



Chief Executive Officer Attachments
Wednesday, 17 August 2016

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
9.4.1	Cats Amendment Local Law 2015 1. Statewide and Local Public Notices (published 11 May 2016) 2. Copy of letter to Minister for Local Government (ref O1671082) 3. Copy of letter to Joint Standing Committee on Delegated Legislation (ref O1671066) 4. Shire of Chittering Cats Local Law 2015 (changes in red) 5. Shire of Chittering Cats Amendment Local Law 2016 (with track changes and without)	1 – 39
9.4.3	Deed of Variation to Contract of Sale: Lot 62 Great Northern Highway, Bindoon 1. Deed of Variation	40 – 47
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LOCAL GOVT. TENDERS

CITY OF BELMONT TENDERS

TENDER 12/2016 SUPPLY AND INSTALLATION OF LANDSCAPE WORKS – COPLEY PARK UPGRADE STAGE 1

TENDER 13/2016 CONSTRUCTION OF KERBING AND ASSOCIATED WORKS

Tenders are invited for the supply of services in accordance with the specifications provided.

Interested parties are invited to obtain the specifications and contract documents from the City of Belmont web page: www.belmont.wa.gov.au.

All tenders must be submitted on the "Form of Tender" in a sealed envelope clearly endorsed with the tender number and title of tender and placed in the tender box situated in the foyer of the Civic Centre, before the closing time.

Closing Dates and Times

Tender 12/2016 – Supply and Installation of Landscape Works – Copley Park Upgrade Stage 1

Tuesday 31 May 2016 at 2pm

Please note: A mandatory tender briefing will be held at 9:30am on Monday, 16 May 2016 at the Kooyong Road end of Copley Park. Prospective Tenderers will need to attend to be eligible to submit a tender.

Tender 13/2016 – Construction of Kerbing and Associated Works

Thursday 26 May 2016 at 2pm

Enquiries for further tender information should be directed to the City's Coordinator Contracts & Tender, via fax (08) 9478 1473 or email tenders@belmont.wa.gov.au

STUART COLE
CHIEF EXECUTIVE OFFICER



LOCAL LAWS Local Government Act 1995 (as amended) - section 3.12

Council is in the process of creating / amending the following Local Laws for the Shire of Kellerberrin in accordance with the Local Government Act 1995:

Cemeteries Local Law
The purpose is to make provisions about the management and control of the Kellerberrin Public Cemetery.
The effect is to provide guidelines for the management and control of the Kellerberrin Public Cemetery.

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
The purpose is to make provisions about the management and control of activities on thoroughfares and trading in thoroughfares and public places.
The effect is to provide guidelines for the management and control of activities on thoroughfares and trading in thoroughfares and public places.

Fencing Local Law
The purpose is to make provisions about the management and control of construction and removal of fences in the Shire of Kellerberrin.
The effect is to provide guidelines for the management and control of construction and removal of fences in the Shire of Kellerberrin.

Local Government (Council Meeting) Local Law
The purpose is to make provisions about the management and control of the conduct within the Council Meeting.
The effect is to provide rules and guidelines which apply to the conduct of the Council, the committees and to meeting electors.

Parking and Parking Facilities Local Law
The purpose is to make provisions about vehicle parking and parking facilities within the Shire of Kellerberrin.
The effect is to provide assistance to the Shire of Kellerberrin in administering the control of vehicle parking and the parking facilities in the district in conjunction with the Road Traffic Act 1974, and other associated legislation.

Copies of the current Local Laws are available from the Shire office, on the website www.kellerberrin.wa.gov.au or by emailing Lauren Cole on pa@kellerberrin.wa.gov.au.

Written submissions on the review of these local laws can be made to:

Chief Executive Officer
Shire of Kellerberrin
PO Box 145
Kellerberrin WA 6410

Submission period closes Friday 8th July 2016 at 12 noon.

RAYMOND GRIFFITHS
Chief Executive Officer

SHIRE OF DALWALLINU

Call for Nominations to be a Local Government Councillor of the Shire of Dalwallinu

You would be involved in running an organisation with the responsibility of making decisions that have a major impact on our lifestyle. As a representative of your community you will find the role enjoyable, challenging and stimulating with involvement in matters as diverse as recreation, libraries, the environment, town planning, health, roads and much more. Meeting fees and some expenses are paid.

Extraordinary Vacancy
The term for vacancy is period ending October 2017.

