



LOCAL GOVERNMENT ACT 1995

Shire of Toodyay

Health Local Law

2026



Gazette Date: t.b.a.

ARRANGEMENT

ARRANGEMENT.....2

PART 1 PRELIMINARY.....4

1.1	Citation	4
1.2	Commencement	4
1.3	Purpose.....	4
1.4	Effect	4
1.5	Application	4
1.6	Relationship with other written law.....	4
1.7	Repeal.....	5
1.8	Definitions.....	5

PART 2 GENERAL PUBLIC HEALTH RISK AND NUISANCE

2.1	Public health risks prohibited.....	9
2.2	Nuisances prohibited.....	9
2.3	Obligations of owners and occupiers.....	9
2.4	Local government may issue directions.....	9
2.5	Fees and charges.....	10
2.6	Animal management (health-related)	10

PART 3 SANITATION, HOUSING AND RESIDENTIAL

3.1	Cleanliness of premises	11
3.2	Sanitary conveniences	11
3.3	Laundry facilities (multi-unit premises)	11
3.4	Maintenance of housing	11
3.5	Overcrowding	12

PART 4 LODGING HOUSES AND SHARED ACCOMMODATION

4.1	Registration of Lodging houses	13
4.2	Duties of a keeper	13
4.3	Sleeping accommodation	13
4.4	Sanitary and bathing facilities.....	13
4.5	Fire safety and evacuation	14
4.6	Cancellation or suspension of registration	14

PART 5 PUBLIC BUILDING AND EVENTS.....14

5.1	Use of premises as public building.....	14
5.2	Maintenance and cleanliness	14
5.3	Overcrowding and capacity	15
5.4	Short-term accommodation (health aspects only)	15
5.5	Public events – temporary facilities.....	15

PART 6 WASTE, REFUSE & LIQUID WASTE MANAGEMENT 15

6.1	Storage of refuse	15
6.2	Removal of refuse.....	16
6.3	Illegal dumping.....	16
6.4	Liquid waste and effluent disposal	16
6.5	On-site wastewater systems.....	16
6.6	Greywater reuse	16
6.7	Drainage and stagnant water	16

PART 7	VECTOR AND PEST CONTROL.....	17
7.1	Vector breeding prohibited.....	17
7.2	Local government powers.....	17
7.3	Caravan parks, composting, agricultural operations.....	17
PART 8	ANIMAL KEEPING (HEALTH ASPECTS) AND STABLES	17
8.1	Keeping of animals – general duties.....	17
8.2	Stables and animal enclosures.....	17
8.3	Poultry and birds.....	18
PART 9	OFFENSIVE TRADES AND COMMERCIAL ACTIVITIES	19
9.1	Declaration of offensive trades.....	19
9.2	Registration and conditions	19
9.3	Control of emissions and wastes	19
PART 10	INFECTIOUS DISEASE AND BIOHAZARD CLEANING	19
10.1	Contaminated premises – local government powers.....	19
10.2	Disposal of contaminated items	20
PART 11	NOTICES, ENFORCEMENT AND WORKS IN DEFAULT	20
11.1	Issue of notices	20
11.2	Failure to comply with a notice	20
11.3	Works in default.....	20
11.4	Offences and penalties.....	20
11.5	Appointment of authorised officers	21
11.6	Recovery of costs	21
11.7	Modified penalties.....	21
11.8	Authorised officer entry	21
11.9	Severability	21
PART 12	SCHEDULE OF MODIFIED PENALTIES.....	22
DECLARATION		24

PART 1 PRELIMINARY

1.1 Citation

These local laws may be cited as the *Shire of Toodyay Health Local Laws 2026*.

1.2 Commencement

This local law comes into operation on the day it is published in the Government Gazette.

1.3 Purpose

The purpose of this local law is to protect, promote and improve public and environmental health within the district by regulating:

- (a) Public health risks and nuisances;
- (b) sanitation, housing and waste;
- (c) lodging houses and short-term accommodation;
- (d) public buildings and events (health aspects);
- (e) animals, vectors and pests; and
- (f) offensive trades and associated activities.

1.4 Effect

The effect of this local law is that persons within the district must comply with requirements designed to prevent or minimise public health risks, and the local government is empowered to administer, enforce and give effect to these requirements.

1.5 Application

This local law applies throughout the district and to all persons, premises and activities to which it is capable of applying.

