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) a garage or shed to be used for sleeping purposes.

6.3 Calculating sufficient space

For the purpose of clause 6.2, in calculating the space required for each person -

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

6.4 Ventilation

- (1) A person must not use or occupy, or permit to be used or occupied, a house unless the house is properly ventilated.
- (2) For the purpose of subclause (1) a house is taken 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 AS1668.2:2024.
- (3) The owner of a house provided with a mechanical ventilation or air-conditioning system must ensure that the system is -
 - (a) maintained in good working condition and in accordance with AS/NZS 3666.2:2011; and
 - (b) in use at all times the building is occupied if it is a building without approved natural ventilation.
- (4) If, in the opinion of the Principal Environmental Health Officer, a house is not properly ventilated, the local government 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 must comply with a notice under subclause (4).

Part 7 - Water supply

7.1 Water supply

- (1) The owner of a house must 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 Principal Environmental Health Officer.
- (2) The water supply must at all times deliver an adequate supply of drinking water to each tap in the house or on the site on which the house is located.

7.2 Rain water tanks

The owner or occupier of a house from which part of the water supply is drawn from a rain water tank must -

- (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 must not be removed at any time except for the purpose of cleaning, repairing or maintaining the tank;
- (c) at least once in each year, thoroughly clean any tank that is used to store water for human consumption; and
- (d) when directed by an Environmental Health Officer, empty, clean and disinfect any tank upon the premises that is used to store water for human consumption.

7.3 Wells

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

- (a) at least 30 metres from any soak well or other possible source of pollution unless otherwise approved by the Executive Director, 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.

7.4 Pollution

A person must not deposit on or under 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.

Part 8 – Disposal of refuse

8.1 Burning rubbish or refuse

- (1) Subject to any other written law, a person must not -
 - (a) without the written approval of the Principal Environmental Health Officer; 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 -
 - (c) in any incinerator; or
 - (d) on the ground.
- (2) An approval of the Principal Environmental Health Officer under subclause (1) 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 offensive when burnt; and
 - (ii) is of such quantity, or of such a nature, as not to be suitable for removal by the local government's refuse collection service;
 - (b) there is no other appropriate means of disposal;
 - (c) burning must not take place -
 - (i) during any period for which an air dispersion alert has been issued by the Australian Government Bureau of Meteorology; or
 - (ii) where there is no current dispersion alert, outside the hours of 10.00 a.m. to 3.00 p.m.;

- (d) an incinerator must meet the minimum standards specified by the Principal Environmental Health Officer; and
- (e) an incinerator unit used for fire must be located -
 - (i) at least 2 metres from a fence or building; and
 - (ii) in such a position so as not to create a nuisance or be offensive to other persons.
- (3) Subject to any other written law, the Principal Environmental Health Officer may grant approval to clear, by burning, fire breaks or vacant blocks of grass, straw, hay, undergrowth, herbage and other similar vegetation whether alive or dead and standing or not standing.

Part 9 - Transport of butchers' waste

9.1 Restriction of vehicles

A person must not use, for the transport of butchers' waste -

- (a) a vehicle used for the transport of food or drugs; or
- (b) anything intended to be used for the packing or handling of food or drugs.

9.2 Transport of butchers' waste

- (1) A person must not transport butchers' waste otherwise than in -
 - (a) a compartment complying with the following specifications —
 - (i) the floor and 4 walls to be made of an approved impervious material of an approved thickness and the walls to be not less than 910 millimetres high;
 - (ii) all joints to be, sealed, welded, soldered or brazed and made watertight;
 - (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 sheet material approved by the Principal Environmental Health Officer, 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 watertight durable and impervious container fitted with a lid, which can be tightly closed.
- (2) A person must not transport any butchers' waste in a vehicle unless the vehicle and its fittings, including the compartment or container referred to in this clause, are -
 - (a) maintained in good order and condition; and
 - (b) thoroughly cleaned at the conclusion of each day's work.

- (3) A person must not load, transport, or unload butchers' waste in a manner that is or may be 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 10 - Nuisance

10.1 Footpaths etc. to be kept clean

An owner or occupier of premises must keep any footpath, pavement, area or right of way immediately adjacent to the premises clean and clear from refuse and other obstacles which are or have been in the possession or control of the owner or occupier which the owner or occupier has caused or allowed to be on the footpath, pavement, area or right of way, unless otherwise approved by the Principal Environmental Health Officer.

10.2 Escape of smoke etc.

- (1) Subject to subclause (2), an owner or occupier of premises must not cause or permit the escape of smoke, dust, fumes, offensive or foul odours, liquid waste or liquid refuse from the premises in such quantity or of such a nature as to cause or to be a nuisance.
- (2) Subclause (1) does not apply to smoke from the chimney of a private dwelling house.

10.3 Public Vehicles to be kept clean

The owner or person in control of a public vehicle must -

- (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 an Environmental Health Officer, thoroughly clean and disinfect the vehicle as directed.

10.4 Prohibition against spitting

A person must not spit -

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

10.5 Transportation, use and storage of offal or blood

A person must not transport or store offal or blood, for the purpose of being used as manure, unless it has been sterilised by steam or other effective means and properly dried.

10.6 Use or storage of fertiliser

An owner or occupier of premises must not use or keep for the purpose of use, as fertiliser any -

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

10.7 Storage and dispatch of artificial fertiliser

An owner or occupier of premises where artificial fertiliser is stored in bulk for sale must -

- (a) keep all artificial fertiliser in a building -
 - (i) of which the walls, floors and ceilings or undersides of the roof are constructed of durable and non-absorbent materials finished internally with a smooth surface; and
 - (ii) free from damp and properly ventilated;
- (b) take proper precautions to prevent the emission of dust or offensive effluvia from the building; and
- (c) ensure that all artificial fertiliser dispatched from the premises is packed in such a manner as to prevent any nuisance arising during transit.

