



Management of Public Health Risks  
Related to Offensive Trades in WA  
Discussion Paper

**WALGA Submission to  
Department of Health**

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## 1. Introduction

The Western Australian Local Government Association (WALGA) is the united voice of Local Government in Western Australia. The Association is an independent, membership-based organisation representing and supporting the work and interests of Local Governments in Western Australia.

It provides an essential voice for its members who are 138 Local Governments, 1,215 Elected Members and approximately 22,000 Local Government employees as well as over 2.2 million constituents of Local Governments in Western Australia. The Association also provides professional advice and offers services that provide financial benefits to the Local Governments and the communities they serve. WALGA is appreciative of the extensive consultation with Local Government that the Department of Health (DOH) has undertaken in the review of legislation and regulations.

## 2. Background

Local Government is an enforcement agency under the *Public Health Act 2016* (the Public Health Act), with Local Government Environmental Health Officers (EHOs) playing a key role in administering the Public Health Act and Regulations. To ensure broad representation of Local Government responses to the Discussion Paper, and within this submission, WALGA promoted the Discussion Paper consultation through our communication channels to Local Governments, as well as via direct emails and phone calls to various Local Governments and Local Government networks of officers working in environmental health.

WALGA received two responses from Local Governments, one was general comments from the Shire of Dandaragan, and another was a formal submission from the Metropolitan Environmental Health Officers Group (MEHMG), which is supported by the majority of MEHMG members. Additionally, WALGA officers responsible for the areas of Governance, and Community policy have provided comment to the submission. A list of engagement avenues and responses received is included in Appendix 1.

The submission is set out with responses to questions posed by the Discussion Paper, including the overall options for future management of offensive trades.

## 3. General Comments

WALGA supports proposed Option C: Repeal the health legislation related to offensive trades and develop a guideline. MEHMG responses identified this as the preferred approach, whilst the Shire of Dandaragan prefers option B: Repeal the offensive trades provisions in the Health Act and develop model local laws and guidelines.

The following discussion provides reasoning behind the overall support of Option C.

**Q2. Based on your answer to question 1, please indicate why this is your preferred option**

The existing Offensive Trades provisions were developed to capture situations prior to the current planning and environmental controls that are in place. Planning legislation has advanced so that it can potentially capture and restrict development when required in relation to offensive trades. It also seems more appropriate now for large-scale activities to be captured under the Department of Water and Environment Regulation (DWER) licensing legislation, as they are likely to have more significant environmental impacts that public health impacts.

The new *Public Health Act 2016* creates a General Public Health Duty, and this is likely to be sufficient in situations where a public health risk is identified. The main problem with these activities are more likely to be an amenity or nuisance problem (eg: noise, dust, light or smell) rather than a specific health issue. It should be noted that if any complaints are received in relation to these activities, they will be investigated by Local Governments regardless of whether it was classified as an Offensive Trade premises or not.

**Q3. Do you have suggestions for an alternative?**

WALGA supports the MEHMG submission proposing opportunities for a regulatory response to offensive trades under the *Environmental Protection Act 1986* (S49). This would need support from DWER, including probable change in authorisations under this Act for Local Government Environmental Health Officers to apply. It is also worth noting that most Environmental Health Officers are also Authorised Officers under the *Environmental Protection Act 1986* so shifting management from a public health to an environmental focus will for the most part require involvement of the same staff within Local Government.

**Q4. Do you have any other comments about controlling the public health risks related to offensive trades in WA?**

It is difficult to provide a response to any proposed regulation relating to offensive trades, as there is limited information currently available on the proposed content of other regulations under the *Public Health Act 2016* that might also apply to an offensive trade. The issues considered relevant to offensive trades may relate to odour, vermin, and nuisances and these are not unique to offensive trades. Regulations specific to offensive trades would probably not be necessary, based on an assumption that future regulations addressing similar issues would be sufficient.