1.6 Relationship with other written law

- (1) This local law is made under the *Local Government Act 1995*.
- (2) This local law is to be read in conjunction with, and does not derogate from, the requirements of:
 - (a) the *Public Health Act 2016*;
 - (b) the *Health (Miscellaneous Provisions) Act 1911* (to the extent still in force);
 - (c) the *Public Health Regulations 2017*; and
 - (d) any other applicable written law.
- (3) If there is an inconsistency between a provision of this local law and a written law, the written law prevails and the local

law is to be read down or, if necessary, severed to the extent of the inconsistency.

1.7 Repeal

The Shire of Toodyay Health Local Laws 2017, as published in the Government Gazette on 22 December 2017 is repealed.

1.8 Definitions

(1) In these local laws, unless the context otherwise requires –

Term	Meaning
Accommodation	any place used for overnight stay by persons, whether on a temporary or permanent basis.
Act	means <i>Health (Miscellaneous Provisions) Act 1911</i> and includes subsidiary legislation made under the <i>Health (Miscellaneous Provisions) Act 1911</i> ;
Adequate Supply of Water	A flow of water of not less than 0.076 litres per second;
Approved	Approved in writing by the Local government of the Shire of Toodyay;
AS or AS/NZS	means Australian Standard or Australian/ New Zealand Standard published by the Standards Association of Australia;
authorised officer	means a person appointed by the local government under s.9.10 of the <i>Local Government Act 1995</i> or s.24 of the <i>Public Health Act 2016</i> .
Building Code	means the latest edition of the Building Code of Australia 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;
CEO	means the Chief Executive Officer of the Shire of Toodyay and includes an Acting Chief Executive Officer;
Council	means the local government of the Shire of Toodyay;

Term	Meaning
District	means the district of the Shire of Toodyay;
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;
Energy Safety WA	means the <i>Energy Safety</i> division of the Department of Commerce;
Food Standards Code	means the <i>Australian New Zealand Food Standards Code</i> as defined in the <i>Commonwealth Food Standards Australia New Zealand 1991</i> as amended from time to time;
Hot Water	means at a temperature of at least 65 degrees Celsius;
Local Government	means the Shire of Toodyay;
Local Planning Scheme	has the meaning given to it by the <i>Planning and Development Act 2005</i> ;
lodging house	means a building or part of a building where persons are lodged or boarded for hire or reward, but does not include: (a) a hotel or motel licensed under the <i>Liquor Control Act 1988</i>; (b) a residential aged care facility; (c) a hospital; or (d) any other class of premises excluded by the local government by policy or resolution.
National Construction Code (NCC)	Means the code published by the Australian Building Codes Board (ABCB) , as adopted in Western Australia from time to time.
nuisance	has the meaning given in s.157 of the <i>Public Health Act 2016</i> .
offensive trade	means any trade, business, process or industry which is declared by this local law, or under another written law, to be offensive or which emits or is likely to emit noise, effluent, odour or vapour that may be injurious or dangerous to health.

Term	Meaning
owner	has the meaning given in the <i>Local Government Act 1995</i> .
occupier	includes any person in control of any premises.
premises	includes land, buildings and any other place, whether enclosed or not
public building	has the meaning given in the <i>Health (Miscellaneous Provisions) Act 1911</i> or any succeeding provisions under the <i>Public Health Act 2016</i> .
public health risk	has the meaning given in the <i>Public Health Act 2016</i> .
Public Place	Includes every place to which the public ordinarily have access, whether by payment of fee or not;
Sanitary Convenience	includes urinals, water-closets, earth-closets, privies, sinks, baths, wash troughs, 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;
Street	includes any highway, and any public bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not;
Toilet	means a water closet, earth closet, privy or urinal and includes a room or cubicle in which one or more of these are located;
Townsite	means all townsites within the district which are – (a) constituted under section 26(2) of the <i>Land Administration Act 1997</i> ; or (b) referred to in clause 37 of Schedule 9.3 of the <i>Local Government Act 1995</i> ;
waste	includes refuse, rubbish, offal, debris and any substance discarded or rejected as no longer required, and includes materials designated under State waste regulations.

Term	Meaning
Drinking water	Water that meets the health-related guideline values in the Guidelines for Drinking Water Quality in Australia – 2011 as published by the National Health and Medical Research Council ; and as amended from time to time.
Window	A glass panel, roof light, glass brick, glass louvre, glazed sash, glazed door, or other device which transmits natural light directly from outside the building to the room concerned when in the closed position.
festival	includes a fair, function or event;
organiser	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;
public sanitary convenience	a sanitary convenience to which the public ordinarily have access, whether by payment of a fee or not;
temporary sanitary convenience	a sanitary convenience, temporarily placed for use by – (a) patrons in conjunction with a festival; or (b) employees at construction sites or the like; and
urinal	may be – an individual stall or wall-hung urinal; or (a) each 600mm length or a continuous urinal trough; or (b) a closet pan used in place of a urinal.