10.8 Storage of fertiliser in a dwelling house

The owner or occupier of a dwelling house where fertiliser or compost is stored or used must

- (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 the Principal Environmental Health Officer.

Part 11 - Keeping of animals

11.1 Cleanliness

An owner or occupier of premises in or on which a dog, cat or other animal or bird is kept must -

- (a) keep the premises free from excrement, filth, food waste and all other matter which is or is 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.

11.2 Animal enclosures

- (1) A person must not keep or cause or permit to be kept any animals or birds on premises which are not effectively drained or of which the drainage flows to the walls or foundations of any building.
- (2) The owner or occupier of premises where animals or birds are kept must, when directed by the local government, 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.

11.3 Slaughter of animals

- (1) Subject to subclause (2), a person must not slaughter any animal within the district.
- (2) Subclause (1) does not apply to euthanasia of animals by a veterinarian or other duly authorised person.

11.4 Disposal of dead animals

- (1) An owner or occupier of premises on which there is a dead animal must immediately remove the carcass and arrange for its disposal at an approved disposal site.
- (2) An owner, or a person having the care, of any animal that dies or is killed in a public or private place must immediately remove the carcass and arrange for its disposal at an approved disposal site.

Part 12 – Keeping of large animals

12.1 Approval required

- (1) A cow or large animal must not be kept on any property or premises within the district unless prior written approval has been given by the local government.
- (2) The local government may approve in exceptional circumstances the keeping of a cow or large animal and may impose any conditions it considers necessary to ensure that health standards are not compromised.

12.2 Proximity of animals to a dwelling house

The owner or occupier of premises must not permit a cow or other large animal to approach within 15 metres of a dwelling house.

12.3 Manure receptacle

An owner or occupier of premises on which an approved animal is kept must -

- (a) provide in a position convenient to the stable a receptacle for manure, constructed of an impervious and durable material which has a smooth surface, provided with a tight-fitting hinged cover, and with no part of the base of the receptacle 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 insects;
- (d) keep the receptacle so far as possible free from flies or other insects 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.

Part 13 - Keeping of poultry, pigeons and cage-birds

13.1 Limitation on numbers

- (1) An owner or occupier, who is not an affiliated person, must not keep more than 20 smaller cage-birds or a combined total of 12 poultry and pigeons, exclusive of young birds.
- (2) An owner or occupier, who is an affiliated person, must not keep a combined total of more than 75 pigeons or smaller cage-birds, exclusive of young birds, and 12 poultry on any one lot.

13.2 Changes to approved numbers

- (1) The Principal Environmental Health Officer may either reduce the approved number of poultry, pigeons or smaller cage-birds kept by an owner or occupier, or ban the keeping of poultry, pigeons or smaller cage-birds by an owner or occupier, if the conditions of this Division are not complied with or if excessive noise is evident.
- (2) An owner or occupier must comply with a direction from the Principal Environmental Health Officer under this clause.

13.3 Conditions on keeping poultry

Unless the local government approves otherwise, a person who keeps poultry or permits poultry to be kept must 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 that is situated no closer than 1.2 metres to any property boundary and that
 - (i) has an impervious concrete floor of 50 millimetre minimum thickness, graded to the front to facilitate easy cleaning;
 - (ii) is designed to allow easy access for cleaning; and
 - (iii) has the walls and roof constructed of galvanised iron or other approved material;
- (c) the structure or enclosure is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (d) no poultry is able to approach within 18 metres of a street other than a right of way;
- (e) all enclosures and structures in which poultry are kept, including food and water containers, waste receptacles and surrounds are maintained in a clean condition;
- (f) all wastes including husks, seed, feathers, dead birds and faecal matter are to be placed in plastic or double-lined paper garbage bags and disposed of immediately after collection into an approved receptacle, that has a tight fitting lid and is inaccessible to flies, rodents and other vectors of disease; and
- (g) in accordance with any direction of an Environmental Health Officer –
 - (i) the enclosure, structure and surrounds are cleaned and disinfected; and
 - (ii) flies, rodents and other vectors of disease are trapped or baited.

13.4 Conditions for keeping pigeons and cage-birds

- (1) A person who keeps, or permits to be kept, pigeons or cage-birds must ensure that –
 - (a) subject to paragraph (b), no pigeon or cage-bird 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;
 - (b) the approval of the Principal Environmental Health Officer is obtained before an aviary or loft is kept closer than 15 metres to any dwelling but the approval is subject to –
 - (i) the dwelling being either on an adjacent property in the same ownership or a dwelling on the same property that is occupied by the keeper of the aviary or loft; and
 - (ii) in any case, the minimum separation being not less than 5 metres;