**Q5. Do you have any comments or advice about costs and benefits of these options, including the alternative option suggested under Question 3?**

Local Governments do not gain much financial benefit from having specific Offensive Trades regulations. Whilst they do receive licence fees, the fee is small and generally not proportional to the cost of maintaining the systems and the administrative burden. In any new proposal, if there is a need to conduct regular inspections of any type of offensive trade, it is essential that a mechanism to allow for the registration of the premises and the ability to recoup any costs

associated with an inspection be provided. Alternatively, any enforcement actions would only be able to be complaint driven.

In relation to Option B, WALGA queries the reference to ‘model’ local laws and how the Department of Health’s contemplation of this option will translate to the fulfilment of Executive action necessary to create the proposed model local law (as outlined in the *Local Government Act 1995*). The Department for Local Government, Sport and Cultural Industries has administrative responsibilities for the *Local Government Act 1995* and would also be responsible for the action necessary to make a model local law under Section 3.9 of the Act. From this perspective, the Department of Health’s commentary under Option B for a model local law approach is moot unless accompanied by an undertaking from the Department of Local Government, Sport and Cultural Industries to facilitate the making of the proposed model.

Further consideration needs to be given to the interaction of Planning legislation and current offensive trades requirements. In section 6.1.3 of the Discussion Paper references the recently gazetted State Planning Policy (SPP) 4.1 Industrial Interface and SPP 2.5 Rural Planning and how the Western Australian Planning Commission (WAPC) recommends that ‘noxious’ and ‘hazardous’ terminology be used in local planning schemes. What this section fails to understand is that both SPP’s are only given ‘due regard’ in the assessment of any application, the local planning scheme is the higher order legislative document and overrides these recently endorsed SPP’s. Although the SPP’s recommend new approaches to managing Offensive trades, this is not automatically translated into a local planning scheme, and any review process can take several years. Within the discussion paper, it is unclear in Options B and C, what impact those changes may have on the Planning framework.

In 2018, WALGA prepared a summary of the number of Local Governments who currently refer to the *Public Health Act 2016* or Environmental Protection legislation on Offensive Trades (see Appendix 2). This summary was provided to DOH as part of the workshops with Local Government, but the discussion paper does not cover the impact of changing the Health legislation on the Planning legislation. The discussion paper refers to relating to condition setting on new Development applications, there is a comment in the last paragraph on Page 16 – “however, it may be achieved through reference to health related local laws”. WALGA queries if advice has been sought from the State Solicitors Office on whether it can actually be achieved.

If the connection through the local planning scheme is removed, then it is unclear whether the imposition of a condition for that land use would then be considered invalid. Is the DOH proposing to provide transitional arrangements, or will they be seeking each local government to amend their local planning scheme definitions to align with whichever option chosen? It is not clear how Option B or C will maintain connection to the planning framework, and therefore if there will be a requirement to review local planning scheme.

**Q6. Do you consider that any trades should be added to or deleted from the list of offensive trades?**

WALGA supports the view of MEHMG, that should the Offensive Trade legislation be retained (which is not supported) then barn, free range and broiler farms should be added as they all have the potential to create similar problems.

#### **4. Conclusion**

Thank you again for the opportunity to make comment on the *Management of Public Health Risks relate to offensive trades in Western Australia* Discussion Paper. Local Governments are appreciative of the opportunity to provide input on the development of the *Public Health Act 2016* regulations, and it is anticipated that integrating the experiences and knowledge of Local Government Environmental Health Officers into regulation will lead to improved safety.

It should be noted that this submission has not yet been considered or endorsed by WALGA's State Council and therefore is an interim submission. The Association reserves the right to modify or withdraw the comments as directed by State Council. This submission will be considered at the WALGA State Council meeting in September 2019 and you will be notified of the outcome. WALGA looks forward to working with Department of Health on the development of new guidelines should Option C be supported.

