



**Government of Western Australia**  
Department of Health

Your ref: D-15-23702  
Our ref: EHB-00036  
Enquiries: Donald Howell (08) 9285 5502

Mr Mark Chadwick  
Manager Environmental Health and Sustainability  
City of Greater Geraldton  
PO Box 101  
GERALDTON WA 6531

Dear Mr Chadwick

**PROPOSED CITY OF GREATER GERALDTON ANIMALS, ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW 2015**

I refer to your letter of 24 April 2015, in which you submitted Council's proposed local law.

An examination of the proposed *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015* has identified several issues, which require further attention.

I have attached for your consideration, a report that sets out our concerns and the information required to resolve these issues.

If you require further information or assistance, please contact Donald Howell on (08) 9285 5502.

Yours sincerely

Dr Michael Lindsay  
**ACTING DIRECTOR**  
**ENVIRONMENTAL HEALTH DIRECTORATE**

8 May 2015

Att.

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**Environmental Health**  
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EHB - 00036

**CITY OF GREATER GERALDTON ANIMALS, ENVIRONMENT AND NUISANCE  
AMENDMENT LOCAL LAW 2015**

The above local law has been reviewed and the following problems noted and recommendations made:

1. At the top of the proposed Local Law, under the title "**LOCAL GOVERNMENT ACT 1995**", insert the title "**HEALTH ACT 1911**". The local law is jointly made under both Acts
2. For the same reason, in the preamble insert a comma after "*Local Government Act 1995*" and then insert "*Health Act 1911*" after the comma
3. There is no identification of the Principal local law that is to be amended. In clause **4**, delete the existing title "**Animals, Environment and Nuisance Amendment Local Law 2015**" and substitute a new title "**Principal local law**".
4. Now In Clause **4**, under the new title insert the following text:  
"In this local law, the *City of Greater Geraldton Animals, Environment and Nuisance Local Law 2014* made under the *Local Government Act 1995* and passed by the local government of the City of Greater Geraldton on 24 March 2014, by notice published in the *Government Gazette* No.69 p1495, on 13 May 2014, is referred to as the principal local law."
5. The title of clause **5** is trying to incorporate what should be the initial text of the clause. To correct this, delete the existing title and substitute "**Principal local law amended**".
6. Under the new title of clause **5**, insert:  
"The Principal local law is amended by deleting the existing PART 2 – KEEPING OF ANIMALS and substituting a new PART 2 as follows:
7. In clause **5**, the numbering system of the new PART 2 does not conform to that of the Principal local law.  
Change the numbers "1; 2; 3 – 8" to "2.1; 2.1; 2.3 – 2.8".
8. The proposed clause **6** does not firstly delete a portion of Schedule 1 so that it can substitute new text. Therefore, in the title of clause **6** delete the first word "**Insert**" and substitute "**Amend**".
9. In clause **6**, before the description of the amendments to items 1-22 of Schedule 1, insert the following wording:  
"The Principal local law is amended in Schedule 1 by deleting the existing rows of items 1 – 22 and substituting the new items 1 – 22 as described below".
10. No provision has been made on the consent page for recording the date on which Council makes the local law, nor is there any provision made for recording the consent of the Executive Director Public Health. Please provide an appropriate consent provision after the space provided for the signatures of the Mayor and



the CEO, for example:

Consented to \_\_\_\_\_

EXECUTIVE DIRECTOR  
PUBLIC HEALTH

dated this.....day of ..... 2015.

A copy of an example consent page is attached. [Note: the use of the Common Seal is optional.]

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