- (c) except where registered homing pigeons are freed for exercise, the pigeons or cage-birds are confined in a properly constructed pigeon cage, aviary or loft;
 - (d) no pigeon cage, aviary or loft is located nearer than 1.2 metres from the boundary of adjoining properties;
 - (e) all structures used to house the pigeons or cage-birds are to be of sound, weatherproof construction, the framework and roost being of smooth sealed timber or metal, the walls and roof to be constructed of galvanised iron or other approved material, and the floor to be constructed in a manner and of a material which will facilitate the hygienic removal of waste matter, husks, seed, feathers, dead birds and faecal matter;
 - (f) all cages, aviaries, lofts, surrounds, food and water containers and rubbish receptacles are kept clean and maintained in good order and condition to the satisfaction of an Environmental Health Officer at all times; and
 - (g) all waste, including husks, seed, feathers, dead birds and faecal matter, is placed in plastic or double lined paper garbage bags and disposed of immediately after collection into an approved receptacle that has a tight fitting lid and is inaccessible to flies, rodents and other vectors of disease.
- (2) The occupier of premises where pigeons or cage-birds are kept must clean and disinfect cages, aviaries, lofts and surrounds, and trap or bait flies, rodents and other vectors of disease in accordance with any direction of an Environmental Health Officer.
 - (3) Pigeons registered as homing pigeons may be released for daily exercise and may also be released for organised races and training.
 - (4) The local government may, at its discretion, prohibit an owner or occupier from exercising homing pigeons between specified hours of the day, if health or nuisance related problems become evident.
 - (5) Where there is an inconsistency between this clause and the Pigeon Code of Practice, the higher standard of construction and hygiene is to prevail.

13.5 Roosters, geese, peafowls, turkeys and larger cage-birds

- (1) An owner or occupier of premises must not -
 - (a) without the written approval of the Principal Environmental Health Officer; or
 - (b) except in accordance with any conditions imposed by the Principal Environmental Health Officer in connection with the approval under subclause (a),

keep or permit to be kept a rooster, goose, peafowl, turkey or larger cage-bird on the premises.

- (2) The Principal Environmental Health Officer may, on written application, grant approval with or without conditions to the owner or occupier of premises to keep on the premises a specified number of roosters, geese, peafowls, turkeys or larger cage-birds.

13.6 Revocation of approval

- (1) The local government may, at any time, revoke the approval to keep or permit to be kept roosters, geese, peafowls, turkeys or larger cage-birds for any reason, including excessive noise, which, in the opinion of the local government, justifies the revocation.
- (2) Whenever the local government revokes the approval to keep or permit to be kept roosters, geese, peafowls, turkeys or larger cage-birds, it must give the owner or occupier of the premises notice of the revocation and the approval is to be revoked from the date on which the notice is given to the owner or occupier.
- (3) An owner or occupier, must, at his or her own expense, remove or destroy in the appropriate manner, all the roosters, geese, peafowls, turkeys or larger cage-birds, within 14 days that the notice referred to in subclause (2) is given.

13.7 Removal of non-conforming structure or enclosure

- (1) If a structure or enclosure is used for the keeping of poultry, pigeons or cage-birds contrary to clause 13.3 or clause 13.4, the Principal Environmental Health Officer may direct the owner or occupier to remove it at the cost of the owner or occupier (as the case may be).
- (2) An owner or occupier must comply with a direction from the Principal Environmental Health Officer under this clause.

13.8 Restrictions on pigeon nesting or perching

- (1) The Principal Environmental Health Officer may direct an owner or occupier of premises, including a dwelling house, in or on which pigeons are, or are in the habit of, nesting or perching to take adequate steps, at their own cost, to prevent them continuing to do so.
- (2) An owner or occupier must comply with a direction given by the Principal Environmental Health Officer under this clause.

13.9 Restrictions on feeding pigeons and seagulls

- (1) The local government may by resolution determine that the feeding of pigeons, doves and seagulls, which are not kept in accordance with

this Division, is prohibited within the district or specified part or parts of the district.

- (2) A person must not feed pigeons, doves or seagulls in the district or specified part or parts of the district, as applicable, in respect of which a resolution has been made under subclause (1) if the local government has –
 - (a) erected signs in the district or specified part or parts of the district, as applicable, notifying the public that feeding pigeons, doves and seagulls is prohibited; or
 - (b) otherwise notified that person that the feeding of pigeons, doves and seagulls is prohibited in the district or specified part or parts of the district.

Part 14 - Flies

14.1 Restrictions on fly breeding matter

An owner or occupier of premises must 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.

14.2 Measures to be taken

An owner or occupier of premises must 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) fertilizers 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.

14.3 Notice directing measures to be taken

Where in the opinion of an Environmental Health Officer flies are prevalent or are breeding on any premises, the 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 Officer are necessary to -

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

14.4 Local government may execute work and recover costs

(1) Where -

- (a) a person is required under this Division or directed by a notice given under clause 14.3, to execute any work; and
- (b) that person fails or neglects to comply with the requirement,

the local government 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 local law.

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

Part 15 - Mosquitoes

15.1 Premises to be kept free of mosquito breeding matter

An owner or occupier of premises must keep the premises free of -

- (a) refuse; and
- (b) water located so as to be, liable to become the breeding place of mosquitoes.

15.2 Measures to be taken by an owner or occupier

An owner or occupier of premises -

- (a) where there is a fountain, artificial pool, artificial pond or excavation of any kind which contains water suitable for the breeding of mosquitoes, must take adequate and reasonable measures to prevent mosquitoes breeding; and
- (b) where there is a water tank, well, cistern, vat or barrel must -
 - (i) keep it protected with a mosquito-proof cover; and
 - (ii) screen all openings, other than the delivery exit, with wire mesh having openings no larger than 1.2 millimetres.

15.3 Measures to be taken by an occupier

An occupier of premises where water is kept in a horse trough, poultry drinking vessel or other receptacle must -

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

15.4 Removal of undergrowth or vegetation

- (1) Where it appears to the Principal Environmental Health Officer that there is, on any premises, undergrowth or vegetation likely to harbour mosquitoes, the Principal Environmental Health Officer may direct, orally or in writing, the owner or occupier of the premises to cut down and remove within a specified time the undergrowth or vegetation.
- (2) An owner or occupier of premises must comply with a direction from, and within the time specified by, the Principal Environmental Health Officer under this clause.