## 5. Appendix 1. Engagement Process

Written submissions received from:

- Metropolitan Environmental Health Officers Group (MEHMG)

Comments received from:

- Shire of Dandaragan
- City of Joondalup
- WALGA: Planning, Governance

### Engagement Process

Newsletters:

- WALGA Local Government News
- WALGA Community News
- WALGA Planning News

Emails:

- MEHMG
- LG Environmental Health Officers Mailing List
- Regional Networks Environmental Health Officers
- WALGA Teams: Governance, Planning, Environment

Zone Meetings:

- Central Country

Submission sent to WALGA People and Place Policy Team and WALGA Executive Committee



## 6. Appendix 2. Local Government Offensive Trades and Noxious Industries table

Local Government	Noxious Industry	Notes
City of Armadale	<p><b>“industry - noxious”</b> means an industry which:</p> <p>a) is specifically listed as an <i>offensive trade</i> under Schedule 2 of the <b>Health Act 1911</b>, excluding cleaning establishments and laundries, or</p> <p>b) is specifically listed as a prescribed premises under Schedule 1 of the Environmental Protection Regulations 1987, excluding those industries encompassed by the definition of <i>agriculture - intensive, animal husbandry - intensive or industry - rural</i>.</p>	A use in General industry
Town of Bassendean		Not found
City of Bayswater	<p>Use Class – Noxious Industry</p> <p><b>Industry - Noxious:</b> means an industry which is subject to licensing as "Prescribed Premises" under the Environmental Protection Act 1986 (as amended).</p>	D use in General industry
City of Belmont	<p>Use class – Industry – Noxious</p> <p><b>industry – noxious: (or noxious industry)</b> means any industry which causes premises to be defined as “Prescribed Premises” or “Premises Subject to Registration” under the <i>Environment Protection Act 1986;</i>”</p>	A use in Industrial
Town of Cambridge	<p><b>industry - noxious:</b> means an industry which is subject to licensing as Prescribed Premises under the Environmental Protection Act 1986 (as amended).</p>	Not in zoning table
Town of Canning	<p><b>industry – noxious</b> means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911;</b></p>	A use in General industry
Town of Claremont		Not found
City of Cockburn	<p><b>industry - noxious:</b> means an industry which is an offensive trade within the meaning of Schedule 2 of the <b>Health Act</b> but where an offensive trade is also included as a category of prescribed premises set out in Schedule</p>	X use. Except in Resource, Special Use and Development which are covered by Notes 1-3 (Development and use of land is to be in

Local Government	Noxious Industry	Notes
	<p>1 of the Environmental Protection Regulations, Schedule 2 of the <b>Health Act</b> prevails and includes a landfill site, but does not include a fish shop, dry cleaning premises, laundromat, piggery, poultry farm or rabbit farm.</p>	<p>accordance with - i) <b>Statement of Planning Policy No. 2.1</b> - Peel-Harvey Coastal Plain Catchment Policy gazetted on 21 February 1992; and (ii) <b>Statement of Planning Policy No. 2.3</b> - Jandakot Groundwater Protection Policy gazetted on 12 June 1998; (iii) Despite the provisions of Statement of Planning Policy No. 2.1 and Statement of Planning Policy No. 2.3 referred to in (i) and (ii), Use Classes <b>Cattery, Dog Kennels and Poultry Farm (housed) are uses not permitted 'X'</b> in the Resource Zone, with the exception of (iv).)</p>
Town of Cottesloe	<p>“<b>industry – noxious</b>” means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.</p>	<p>X use except in Development (<i>*Development and use of land is to be in accordance with an approved Structure Plan prepared and adopted under clause 6.2. )</i></p>
Town of East Fremantle		Not found
City of Fremantle	<p><b>Industry—noxious:</b> means an industry which is an offensive trade within the meaning of Schedule 2 of the <b>Health Act 1911</b> but where an offensive trade is also included as a category of prescribed premises set out in Schedule 1 of the Environmental Protection Regulations 1987, Schedule 2 of the <b>Health Act 1911</b> prevails and includes a landfill site, but does not include a fish shop, dry cleaning premise,</p>	A in Industrial zone

