

# LOCAL ORDERS POLICY [DRAFT]

## 1.0 PURPOSE

The Local Orders Policy assists Canterbury-Bankstown Council (Council) in enacting its regulatory responsibilities in the areas of animal management (including keeping of animals), Public Health and Environmental Protection by specifying the criteria that Council must take into consideration in determining whether or not to give an order under Section 124 of the *Local Government Act 1993*.

The Policy aims:

- To ensure the manner in which Council deals with the issuing of orders is consistent and fair, by issuing a clear set of formal criteria;
- To ensure Council's criteria and requirements for orders is readily accessible and understandable to the public;
- To meet community standards regarding health and safety of land and premises; and
- To create a system that is better able to effectively resolve disputes and conflicts as they arise.

## 2.0 SCOPE

The Local Orders Policy applies to all land in the Canterbury-Bankstown Local Government Area (LGA).

## 3.0 POLICY STATEMENT

Council is committed to effectively managing its legislative obligations in respect to animal management, public health and environmental management in such a way as to facilitate a safe and healthy environment, to improve the amenity of the LGA, and ensure good governance practices.

Council's Local Orders Policy and subsequent Orders Schedule, outlines the circumstances that may warrant Council issuing an order for the following circumstances:

Order 5	Compliance with standards and requirements
Order 7	Fencing land
Order 8	The identification of premises
Order 9	Dangerous hole or waterhole
Order 10	Unightly articles or matter
Order 11	Prevent and repair environmental damage
Order 12	Control of surface water across land
Order 15	Threatening or hazardous activities
Order 16	Ceasing to use or evacuating premises
Order 17	To leave or not enter premises

Order 18	The keeping of animals
Order 19	Use of tennis courts
Order 20	Sanitary conditions in relation to food
Order 21	Safe and healthy land and premises
Order 22	Waste on land or premises
Order 22A	Remove Waste from land
Order 23	Connection to water supply
Order 24	Connection to sewerage system
Order 25	Human waste storage facility on premises
Order 27	Object or matter in a public place
Order 28	Damage to a public place
Order 29	Work or structure in a public place
Order 30	Compliance with approvals

*Note: Orders 1, 2, 3, 4, 6, 13, 14, & 26 either do not relate to Canterbury-Bankstown LGA or have been repealed by other legislation.*

In exercising its function, Council will consider variations and exceptions to the criteria in the Policy, under certain circumstances and on a merit determination basis.

Amendments to the Policy and Local Orders Schedule may be made by Canterbury-Bankstown Council from time to time to reflect legislative changes.

## 4.0 RELATED RESOURCES

### 4.1 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulations 2005*
- *Apiaries Act 1985*
- *Companion Animals Act 1998*
- *Companion Animals Amendment Act 2001 and 2006*
- *Companion Animals Regulation*
- *Environmental Planning and Assessment Act 1997*
- *Exhibited Animals Protection Act 1986*
- *Food Act 2003*
- *Food Regulation 2015*
- *Home Building Act 1989*
- *National Parks and Wildlife Act 1974*
- *Non-Indigenous Animals Act 1997*
- *Public Health Regulation 2012*
- *Public Health (General) Regulation 2002*
- *Protection of the Environment Operations Act 1997*

- *Swimming Pool Act 1992*
- *Water Management Act 2000*

#### **4.2 Associated Documents**

- Local Orders Schedule
- Development Control Plan
- Local Environmental Plan
- Food Premises Code
- Food Standards Code
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- Australian Standard 1926

#### **4.3 Definitions**

**Order**

*An enforcement notice, order or direction given by Council that requires the recipient to take action within a specified time period. Orders are issued to rectify a situation that has public health, safety, environmental, amenity implications or to remediate unauthorised activities.*

### **5.0 POLICY OWNER**

Manager Regulatory Services

### **6.0 AUTHORISATION**

Adopted by Canterbury-Bankstown Council on [INSERT DATE].