15.5 Filling in excavations etc.

Unless written permission to the contrary is obtained from the local government, a person who cuts turf or removes soil or other material from any land must forthwith ensure that each excavation is filled in with clean sound material and made level with the surrounding surface.

15.6 Drains, channels and septic tanks

An owner or occupier of land must -

- (a) cause all drains and channels in or on the land to be kept in good order and free from obstruction; and
- (b) where a septic tank is installed on the land -
 - (i) apply an approved larvicide according to the directions on the container, into the septic tank system, whenever directed to do so by an Environmental Health Officer; and
 - (ii) provide, and keep in sound condition at all times, wire mesh having openings no larger than 1.2 millimetres covering any inlet vent to the tank.

15.7 Drainage of land

An owner or occupier of land on which there is water liable to become a breeding place for mosquitoes must, when required by the local government, effectively drain the land and, for that purpose, must -

- (a) make or provide drains on the land;
- (b) remove all irregularities in the surface of the land;
- (c) if necessary, adjust the surface of the land or raise the level of the surface in such a manner that -
 - (i) the water on the land may flow into the drains without

- obstruction; and
- (ii) no water must remain on any portion of the land other than the drains; and
- (d) keep all drains in good order and free from obstruction.

Part 16 - Rodents

16.1 Measures to be taken to eradicate rodents

- (1) An owner or occupier of premises must at all times take effective measures to eradicate any rodents in or on the premises.
- (2) Without limiting the generality of subclause (1), an owner or occupier of premises, whenever there are indications of the presence of rodents in, on or about the premises, and while such indications continue, must -
 - (a) take effective measures to keep the premises free from rodents including -
 - (i) protecting food stuffs;
 - (ii) using a rodenticide bait or a properly baited trap; and
 - (iii) preventing rodents having access to water on the premises;
 - (b) inspect daily each rodenticide bait or trap used and, whenever a rodent is found, must -
 - (i) if it is not already dead, kill it immediately; and
 - (ii) dispose of the carcass in such a manner as will not create a nuisance; and
 - (c) take whatever measures for the eradication of rodents as an Environmental Health Officer may from time to time direct.

16.2 Waste food etc. to be kept in rodent proof receptacles

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.

16.3 Restrictions on materials affording harbourage for rodents

- (1) An owner or occupier of premises must cause -
 - (a) any part of the premises; or
 - (b) any material, sewer, pipe or other thing in or on the premises, that might afford access or harbourage to rodents to be altered, repaired, protected, removed or otherwise dealt with so as to prevent it being used as access for, or harbourage of, rodents.
- (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 Officer, is necessary or desirable to prevent or deter the presence of rodents in or on the premises.

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

16.4 Restrictions on the sale or keeping of rats

- (1) Subject to subclause (2) an owner or occupier of premises must not, on or from those premises -
 - (a) keep or permit to be kept a rat; or
 - (b) sell or offer for sale or permit to be sold or offered for sale a rat.
- (2) Subclause (1) does not prevent the keeping of rats for the purpose of scientific or medical research on premises owned or occupied by -
 - (a) a university or school;
 - (b) a person approved by the local government; or
 - (c) a public hospital or a private hospital within the meaning of those expressions in the *Hospitals and Health Services Act 1927*.
- (3) A person or body specified in subclause (2) that keeps rats for the purpose of scientific or medical research must -
 - (a) at all times ensure that all live rats are kept in the effective control of a person or in locked cages; and
 - (b) if a rat escapes, forthwith comply with the requirements of clause 16.1 and ensure that all reasonable steps are taken to destroy the rat.

Part 17 - Cockroaches

17.1 Measures to be taken to eradicate cockroaches

- (1) An owner or occupier of premises must take effective measures to eradicate any cockroaches in or on the premises.
- (2) Without limiting the generality of subclause (1), an owner or occupier of premises, whenever there are any indications of the presence of cockroaches in, on or about the premises, and while the indications continue, must take effective measures to keep the premises free from cockroaches including -
 - (a) washing and storing, immediately after use, cooking and eating utensils;
 - (b) wrapping and depositing in a rubbish receptacle without delay all food scraps, uneaten pet food and garbage;
 - (c) properly treating the premises with an insecticide, taking care not to harm the safety of humans and pets or to contaminate food or cooking or eating utensils; and

- (d) whenever required by an Environmental Health Officer, treating any area with baits or other methods to eradicate cockroaches.

Part 18 - European wasps

18.1 Measures to be taken to keep premises free from european wasp nest

An owner or occupier of premises must ensure that the premises are kept free from European Wasp nests and must -

- (a) immediately notify the local government of any wasps and their nest in, on or about the premises that is suspected to be a European Wasp or its nest;
- (b) follow any direction of an Environmental Health Officer for the purpose of destroying the wasp and nest; and
- (c) assist an Environmental Health Officer, or their representative, to trace any nest that may be present in, on or about the premises.

Part 19 – Bee keeping

19.1 Limitation on numbers of hives

- (1) A person must not keep or permit the keeping of bees except on a lot in accordance with this Division.
- (2) Subject to subclause (3), a person must not keep or permit the keeping of bees without the written consent of the local government.
- (3) A person must comply with any conditions imposed by the local government under subclause (2).

19.2 Restrictions on keeping of bees in hives

A person must not keep or permit the keeping of bees in a hive on a lot unless, at all times

- (a) an adequate and permanent supply of water is provided on the lot within 10 metres of the hives;
- (b) the hive is kept -
 - (i) outside, and at least 10 metres from, any building other than a fence;
 - (ii) at least 10 metres from any footpath, street, private street or public place; and
 - (iii) at least 5 metres from the boundary of the lot; and
- (c) the hive is enclosed on all sides by a fence, wall or other enclosure.