Local Government	Noxious Industry	Notes
	Laundromat, piggery, poultry farm or rabbit farm.	
City of Gosnells	" <b>industry - noxious</b> " means an industry which is subject to licencing as "Prescribed Premises" under the Environmental Protection Act 1986 (as amended);	A use = General & Extractive Industry
City of Joondalup		Not found
City of Kalamunda		Not found
City of Kwinana	<b>Noxious Industry</b> - means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> (as amended) or a scheduled premises within the meaning of the <i>Clean Air Act</i> (as amended) but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, chicken farm, piggery or the carrying out of agriculture for the growing, rearing or producing of animal, bird, fish or vegetable matter for human or animal consumption being a process carried out in the course of trade or business for gain.	SA use in General Industry
City of Melville		Not found
Town of Mosman Park	" <b>Noxious Industry</b> " means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 1911</b> (as amended), but does not include fish shops or dry cleaning establishments.	X use
Shire of Mundaring		" <b>industry - general</b> " means an industry other than a cottage, extractive, light, mining, <b>noxious</b> , rural or service industry;  Noxious not in scheme
City of Nedlands	<b>Planning Scheme 2: Industrial: Noxious</b> - means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> (as amended) but does not include wet fish shops or piggeries or a waste disposal process operation carried out by or	X use

Local Government	Noxious Industry	Notes
	under the direct management and supervision of the Council; <b>Proposed Planning Scheme 3:</b> Not listed.	
Shire of Peppermint Grove		Not found
City of Perth	<b>Noxious use</b> means a use, including an industry, in which any of the processes involved constitutes an “offensive trade” as defined in section 186 of the <b>Health Act</b> , but does not include fish shops or dry cleaning premises; <b>NOTE:</b> Section 186 of the Health Act defines “offensive trade” to mean and include any of the trades specified in Schedule 2 of that Act, and any other trade declared to be offensive by proclamation.	Disappointed
City of Rockingham	<b>Industry – Noxious:</b> means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> and/or the City of Rockingham Health Local Laws 1996, but does not include an abattoir, dry cleaning premises, laundromat or piggery	A use in Special Industry
City of South Perth		Not found
City of Stirling	Industry - Noxious: means an industry which: (a) is specifically listed as an offensive trade under Schedule 2 of the <b>Health Act 1911</b> , excluding cleaning establishments and laundries; or  (b) is specifically listed as a prescribed premises under Schedule 1 of the Environmental Protection Regulations 1987, excluding those industries encompassed by the definition of <i>agriculture - intensive, animal husbandry - intensive or industry - rural</i> ;	A use in Industry Zone
City of Subiaco	<b>Industry: hazardous/noxious:</b> means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the	Hazardous/Noxious industry X use

Local Government	Noxious Industry	Notes
	locality), would pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment. Examples of such industry include oil refineries and chemical plants but would generally exclude light industries	
City of Swan	<b>“industry - noxious”</b> means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> (as amended) but does not include wet fish shops or piggeries or a waste disposal process operation carried out by or under the direct management and supervision of the City.	X use
Town of Victoria Park	<b>“noxious industry”</b> means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986 (as amended);	X use unless in provisions in precinct plan for special use (none found)
City of Vincent	<b>TPS 1 - “noxious industry”</b> means an industry in which any of the processes involved constitutes an “offensive trade” within the meaning of the <b>Health Act 1911</b> , but does not include fish shops or dry cleaning premises; <b>Proposed TPS 2 – no reference</b>	Hazardous/Noxious industry X use
City of Wanneroo		Not found
<b>Regional</b>		
City of Albany		Not found
Shire of Ashburton	<b>industry – noxious</b> an industry which is subject to licensing as “Prescribed Premises” under the environmental Protection Regulations 1987 (as amended).	D use in Industry & Industrial & Mixed Business Development A use in Strategic Industry
Shire of Augusta-Margaret River		Not found
Shire of Beverley		Not found
Shire of Boddington	<b>Industry - Noxious:</b> - means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986 (as amended).	SA use in Rural and Industrial
Shire of Boyup Brook	<b>“industry – noxious”</b> means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act. 1911</b> (as	AA use in General Industrial and SA in Rural