PART 2 GENERAL PUBLIC HEALTH RISK AND NUISANCE CONTROL

2.1 Public health risks prohibited

A person must not cause, create, contribute to, or permit a public health risk within the district.

2.2 Nuisances prohibited

A person must not cause, create, permit or allow a nuisance on any premises or in any public place, including but not limited to:

- (a) accumulation of waste, refuse or materials attracting vectors
- (b) emissions causing odour, dust, smoke, effluent or noise beyond reasonable levels
- (c) overflow from septic or wastewater systems
- (d) activities causing insanitary conditions

2.3 Obligations of owners and occupiers

Where a public health risk exists, an owner or occupier must take all reasonable measures to eliminate or minimise the risk including but not limited to:

- (a) maintaining premises in a clean and sanitary condition;
- (b) preventing conditions that may give rise to a nuisance or public health risk;
- (c) complying with directions of an authorised officer.

2.4 Local government may issue directions

- (1) Where the local government is satisfied that a condition on any premises, or in any public place, constitutes or is likely to constitute a nuisance or cause a public health risk, it may give a written direction to the owner or occupier requiring specified measures to be taken within a stated time.
- (2) A direction under subclause (1) may include, but is not limited to, requirements to:
 - (a) clean, disinfect, repair, maintain or secure premises or equipment;
 - (b) remove, cover, contain or otherwise manage waste, refuse or other material;
 - (c) manage animals, vectors or pests; or
 - (d) cease or modify an activity giving rise to the nuisance or public health risk.

- (3) Nothing in this clause limits the powers of the Chief Health Officer or an authorised officer under the Public Health Act 2016, including the power to issue a public health order under that Act.

2.5 Fees and charges

The local government may impose fees and charges for assessments, approvals or compliance activities consistent with s.6.16 of the *Local Government Act 1995*.

2.6 Animal management (health-related)

An owner or occupier must ensure animals kept on a property:

- (a) do not create insanitary conditions;
- (b) do not attract pests or vectors;
- (c) do not create noise or odour constituting a public health risk.

PART 3 SANITATION, HOUSING AND RESIDENTIAL ENVIRONMENT

3.1 Cleanliness of premises

- (1) An owner or occupier must keep premises free from:
 - (a) accumulations of waste, refuse or disused materials likely to become offensive or attract pests;
 - (b) putrescible matter except where stored or treated in a manner approved by the local government; and
 - (c) any other matter causing, or likely to cause, a nuisance or public health risk.
- (2) The local government may give written directions as to the manner in which premises must be cleaned or maintained.

3.2 Sanitary conveniences

- (1) Premises must have an adequate number of sanitary conveniences installed and maintained for the number and type of occupants or users, in accordance with relevant building codes and Australian Standards.
- (2) Sanitary conveniences must be:
 - (a) maintained in a clean and hygienic condition;
 - (b) provided with adequate ventilation, handwashing facilities and supplies; and
 - (c) constructed and installed in accordance with applicable standards.

3.3 Laundry facilities (multi-unit premises)

- (1) Where a residential building contains multiple dwellings or units and no individual laundry facilities are provided, the owner must ensure that:
 - (a) communal laundry facilities are installed, maintained and accessible;
 - (b) adequate hot and cold water, ventilation and drainage are provided; and
 - (c) laundry areas are kept clean and free of nuisances.
- (2) Where communal laundries are provided, they must be clean, sanitary, ventilated and maintained.

3.4 Maintenance of housing

- (1) An owner must ensure that housing:
 - (a) is provided with adequate natural light and ventilation;

- (b) is structurally sound, weatherproof, and ventilated;
 - (c) is free from significant mould growth, rising damp or insanitary conditions; and
 - (d) is maintained so as not to create a public health risk.
- (2) Where an authorised officer identifies housing conditions that may cause ill health, the local government may issue a notice specifying remedial work.

3.5 Overcrowding

- (1) A person must not permit more persons to occupy premises than is reasonable having regard to the room size, facilities, sanitary conveniences provided and health requirements, or than is permitted by any approval or planning condition.
- (2) The local government may specify a maximum occupancy for premises used for residential or lodging purposes.