19.3 Bees that cause a nuisance not to be kept

- (1) A person must not keep, or permit the keeping of, bees that cause a nuisance.

- (2) The local government may direct a person, within a specified time, to remove any bees or beehives that in the opinion of the local government are causing a nuisance.
- (3) A person must comply with a direction under subclause (2) within the time specified.

Part 20 - Arthropod vectors of disease

20.1 Responsibility of an owner or occupier

The owner or occupier of premises must -

- (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 21 – Infectious disease

21.1 Environmental Health Officer may visit, inspect and report

An Environmental Health Officer -

- (a) may visit and inspect any house, its occupants, fixtures and fittings; and
- (b) who has reason to believe that there has been a breach of the Health Laws or this local law relating to infectious diseases, must, as soon as possible, submit a written report on the matter to the local government.

21.2 Requirements on owner or occupier to clean, disinfect and disinfest

- (1) The local government or the Principal 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 must comply with a notice given under subclause (1).

21.3 Environmental Health Officer may disinfect or disinfest premises

- (1) Where the local government is satisfied that any case of infectious disease has occurred on any premises, the local government may direct an Environmental Health Officer, other local government 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 must permit, and provide access to enable, an Environmental Health Officer, other local government officer or other person to carry out the direction given under subclause (1).
- (3) The local government may recover, in a court of competent jurisdiction, the cost of carrying out the work under this clause from the owner or occupier of the premises in or on which the work was carried out.

21.4 Insanitary houses, premises and things

- (1) An owner or occupier of a house or premises must maintain the house or premises free from any insanitary condition or thing.
- (2) Where the local government considers that a house is insanitary, it may, by notice in writing, direct an owner of the house, within the time and in the manner specified in the notice, to destroy or 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 subclauses (2) or (3) must comply with the terms of the notice.

21.5 Destruction of infected animals

- (1) The Principal Environmental Health Officer, on 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 all steps 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 on whose premises, the animal is located.

- (2) A person who has in their possession or on premises occupied by him or her, an animal that is the subject of a notice under subclause (1) must comply with the terms of the notice.

21.6 Local government may carry out work and recover costs

- (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) the person fails or neglects to comply with the requirement, the person commits an offence and the local government may carry out the work or arrange for the work to be carried out by another.
- (2) The costs and expenses incurred by the local government in the execution of a power under this clause may be recovered in a court of competent jurisdiction from the person referred to in subclause (1)(a).

21.7 Disposal of used condoms

- (1) An occupier of premises on or from which used condoms are produced must 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 Principal Environmental Health Officer.
- (2) A person must not dispose of a used condom in a public place except in accordance with subclause (1).

21.8 Disposal of used needles

A person must 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 22 – Lodging houses

22.1 Interpretation

Where in this Division an act is required to be done or forbidden to be done in relation to a 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.

22.2 Lodging house not to be kept unless registered

A person must 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 local government under clause 22.4;
- (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 Principal Environmental Health Officer, 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.

22.3 Application for registration

An application for registration of a lodging house must 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 imposed from time to time by local government under the LG Act; and
 - (ii) detailed plans and specifications of the lodging house.

22.4 Approval of application

The local government may approve, with or without conditions, an application under clause 22.2 by issuing to the applicant a certificate in the form of Schedule 2.

22.5 Renewal of registration

A person who keeps a lodging house that is registered under this Part must -

- (a) during the month of June in each year apply to the local government for the renewal of the registration of the lodging house; and
- (b) pay the fee imposed from time to time by local government at the time of making each application for renewal.

22.6 Notification upon sale or transfer

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

22.7 Revocation of registration

- (1) The local government may revoke a registration on any one or more of the following grounds -
 - (a) that the lodging house has not, to the satisfaction of local government, been kept free from vectors of disease or in a clean, wholesome and sanitary condition;
 - (b) that the keeper has -
 - (i) been convicted of an offence against this local law 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 local government, having regard to a report from the Police Force, 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 the Principal Environmental Health Officer, unfit to remain registered.
- (2) Before revoking the registration of a lodging house under this clause, the local government must give notice to the keeper requiring the keeper, within the time specified in the notice, to show cause why the registration should not be revoked.
- (3) Whenever the local government revokes the registration of a lodging house, it must give the keeper notice of the revocation and the registration is to be revoked as from the date on which the notice is served on the keeper.

22.8 General construction requirements

The construction of a lodging house must comply with the Building Code.

22.9 Sanitary conveniences

- (1) A keeper must maintain in good working order and condition and in convenient positions on the premises -
 - (a) one or more communal toilets, and/or one or more individual toilets; and
 - (b) one or more communal bathrooms, and/or one or more individual bathrooms, each fitted with a wash hand basin and either a shower or a bath,in accordance with the requirements of the Building Code.

- (2) A bathroom or toilet that is used as a private bathroom or toilet to the exclusion of other lodgers or residents is not to be counted for the purposes of subclause (1).
- (3) Each bath, shower and hand wash basin must be provided with an adequate supply of hot and cold water.
- (4) The walls of each shower and bath must be of an impervious material to a minimum height of 1.8 metres above the floor level.
- (5) Subject to subclause (7) each communal toilet and communal bathroom must –
 - (a) be so situated, separated and screened as to ensure privacy;
 - (b) be apportioned to each sex; and
 - (c) be provided with adequate electric lighting.
- (6) Subject to subclause (8) each individual toilet and individual bathroom must –
 - (a) be so situated, separated and screened so as to ensure privacy;
 - (b) be fitted with a mechanism by which the door may be locked from inside the individual toilet or individual bathroom as approved by an Environmental Health Officer; and
 - (c) be provided with adequate electric lighting.
- (7) Subclauses (5) and (6) do not apply to a serviced apartment.