Local Government	Noxious Industry	Notes
	amended), but does not include a fish shop, dry cleaning premises, Laundromat, piggery or poultry farm.	
Shire of Bridgetown-Greenbushes	<p><b>TPS No.3 - Noxious Industry</b> - means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 1911</b> (as amended), but does not include fish shops or dry cleaning establishments.</p> <p><b>TPS No. 4 - Industry General</b> - means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.</p>	<p>TPS No.3 – AA use in Industrial</p> <p>TPS No 4 - SA use in Industrial AA use in Rural 2</p>
Shire of Brookton		2012 scheme amendment removed Noxious from zoning table and scheme
Shire of Broome	“ <b>industry- noxious</b> ”- means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986.	A use in industry
Shire of Broomehill-Tambellup	<b>industry - noxious:</b> means any industry which is subject to licensing as "Prescribed Premises" under the <i>Environmental Protection Act 1986 (as amended)</i> .	Not permitted except SA use in Farming
Shire of Bruce Rock		Not found
City of Bunbury	‘Industry – noxious’ An industry:- a) which by reason of the processes involved, the method of manufacture, the nature of the materials used or produced, and / or the emissions or other by-products released into the atmosphere, water or ground requires separation from other land uses and / or buildings in the interests of human enjoyment or comfort; and / or b) within which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911-1979</b> (as amended) but does not include a fish shop, dry cleaning premises, marine collectors yard or laundromat.	A use in Industry, D use in Port Industry.
City of Busselton		Not found
Shire of Capel	<b>Industry Noxious:</b> means an industry in which it is the subject to licensing as “Prescribed Premises” under the	Industry – Noxious or Hazardous X use

Local Government	Noxious Industry	Notes
	Environment Protection Act 1986 (as amended).	
Shire of Carnamah		Not found
Shire of Carnarvon	<b>“Noxious Industry”</b> - means an industry in which the process involved constitutes an offensive trade within the meaning of the <b>Health Act, 1911</b> (as amended) but does not include fish shops or dry cleaning establishments.	SA use in General industry, SA in Rural
Shire of Chapman Valley		A use in General Industry, D use in Oakajee Industrial Area A (General Industry) & Oakajee Industrial Area C (Strategic Industry)
Shire of Chittering		2015 amendment deleted definition from scheme
Shire of Christmas Island	<b>industry - noxious</b> means an industry which is listed as an offensive trade under Schedule 2 of the <b>Health Act 1911 (WA)(CI)</b> or is listed as a prescribed premises under Schedule 1 of the <i>Environmental Protection Regulations 1987 (WA)(CI)</i> , excluding those industries encompassed by the definition of agriculture – intensive, animal husbandry – intensive or industry – rural.	D use in Industrial
Shire of Cocos	<b>industry - noxious:</b> (or noxious industry) means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986 (as amended);	X use
Shire of Collie	<b>“industry—noxious”</b> means an industry which is subject to licensing as “Prescribed Premises” under the <i>Environmental Protection Act 1986</i> : (a) that, by reason of the processes involved, the method of manufacture, the nature of the materials used or produced, and/or the emissions or other by-products released into the atmosphere, water or ground requires separation from other land uses and/or buildings in the interests of human enjoyment or comfort; and/or	A use in Rural 1, Rural 2 and General Industry