PART 4 LODGING HOUSES AND SHARED ACCOMMODATION

4.1 Registration of Lodging houses

- (1) A person must not use or permit the use of premises as a lodging house unless the premises are registered with, and approved by, the local government.
- (2) An application for registration must be in the form approved by the local government and accompanied by the prescribed fee and plans.
- (3) Registration under this Part is in addition to, and does not replace, any requirement for approval or registration under any other written law.

4.2 Duties of a keeper

- (1) The keeper of a lodging house must:
 - (a) maintain the premises in a clean, sanitary, safe and orderly condition;
 - (b) provide each lodger with access to adequate sanitary conveniences and bathing facilities that are maintained;
 - (c) ensure kitchens and food preparation areas (if provided) are maintained hygienically;
 - (d) ensure any linen, bedding and towels provided are kept clean and in good repair; and
 - (e) maintain a register of lodged persons if required by the local government.

4.3 Sleeping accommodation

- (1) Rooms used for sleeping in a lodging house must:
 - (a) provide adequate floor area per person, as determined by the local government;
 - (b) be ventilated and lit in accordance with building standards; and
 - (c) not be used for storage of offensive or hazardous materials
- (2) The local government may set a maximum number of lodgers per room.

4.4 Sanitary and bathing facilities

- (1) The keeper must ensure:

- (a) sufficient toilets, bathrooms and hand basins are provided;
- (b) facilities are cleaned regularly and kept in proper working order;
- (c) separate facilities are provided for male and female lodgers, or otherwise managed to protect privacy and dignity; and
- (d) the premises is maintained in a clean, sanitary and hygienic condition and does not present a public health risk.

4.5 Fire safety and evacuation

- (1) Without limiting any other law, a lodging house must:
 - (a) comply with building and fire safety requirements;
 - (b) display clear evacuation instructions; and
 - (c) maintain exits and paths of travel free of obstruction.

4.6 Cancellation or suspension of registration

- (1) The local government may cancel or suspend the registration of a lodging house where:
 - (a) the premises are no longer suitable;
 - (b) the keeper has contravened this local law or a condition of registration; or
 - (c) the premises present a public health risk.

PART 5 PUBLIC BUILDING AND EVENTS

5.1 Use of premises as public building

- (1) A person must not use premises as a public building unless:
 - (a) all approvals required under written law have been obtained and are complied with; and
 - (b) any conditions imposed by the local government in relation to health, sanitation, cleanliness and capacity under this local law are complied with.

5.2 Maintenance and cleanliness

- (1) The owner or person in charge of a public building must ensure that the building and its facilities are:
 - (a) maintained in a clean and sanitary condition;
 - (b) provided with adequate sanitary conveniences and hand-washing facilities;

- (c) equipped with potable water supplies where applicable; and
- (d) free from conditions likely to cause a public health risk.

5.3 Overcrowding and capacity

- (1) The local government may determine the maximum number of persons permitted in a public building.
- (2) The person in charge must not permit more persons than the maximum capacity.

5.4 Short-term accommodation (health aspects only)

The owner of a short-term accommodation premises must ensure the premises is maintained in a clean, sanitary and hygienic condition and does not present a public health risk.

5.5 Public events – temporary facilities

- (1) An organiser of an event to which the public is invited must ensure that:
 - (a) adequate toilets, hand-washing facilities and drinking water are provided;
 - (b) temporary food premises comply with State food safety laws;
 - (c) waste collection and disposal facilities are provided and used; and
 - (d) the event layout and activities do not create a public health risk.
- (3) Event organisers must ensure all temporary structures, sanitary facilities, water supply, waste disposal and crowd management comply with applicable State guidelines.

PART 6 WASTE, REFUSE & LIQUID WASTE MANAGEMENT

6.1 Storage of refuse

- (1) A person must store domestic and commercial waste in a manner that prevents:
 - (a) odour
 - (b) attraction of pests
 - (c) scattering by wind or animals
 - (d) leakage, putrescence or insanitary conditions.
- (2) An owner or occupier must:
 - (a) store refuse in approved containers;

- (b) keep containers in good condition with close-fitting lids;
- (c) ensure containers are not overfilled or allowed to overflow; and
- (d) keep the area around containers clean and free of spillage.

6.2 Removal of refuse

- (1) Where weekly or other regular collection is provided, a person must:
 - (a) place containers in the position and at the times directed by the local government;
 - (b) not place hazardous or prohibited waste in containers unless authorised; and
 - (c) not interfere with containers provided for use by other premises.

6.3 Illegal dumping

A person must not deposit waste on any land or in any public place without authorisation.