22.10 Laundry

- (1) A keeper must –
 - (a) subject to subclause (2), 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 surfaced with an impervious material with an even fall to a floor waste.
- (2) The Principal Environmental Health Officer may approve the provision of a reduced number of laundry units if suitable equipment of a commercial type is installed.

22.11 Kitchen

The keeper of a lodging house must provide in that lodging house a kitchen which –

- (a) has a minimum floor area of –
 - (i) where lodgers prepare their own meals – 0.65 square metres per

- person;
- (ii) where meals are provided by the keeper or manager - 0.35 square metres per person; or
 - (iii) where a kitchen and dining room are combined - 1 square metre per person,
- but in any case not less than 16 square metres;
- (b) has adequate -
 - (i) food storage facilities and cupboards to prevent contamination of food, or cooking or eating utensils, by dirt, dust, flies or other vectors of disease of any kind; and
 - (ii) refrigerator space for storage of perishable goods;
 - (c) complies with the requirements of the Health Laws and the *Food Act 2008*; and
 - (d) has a wash hand basin and a double bowl sink, each provided with an adequate supply of hot and cold water.

22.12 Cooking facilities

- (1) The keeper of a lodging house where lodgers prepare their own meals must provide a kitchen with electrical, gas or other stoves and ovens approved by the Principal Environmental Health Officer in accordance with the following table -

No. of Lodgers	Ovens	4 Burner Stoves
1-15	1	1
16-30	1	2
31-45	2	3
46-60	2	4
Over 60	2	4 + 1 for each additional 15 lodgers (or part thereof) over 60

- (2) The keeper of a lodging house where meals are provided by the keeper or manager must provide a kitchen with cooking appliances of a number and type approved by the Principal Environmental Health Officer.

22.13 Dining room

The keeper of a lodging house must 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 is to be not less than the greater of -
 - (i) 0.5 square metres per person; or

- (ii) 10 square metres; and
- (c) which is to be -
 - (i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and
 - (ii) provided with a suitable floor covering.

22.14 Lounge room

The keeper of a lodging house must 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 15 square metres; and
- (b) which is to be -
 - (i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and
 - (ii) provided with a suitable floor covering.

22.15 Fire prevention and control

- (1) A keeper must -
 - (a) in each passage in the lodging house provide an emergency light -
 - (i) in a position and of a pattern that is approved by the Principal Environmental Health Officer; and
 - (ii) which is to 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; and
 - (c) ensure that each exit sign and fire-fighting appliance is clearly visible, accessible and maintained in good working order at all times.
- (2) A keeper must ensure that all buildings comprising the lodging house are fitted with fire protection equipment in accordance with the Building Code and approved by the local government.

22.16 Obstruction of passages and stairways

A keeper must 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 a manner that obstructs the free passage of lodgers, residents or persons in or occupying the lodging house.

22.17 Fitting of locks

A person must 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.

22.18 Restriction on use of rooms for sleeping

- (1) Subject to subclause (3), a keeper must 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 or 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 contains less than 5.5 square metres of clear space for each lodger occupying the room;
- (f) which is naturally illuminated by windows, which have an area of less than 10% of the floor area of the room;
- (g) which has an unobstructed ventilating area, which is less than 5% of the floor area of the room;
- (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 the Principal Environmental Health Officer,

unless otherwise approved by the Principal Environmental Health Officer.

- (2) For the purposes of this clause, 2 children under the age of 10 years are to be counted as one lodger.
- (3) Paragraphs (a), (b) and (c) of subclause (1) do not apply to a serviced apartment.

22.19 Sleeping accommodation - short term hostels

- (1) A keeper of a short term hostel must provide clear floor space of not less than -
 - (a) 4 square metres per person in each dormitory utilising beds;
 - (b) 2.5 square metres per person in each dormitory utilising bunks.
- (2) The calculation of floor space in subclause (1), is to exclude the area occupied by any large items of furniture, such as wardrobes, but may include the area occupied by beds.
- (3) The minimum height of any ceiling in a short term hostel must be 2.4 metres in any dormitory utilising beds and 2.7 metres in any dormitory utilising bunks.
- (4) The minimum floor area requirements in subclause (1) will only apply if there is ventilation, separation distances, fire egress and other safety requirements in accordance with the Building Code.
- (5) The keeper of a short term hostel must provide -
 - (a) beds with a minimum size of 800 millimetres x 1.9 metres;
 - (b) storage space for personal effects, including backpacks, so that cleaning operations are not hindered and access spaces are not obstructed.
- (6) The keeper of any short term hostel must -
 - (a) arrange at all times a distance of 750 millimetres between beds and a distance of 900 millimetres between bunks;
 - (b) ensure that where bed or bunk heads are placed against the wall on either side of a dormitory, 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 and that the passageway is kept clear of obstruction at all times;
 - (c) ensure all doors, windows and ventilators are kept free of obstruction.
- (7) The keeper of a short term hostel must ensure that -
 - (a) materials used in dormitory areas comply with AS 1530.2 - 1993 and AS 1530.3 - 1999 as follows -
 - (i) drapes, curtains, blinds and bed covers - a maximum Flammability Index of 6;
 - (ii) upholstery & bedding - a maximum Spread of Flame Index

- of 6;
- (iii) a maximum Smoke Developed Index of 5;
- (iv) floor coverings - a maximum Spread of Flame Index of 7.
- (v) a maximum Smoke Developed Index of 5;
- (vi) Fire retardant coatings used to make a material comply with these indices must be -
 - (A) certified by the manufacturer as approved for use with the fabric to achieve the required indices;
 - (B) certified by the manufacturer to retain its fire retardant 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
 - (C) certified by the applicator as having been carried out in accordance with the manufacturer's specification,
- (b) emergency lighting is provided in accordance with the Building Code;
- (c) a lodger or other person does not smoke in a dormitory, kitchen, dining room or other enclosed public place, within the short term hostel; and
- (d) each mattress is fitted with a mattress protector.