Local Government	Noxious Industry	Notes
	(b) within which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> (as amended) but does not include a fish shop, dry cleaning premises, marine collectors yard or laundromat.	
Shire of Coolgardie		Not found
Shire of Coorow	<b>industry</b> —noxious means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> ;	A use in Industrial
Shire of Corrigin		Not found
Shire of Cranbrook		Not found
Shire of Cuballing		Not found
Shire of Cue		Not found
Shire of Cunderdin		Not found
Shire of Dalwallinu		Not found
Shire of Dandaragan		Not found
Shire Dardanup	<b>industry – noxious or hazardous</b> means an industry which, by reason of the processes involved or the method of manufacture or the nature of the material used or produced, requires isolation from adjacent land uses due to its off-site impacts;	X use except: D for caretakers dwelling P for Dry Cleaning Premises, Fuel depot, Extractive and General Industry P for Noxious or Noxious or Hazardous Industry and Motor Vehicle Repair/Wash P for Transport depot D for Office
Shire of Denmark	<b>Noxious Industry</b> - means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 1911-1979</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.	SA use in Rural
Shire of Derby-West Kimberley	<b>TPS 5 - Industry Noxious:</b> means an industry which is subject to licencing as 'Prescribed Premises' under the Environmental Protection Act 1986 (as amended).	No in zone table
Shire of Donnybrook-Balingup		Not found
Shire of Dowerin		Not found



Local Government	Noxious Industry	Notes
Shire of Dumbleyung		Not found
Shire of Dundas	“Industry Noxious” means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 1911-1979</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery o poultry farm.	SA use in Rural
Shire of East Pilbara	<b>INDUSTRY NOXIOUS:</b> means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986 (as amended).	D use in Nullagine Townsite Zone, A use in Rural
Shire of Esperance		Not found
Shire of Exmouth	<b>industry - noxious:</b> means an industry which is subject to licensing as "Prescribed Premises" under the <i>Environmental Protection Act 1986</i> .	SA use in Industrial and Pastoral
Shire of Gingin	“ <b>industry - noxious</b> ” means an industry in which the processed involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> (as amended), but does not include a fish shop, dry cleaning premises, laundromat, piggery or poultry farm;	A use in General Rural
Shire of Gnowangerup		Not found
Shire of Goomalling	“ <b>industry - noxious</b> ” means an industry in which the processed involved constitute an offensive trade within the meaning of the <b>Health Act 1911</b> (as amended), but does not include a fish shop, dry cleaning premises, laundromat, piggery or poultry farm;	<b>Industrial Zones</b> The objective for the zones is to provide for diverse industries to locate in a manner which will avoid detrimental impact on other uses in the Shire and achieve satisfactory standards of amenity and accessibility. Council policies will therefore be; a) Permit in the appropriate industrial zone, the establishment of uses which provide desirable and conveniently

Local Government	Noxious Industry	Notes
		<p>located services to the community;</p> <p>b) Permit establishment of noxious industries in the General Industrial zone under specific circumstances, and with appropriate environmental controls;</p> <p>c) Require industrial premises to provide adequate and satisfactory provision of accessibility, car parking and appearance.</p>
City of Greater Geraldton		Not found
Shire of Halls Creek	<p><b>Industry - Noxious</b> means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health (Miscellaneous Provisions) Act 1911</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, Laundromat, piggery or poultry farm.</p>	Not in zoning table (NOTE: hazardous industry is in zone table, BUT not in definitions)
Shire of Harvey	<p><b>Industry - Noxious:</b> Means an industry in which the processes involved constitute an offensive trade within the meaning of <b>the Health Act, 1911</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.</p>	AA use in Kemerton Strategic Industry
Shire of Irwin		Not found
Shire of Jerramungup		Not found
City of Kalgoorlie-Boulder	<p><b>industry - noxious</b> means an industry in which the processes involved constitute an offensive trade, within the meaning of the <b>Health Act 1911</b> but does not include a fish shop, dry cleaning premises,</p>	No uses listed in table