6.4 Liquid waste and effluent disposal

- (1) A person must not discharge liquid waste or effluent:
 - (a) onto land in a manner that creates a nuisance or public health risk; or
 - (b) into any stormwater drain, watercourse or public place,
 - (c) except in accordance with written law and any approvals of the local Government.

6.5 On-site wastewater systems

A person must not construct, install, alter or use an on-site wastewater system except in accordance with:

- (a) the *Health (Miscellaneous Provisions) Act 1911*;
- (b) DOH approval requirements;
- (c) Australian Standards (incl. AS/NZS 1547).

6.6 Greywater reuse

Greywater systems must not be installed or operated unless compliant with DOH requirements and Australian Standards.

6.7 Drainage and stagnant water

A person must ensure that land is maintained so that:

- (a) it does not accumulate stagnant water, and

- (b) it does not become a breeding place for mosquitoes or vectors.

PART 7 VECTOR AND PEST CONTROL

7.1 Vector breeding prohibited

A person must not cause or permit conditions that promote the breeding of mosquitoes, rodents or other vectors.

7.2 Local government powers

Authorised officers may:

- (a) inspect premises;
- (b) issue notices;
- (c) require abatement measures;
- (d) arrange works in default at cost to the owner.

7.3 Caravan parks, composting, agricultural operations

Where vectors are associated with specific activities, operators must implement reasonable vector mitigation measures required by the local government.

PART 8 ANIMAL KEEPING (HEALTH ASPECTS) AND STABLES

8.1 Keeping of animals – general duties

- (1) An owner or occupier who keeps animals, including poultry and livestock, must ensure that:
 - (a) enclosures and yards are kept clean and free from accumulation of manure and waste;
 - (b) sufficient bedding and shelter is provided;
 - (c) odours and flies are minimised; and
 - (d) animals are not kept in such a manner as to create a nuisance or public health risk.

8.2 Stables and animal enclosures

- (1) A person must not construct or use stables or similar enclosures unless they:
 - (a) are sited and constructed to permit adequate drainage and cleaning;
 - (b) are provided with an appropriate hardstand or flooring where required; and

- (c) comply with any setback or siting requirements set by the local government.
- (2) Stables must be cleaned frequently and manure managed in a manner approved by the local government.

8.3 Poultry and birds

- (1) Poultry and birds kept in residential areas must:
 - (a) be housed in a coop or enclosure that is cleaned regularly;
 - (b) be provided with feed stored in vermin-proof containers; and
 - (c) not create a nuisance from odour, noise or flies.
- (2) The local government may, by notice, require the reduction of bird numbers or improved management practices where a public health risk or nuisance is identified.

PART 9 OFFENSIVE TRADES AND COMMERCIAL ACTIVITIES

9.1 Declaration of offensive trades

- (1) The local government may declare any trade, business, process or industry to be an offensive trade if it is likely to cause a nuisance or public health risk by reason of noise, odour, effluent, vapours or emissions.

9.2 Registration and conditions

- (1) A person must not carry on an offensive trade without registration or approval from the local government where required under written law or local government policy.
- (2) Registration may be subject to conditions relating to:
 - (a) waste management and effluent treatment;
 - (b) emissions and odour control;
 - (c) storage of materials and by-products; and
 - (d) hours of operation and housekeeping.

9.3 Control of emissions and wastes

- (1) A person carrying on an offensive trade must ensure that:
 - (a) all waste and by-products are stored, treated and disposed of so as not to create a nuisance;
 - (b) effluent is managed in accordance with approvals; and
 - (c) odours and vapours are minimised through reasonable and practicable measures.

PART 10 INFECTIOUS DISEASE AND BIOHAZARD CLEANING

10.1 Contaminated premises – local government powers

- (1) Where the Chief Health Officer or an authorised officer under the Public Health Act 2016 has determined that premises are contaminated as a result of an infectious disease or biohazard, any cleaning, disinfection or remediation of those premises must be carried out in accordance with that Act and any directions given under it.
- (2) Without limiting the Public Health Act 2016, where the local government incurs costs in carrying out or arranging cleaning, disinfection or remediation works on such

premises in accordance with that Act, the local government may recover those costs from the owner or occupier as a debt.

10.2 Disposal of contaminated items

Items that cannot be effectively decontaminated must be disposed of in accordance with the *Public Health Regulations 2017*, any other applicable written law and any directions issued by the Chief Health Officer or an authorised officer.