22.20 Furnishing etc. of sleeping apartments

- (1) A keeper must -
 - (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) except in the case of a youth hostel and a backpackers hostel, is provided with a pillow case, two sheets, a blanket or rug and, from the 1st day of May to the 30th day of September, not less than one additional blanket or rug;
 - (c) in the case of a youth hostel and a backpackers hostel ensure that there is for each bed a pillow case, 2 sheets and 2 blankets available for the use of lodgers either free of charge or on payment of a fee;
 - (d) in the case of a youth hostel and a backpackers hostel ensure that lodgers use some form of bedding to cover the pillow and mattress;
 - (e) except in the case of a youth hostel and a backpackers hostel furnish each bedroom so that there are adequate storage facilities for lodgers' belongings within the room; and

- (f) in the case of a youth hostel and a backpackers hostel ensure that there is a room or rooms provided for the secure storage of lodgers' luggage.
- (2) A keeper must 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.

22.21 Ventilation

- (1) If, in the opinion of an Environmental Health Officer, a kitchen, bathroom, toilet, laundry or habitable room is not adequately or properly ventilated, the Officer may direct the keeper, within a specified time, to provide a different or additional method of ventilation.
- (2) The keeper must comply with a direction given under subclause (1) within the specified time.

22.22 Numbers to be placed on doors

- (1) A keeper must 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 subclause (1) are to 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 shown by other legible means.

22.23 Keeper or manager to reside in the lodging house

Whenever there is one or more lodgers in a lodging house, the keeper or manager must not be absent from the house without leaving a reputable person in charge of the house.

22.24 Register of lodgers

- (1) A keeper must keep a register of lodgers in the form of Schedule 4.
- (2) The register of lodgers is to be -
 - (a) kept in the lodging house; and
 - (b) open to inspection at any time on demand by any member of the Police Force or by an Environmental Health Officer.

22.25 Keeper report

A keeper must, whenever required by the local government, report to the local government, in the form of Schedule 5, the name of each lodger who lodged in the lodging house during the preceding day or night.

22.26 Certificate in respect of sleeping accommodation

- (1) An Environmental Health Officer may issue to a keeper a certificate, in respect of each room, in the form of Schedule 6 or Schedule 7 (as the case requires).
- (2) The certificate issued under subclause (1) is to specify the maximum number of persons who are permitted to occupy each room as a sleeping apartment at any one time.
- (3) When required by the Principal Environmental Health Officer, a keeper must exhibit the certificate issued under this clause in a conspicuous place in the room to which the certificate refers.
- (4) A person must not cause, suffer or permit a greater number of persons than is specified on a certificate issued under this clause to occupy the room to which it refers.

22.27 Duplicate keys and inspection

Each keeper and manager of a lodging house must -

- (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 purposes of inspection by the Officer.

22.28 Room occupancy

- (1) A keeper must 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; or
 - (ii) the local government has forbidden to be used as a sleeping

apartment.

- (2) For the purpose of this clause, 2 children under 10 years of age are to be counted as one lodger.

22.29 Maintenance of a room by a lodger or resident

- (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 subclause (1), the keeper must -
 - (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 condition.
- (3) A lodger or resident who contracts with a keeper to service, clean or maintain a room occupied by him or her, must maintain the room in a clean condition.

22.30 Cleaning and maintenance requirements

A keeper of a lodging house must -

- (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 door furniture;
- (c) ensure that the internal walls of each bathroom and toilet are painted so as to maintain 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 that has been used by another person unless the bed has been provided with clean bed linen;
 - (iv) all beds, bedsteads, blankets, rugs, covers, bed linen, towels, house linen and floor coverings are kept clean, in good repair and free from vectors of disease;

- (v) when any vectors of disease are found in a bed, furniture, floor covering, room or sleeping apartment, immediate effective action is taken to eradicate the vectors of disease; and
- (vi) a room that is not free from vectors of disease is not used as a sleeping apartment;
- (f) when so directed by the Principal 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 local government or an Environmental Health Officer.

22.31 Responsibilities of lodgers and residents

A lodger or resident must 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, or offensive;
- (c) use a bath or wash hand basin other than for ablutionary purposes;
- (d) use a bathroom facility or fitting 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 clause 22.32 -
 - (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 such a quantity of furniture, material or goods within the lodging house:
 - (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; or
- (l) fix any fastener or change any lock to a door or room without the written approval of the keeper.

22.32 Approval for storage of food

- (1) The Principal Environmental Health Officer may -
 - (a) on 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 23 - OFFENCES, PENALTIES, FEES AND EXPENSES

23.1 Offences

A person who contravenes a provision of these Local Laws, commits an offence.

23.2 Penalties

A person who commits an offence under Section 23.1 is liable to –

- (a) a penalty not exceeding \$5,000; and
- (b) if the offence is a continuing offence, a daily penalty not exceeding \$500.