Local Government	Noxious Industry	Notes
	marine collectors yard, laundromat, piggery or poultry farm.	
City of Karratha	<b>industry - noxious</b> an industry which is subject to licensing as “Prescribed Premises” under the <i>Environmental Protection Regulations 1987</i> (as amended).	SA use in Strategic Industry AA use in Industry Car parking requirements at Council discretion
Shire of Katanning	industry - noxious: means an industry which is an offensive trade within the meaning of Schedule 2 of the <b>Health Act 1911</b> but where an offensive trade is also included as a category of prescribed premises set out in Schedule 1 of the Environmental Protection Regulations, Schedule 2 of the <b>Health Act 1911</b> prevails and includes a landfill site, but does not include a fish shop, dry cleaning premises, laundromat, piggery, poultry farm or rabbit farm. AMD 5 GG 9/12/05	SA use in General Industry and Rural
Shire of Kellerberrin		Not found
Shire of Kent	<b>Health Act 1911</b> prevails and includes a landfill site, but does not include a fish shop, dry cleaning premises, laundromat, piggery, poultry farm or rabbit farm. AMD 5 GG 9/12/05	SA use in Industrial
Shire of Kojonup	<b>Industry: Noxious</b> - means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 1911 - 1979</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.	SA use in Industrial
Shire of Kondinin		Not found
Shire of Koorda		Not found
Shire of Kulin		Not found
Shire of Lake Grace		Not found
Shire of Laverton		Not found
Shire of Leonora	<b>Industry Noxious:</b> mean an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 191-1979</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors	AA use in Rural

Local Government	Noxious Industry	Notes
	yard, laundromat, piggery or poultry farm.	
City of Mandurah	<b>industry - noxious:</b> means an industry which is subject to licensing as "Prescribed Premises" under the <i>Environmental Protection Act 1986</i> (as amended).	Use not listed in zone table
Shire of Manjimup	<b>"industry – noxious"</b> means land and buildings the use of which is for purposes requiring licensing as "Prescribed Premises" under the provisions of the <i>Environmental Protection Act 1986</i> ."	A use in Priority Agriculture and General Agriculture
Shire of Meekatharra	<b>"industry – noxious"</b> means land and buildings the use of which is for purposes requiring licensing as "Prescribed Premises" under the provisions of the <i>Environmental Protection Act 1986</i> ."	SA use Rural
Shire of Menzies		SA use in Industrial
Shire of Merredin		Not found
Shire of Mingenew		Not found
Shire of Moora	<b>industry – noxious:</b> means an industry which is an offensive trade within the meaning of Schedule 2 of the <i>Health Act 1911</i> , but where an offensive trade is also included as a category of prescribed premises set out in Schedule 1 of the <i>Environmental Protection Regulations</i> , Schedule 2 of the <i>Health Act 1911</i> prevails and includes a waste facility, but does not include a fish shop, dry cleaning premises, laundromat, piggery, poultry farm, or rabbit farm;	A use General Agriculture
Shire of Morawa	<b>industry – noxious:</b> means an industry which is an offensive trade within the meaning of Schedule 2 of the <i>Health Act 1911</i> , but where an offensive trade is also included as a category of prescribed premises set out in Schedule 1 of the <i>Environmental Protection Regulations</i> , Schedule 2 of the <i>Health Act 1911</i> prevails and includes a waste facility, but does not include a fish shop, dry cleaning premises, laundromat, piggery, poultry farm, or rabbit farm;	A use in Industrial and General Agriculture
Shire of Mount Magnet		Not found

Local Government	Noxious Industry	Notes
Shire of Mount Marshall		Not found
Shire of Mukinbudin		Not found
Shire of Murchison		Not found
Shire of Murray	<b>Noxious Industry</b> - means an industry in which the process involved constitutes an offensive trade within the meaning of the <b>Health Act, 1911</b> (as amended) but does not include fish shops or dry cleaning establishments.	SA use in Industry and Rural
Shire of Nannup	<b>Industry – noxious</b> means an industry which is subject to licensing as “Prescribed Premises” under the <i>Environmental Protection Act 1986</i> .	Use not in table
Shire of Narembeen	<b>industry - noxious:</b> means an industry which is subject to licensing as "Prescribed Premises" under the <i>Environmental Protection Act 1986</i> (as amended).	Use deleted from table
Shire of Narrogin	<b>industry - noxious:</b> means an industry which is subject to licensing as "Prescribed Premises" under the <i>Environmental Protection Act 1986</i> (as amended).	SA use in Farming
Shire of Ngaanyatjarraku		No scheme
Shire of Northam		Not found
Shire of Northampton	<b>Industry – Noxious:</b> means an industry which is subject to licensing as “Prescribed Premises” under the <i>Environmental Protection Act 1986</i> (as amended);	LPS 10 – X use LPS 11 – not listed
Shire of Nungarin		No scheme
Shire of Perenjori		Not found
Shire of Pingelly		Not found
Shire of Plantagenet		Not found
Town of Port Hedland	Development for ‘Industry – General’ and ‘Industry – Noxious’ purposes shall not be permitted within the ‘Transport Development’ zone unless the local government is satisfied all necessary buffer areas related to the development can be accommodated on-site within the boundaries of the lot containing the development. <b>industry - noxious</b> an industry which is subject to licensing as “Prescribed	A use in Strategic Industry, Industry, Industrial Development, Rural and Transport Development.