PART 11 NOTICES, ENFORCEMENT AND WORKS IN DEFAULT

11.1 Issue of notices

- (1) The local government may, by written notice, require an owner or occupier to:
 - (a) clean, repair, paint, treat or maintain premises;
 - (b) install, repair or maintain sanitary or drainage facilities;
 - (c) abate a nuisance or public health risk; or
 - (d) take any other measure reasonably required to comply with this local law.
- (2) A notice must specify the action to be taken and the time within which it must be completed.

11.2 Failure to comply with a notice

- (1) Where a person fails to comply with a notice, the local government may:
 - (a) undertake or cause to be undertaken the work specified; and
 - (b) recover the costs as a debt due from the owner or occupier.

11.3 Works in default

If a person fails to comply with a notice, the local government may undertake works in default and recover costs.

11.4 Offences and penalties

- (1) A person who fails to comply with this local law or a notice issued under it commits an offence.
- (2) A person who commits an offence is liable to:
 - (a) a maximum penalty of \$5,000; and
 - (b) if the offence is a continuing offence, a further penalty of \$500 for each day or part of a day during which the

offence continues after the local government has given written notice of the offence to the offender.

11.5 Appointment of authorised officers

The local government may appoint authorised officers to administer and enforce this local law.

11.6 Recovery of costs

Costs associated with compliance, works in default, investigation and enforcement may be recovered as a debt due to the local government.

11.7 Modified penalties

- (1) An offence specified in Schedule 1 may be dealt with by way of an infringement notice under s.9.16 of the *Local Government Act 1995*.
- (2) The amount of the modified penalty for an offence is specified in Schedule 1.

11.8 Authorised officer entry

An authorised officer exercising powers for the purposes of this local law may only enter premises, and exercise powers on or in relation to premises, in accordance with the *Public Health Act 2016* or the *Local Government Act 1995*, as applicable.

11.9 Severability

If any provision of this local law is held to be invalid or unenforceable, such invalidity or unenforceability does not affect the remaining provisions, which shall continue in full force and effect.

PART 12 SCHEDULE OF MODIFIED PENALTIES

(Clause 11.7)

Item	Clause	Description of Offence	Modified Penalty
1	2.1	Causing or contributing to a public health risk	\$500
2	2.2	Causing or permitting a nuisance	\$300
3	2.6	Failure to manage animals to prevent a public health risk	\$250
4	3.1	Failure to keep premises clean and sanitary	\$250
5	3.5	Permitting overcrowding of premises	\$400
6	4.1	Operating a lodging house without registration/approval	\$500
7	5.4	Operating short-term accommodation in a manner that creates a public health risk	\$250
8	5.1	Operating or using a public building without approval	\$500
9	5.2	Non-compliance with sanitary or public health requirements for events or temporary structures	\$400
10	5.4	Failure to provide adequate facilities at a public event	\$400
11	6.3	Illegal dumping of waste (minor)	\$500
12	6.4	Unlawful discharge of liquid waste or effluent	\$500
13	6.5	Installing/altering/using an on-site wastewater system without approval	\$500
14	6.5	Unapproved or non-compliant on-site wastewater system	\$500
15	6.7	Allowing accumulation of stagnant water creating vector breeding	\$250
16	7.1	Causing or permitting vector breeding conditions	\$300
17	4.2–4.5	Failing to maintain lodging house in compliance with health requirements	\$400
18	10.2	Failure to dispose of contaminated items in accordance with directions	\$500
19	10.2	Improper handling or disposal of hazardous/clinical/biological waste	\$500

LOCAL GOVERNMENT ACT 1995

Shire of Toodyay.

HEALTH LOCAL LAW 2026

Item	Clause	Description of Offence	Modified Penalty
20	5.1–5.3	Breach of public building health or capacity requirements	\$500
21	11.2	Failure to comply with a notice issued under this local law	\$500
22	11.3	Interference with works in default	\$500
23	11.6	General offence where no specific penalty is provided	\$250
24	6.1–6.2	Failure to store waste in a sanitary and secure manner or present refuse correctly	\$250
25	8.1–8.3	Keeping animals or poultry in a manner causing a public health risk	\$300
26	9.2–9.3	Failure of an offensive trade to comply with conditions or emission controls	\$500

DECLARATION

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Shire of Toodyay resolved on 2 July 2026 to make the Health Local Law 2026.

Dated: _____

The Common Seal of the Shire of Toodyay was affixed by authority of a resolution of the Council in the presence of—

Cr Michael McKeown
Shire President

Mr Alan Hart
Temporary Chief Executive Officer