23.3 Fees

Wherever a fee is prescribed by these Local Laws, that fee shall –

- (a) be fixed from time to time by Council pursuant to the provisions of the *Local Government Act 1995* or *Health (Miscellaneous Provisions) Act 1911*, unless otherwise prescribed; and

(b) all fees, except for a transfer fee, shall be pro-rata, calculated on a monthly basis for any period to 31 December, each year.

23.4 Expenses

Any expense incurred by the local government in consequence of a breach or non-observance of these Local Laws, or in the execution of work directed to be executed by a person and not executed by that person, shall be paid by the person committing the breach or non-observance or failing to execute the work.

PART 24 – OBJECTIONS

24.1 - Objections and appeals

When the local government makes a decision under this local law as to whether it will –

- (a) grant a person an exemption;
- (b) vary or cancel an exemption; or
- (c) give a person a notice,

the provisions of Division 1 of Part 9 of the *Local Government Act 1995* and Regulation 33 of the Regulations shall apply to that decision.

PART 25 – NOTICES OF OFFENCES

Where this local law refers to the giving of a notice, no particular form is prescribed and it will be sufficient that the notice be in writing giving sufficient details to enable the owner, occupier or other person to whom the notice is issued to know the offence committed and the measures required to be taken or conditions with which compliance is required, as the case may be.

Schedule 1 – Application for registration of a lodging house

[Clause 22.3]

APPLICATION FOR REGISTRATION OF A LODGING HOUSE

To: Chief Executive Officer
City of Belmont

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 short term hostel; or
- serviced apartments

(Specify which is to apply)

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

DESCRIPTION OF LODGING HOUSE

Number of storeys: _____

Rooms for private use

	Number	Area
Laundries/toilets/bathrooms	_____	_____
Bedrooms	_____	_____
Dining Rooms	_____	_____
Kitchens	_____	_____
Sitting Rooms	_____	_____
Other (Specify)	_____	_____

Rooms for lodgers

	Number	Area
Bedrooms	_____	_____
Dining Rooms	_____	_____
Kitchens	_____	_____
Sitting Rooms	_____	_____
Other (Specify)	_____	_____

Sanitary Conveniences for male lodgers

Toilets	_____
Urinals	_____
Baths	_____
Showers	_____
Wash hand basins	_____

Sanitary Conveniences for female lodgers

Toilets	_____
Baths	_____
Showers	_____
Wash hand basins	_____

Laundry Facilities

Washtroughs	_____
Washing machines	_____
Drying cabinets or clothes lines	_____

Additional Details

- (a) Lodgers' meals will be provided by the manager/keeper/lodgers.
- (b) The keeper will/will not reside continuously on the premises.
- (c) Name and occupation of proposed manager if keeper resides elsewhere -

- (d) There will be _____ family members residing on the premises with the keeper/manager.

Application fee of \$_____ is attached.

(Signature of Applicant/Director)

(Date)

Schedule 2 – Certificate of registration of a lodging house

[Clause 22.4]

CERTIFICATE OF REGISTRATION OF A LODGING HOUSE

THIS is to certify that the premises situated at _____

are registered as a Lodging House and classified as:

- a lodging house
- a short term hostel
- serviced apartments

until 30 June _____, on the following conditions:

1. That _____, whose name is entered on the register of keepers of the City of Belmont, 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 the manager of the lodging house;
3. That the Certificate of Registration is not sooner cancelled or revoked;
4. That the maximum number of rooms to be used as sleeping apartments for lodgers is - _____; and
5. That the maximum number of lodgers accommodated on the premises shall not exceed _____.

This Certificate of Registration is issued subject to the *Health Act* and health local laws of the City of Belmont and is not transferable.

Dated _____

Chief Executive Officer
City of Belmont

Fee received: \$ _____

Schedule 3 – Notice of change of owner of a lodging house

[Clause 22.6]

NOTICE OF CHANGE OF OWNER OF A LODGING HOUSE

To: Chief Executive Officer
City of Belmont

I/We, _____
(Full Name of Applicant/s)

of _____

(Residential Address of Applicant/s)

am/are the new owner/s of premises situated at _____

which are registered in the name of _____

for the carrying on of the lodging house business.

(Signature of Applicant/Director)

(Date)

Schedule 4 – Register of lodgers

[Clause 22.24]

REGISTER OF LODGERS

Location of Lodging House: _____

Date of Arrival	Name	Previous Address	Signature	Room No.	Date of Departure

Schedule 5 – List of lodgers

[Clause 22.25]

LIST OF LODGERS

The Chief Executive Officer
City of Belmont

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

on the _____ day of _____.

(Signed) _____
(Keeper)

Date: _____

Schedule 6 – Certificate of sleeping accommodation

[Clause 22.26]

CERTIFICATE OF SLEEPING ACCOMMODATION

To: _____
(Name of Keeper)

of _____
(Address of Keeper)

For the registered lodging house situated at: _____

This room, No. _____, can be used as a sleeping apartment (for sleeping purposes only) to accommodate not more than _____ persons at any one time.

Date: _____

Environmental Health Officer

**Schedule 7 – Certificate of sleeping accommodation for a lodging house
with more than 20 sleeping apartments**

[Clause 22.26]

**CERTIFICATE OF SLEEPING ACCOMMODATION FOR A LODGING HOUSE
WITH MORE THAN 20 SLEEPING APARTMENTS**

To: _____
(Name of Keeper)

of: _____
(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:

Date: _____

Environmental Health Officer

The Common Seal of the City of Belmont
was affixed by the authority of the Council
in the presence of —

JOHN CHRISTIE
Chief Executive Officer

ROBERTO ROSSI
Mayor

Dated this of 2026