Local Government	Noxious Industry	Notes
	Premises” under the Environmental Protection Regulations 1987 (as amended).	
Shire of Quairading		Not found
Shire of Ravensthorpe		Not found
Shire of Sandstone		Not found
Shire of Serpentine-Jarrahdale	<b>Industry Noxious</b> - means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 1911</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.	SA in General Industry and Rural
Shire of Shark Bay	<b>‘industry - noxious’</b> means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986 (as amended).	A use in Industry
Shire of Tambellup	industry - noxious: means an industry which is subject to licensing as "Prescribed Premises" under the <i>Environmental Protection Act 1986 (as amended)</i> .	SA use in Industrial and Farming
Shire of Tammin	industry - noxious: means an industry which is subject to licensing as "Prescribed Premises" under the <i>Environmental Protection Act 1986 (as amended)</i> .	SA use in Light Industry and Rural
Shire of Three Springs		Not found
Shire of Toodyay	<b>“industry – noxious”</b> means an industry in which the processes involved constitute an offensive trade within the meaning of the <b>Health Act, 1911</b> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, Laundromat, abattoir, piggery or poultry farm; <i>AMD 4 GG 07/01/14</i>	X use in table
Shire of Trayning		Not found
Shire of Upper Gascoyne		No scheme
Shire of Victoria Plains		Not found
Shire of Wagin		Not found
Shire of Wandering		Not found

Local Government	Noxious Industry	Notes
Shire of Waroona	<b>Industry - Noxious:</b> - means an industry which is subject to licensing as “prescribed premises” under the Environmental Protection Act 1986, but does not include dry cleaning premises, laundromat, piggery or poultry farm;	A use in Industrial (Urban) and General Farming (Rural)
Shire of West Arthur		Not found
Shire of Westonia		Uses Merredin scheme
Shire of Wickepin		Not found
Shire of Williams	<b>Industry - Noxious:</b> - means an industry which is subject to licensing as “prescribed premises” under the Environmental Protection Act 1986, but does not include dry cleaning premises, laundromat, piggery or poultry farm;	AA use in Rural
Shire of Wiluna	<b>Industrial Zone</b> 5.16.1 Objectives (a) To provide for industrial uses to service the pastoral and mining uses established in the district, and to achieve separation of industries from residential uses. (b) To encourage large storage and transport related uses, noxious, hazardous and mining related industry and other land uses which require large land parcels and/or separation from other land uses for health, safety or environmental reasons.	Not is use table
Shire of Wongan-Ballidu		Not found
Shire of Woodanilling	“ <b>industry – noxious</b> ” means an industry in which the process involved constitutes an offence trade within the meaning of the <b>Health Act 1911</b> (as amended), but does not include fish shops or dry cleaning establishments.	A use in Regional Rural
Shire of Wyalkatchem		Not found
Shire of Wyndham East Kimberley	<b>Industry - Noxious</b> means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986.	SA use in Rural Industry
Shire of Yalgoo		Not found
Shire of Yilgarn	<b>industry - noxious:</b> means an industry which is subject to licensing as "Prescribed Premises" under the	SA use in Rural Mining

Local Government	Noxious Industry	Notes
	Environmental Protection Act 1986 (as amended).	
Shire of York		SA use in Industrial and General Agriculture