Who can nominate?
Any person who is an Australian Citizen over the age of 18 years who is an elector of the district and is not disqualified under the Local Government Act 1995 may nominate for council.

When to nominate?
Nominations open on 12th May 2016 and close at 4.00pm sharp on 19th May 2016.

Where to nominate?
Shire of Dalwallinu - Shire Office - 58 Johnston Street, Dalwallinu.

Nominations must be on a prescribed form that is available from the council office. An \$80 nomination deposit is required as well as a profile of the candidate consisting of no more than 150 words. You can include a recent passport sized photo of the candidate's head or head and shoulders if you wish. If unable to personally attend, an authorised agent can do this on your behalf.

More information
A nomination pack is available from the Returning Officer, Shire of Dalwallinu.

TAMALA PARK REGIONAL COUNCIL

Unit 2/369
Scarborough Beach Road,
Innaloo WA 6018
www.tamalapark.wa.gov.au

DISPOSITION OF PROPERTY
Section 3.58 (2) & (3) of the Local Government Act 1995

The Tamala Park Regional Council on behalf of the Cities of Joondalup, Perth, Stirling, Vincent and Wanneroo and the Towns of Cambridge and Victoria Park, is considering offers to dispose of the following lots at the Catalina Estate:

Lot: 288
Purchaser: KM & S Harris
Valuation: \$240,000
Price: \$240,000

Lot: 918
Purchaser: A & SE Brown
Valuation: \$320,000
Price: \$335,000

Lot: 919
Purchaser: N Jobanputra & U Jobanputra
Valuation: \$320,000
Price: \$335,000

Anyone wishing to make a submission on the proposal should do so before 25 May 2016.

Tony Arias
Chief Executive Officer

TENDERS

PACT construction
Scarborough Beach Pools
Prices required by C.O.B. 27/05/2016
Email: tenders@pactconstruction.com.au
Ph: 9340 5900 Fax: 9201 8360

FIRM CONSTRUCTION
ARE TENDERING ON:
Cyrenian House
Pricing by 13th May
PPA Maintenance Workshop
Pricing by 15th May
Millen PS
Pricing by 18th May
Kinross College
Pricing by 24th May
Scarborough Beach Pool
Pricing by 30th May
Phone: 9388 6004
Email: tenders@firmconstruction.com.au

metrowest
ARE TENDERING ON
NBN TAND4 Expansion
Data Centre, Wangara
Pricing COB 13.05.16
Contact for details via email:
tenders@metrowest.com.au

COLGAN INDUSTRIES
are tendering on
Millen Primary School
Tenders close 19.5.2016
Contact:
grahame@colgan.com.au
0418 260 842

Built.
Crown Hotel Signature Restaurant
Prices required 18th May
T: (08) 9218 9920
estimating@built.com.au

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● Multi tyre Rollers
● Tip Trucks 6x4
● Water Carts 6x4, 8x8
● Artic. W/Carts
● JCB Fastrac W/Carts
● Semi W/Carts (tri-axle)
● with truck
● Telehandlers
● Skid steer Loaders (track)
● with attachments
● Screen Terex 663 track
● Lighting towers
● Backhoe Case 580M
● Graders
● Fuel truck
● Tractors, brooms & drill
● Tractors 25 - 300hp
● Tractor on trailer 25hp
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● Slashers 1 - 3mtr
● Rotary Hoes 1 - 3mtr
● Marshall Super Spreader
● KENDALL HIRE
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DOYLES
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www.doylesconstructionlawyers.com



Food and Beverage Services at the State Library of Western Australia
The State Library of Western Australia is seeking expressions of interest for a lease and licence for a range of food and beverage services at the State Library commencing in July 2016, from boutique food operators, café bar operators, functions and events caterers.
For EOI documents or to register interest contact Jenny Leunig, Administration Assistant on 9427 3337 or email jenny.leunig@slwa.wa.gov.au

LANSKEY CONSTRUCTIONS
Lanskey Constructions are
Tendering the following:
Northam Shopping Centre
All interested subcontractors
and suppliers are to submit
quotations by email to
tenders-wa@lanskey.com.au
Quotations due:
COB 25th May 2016

THOMAS BUILDING
TENDERING ON
Port Hedland PA
Maintenance Workshop.
Pricing by 13th May. Phone:
9448 2888 E: Tenders@thomasbuilding.com.au

WESTFORCE CONSTRUCTION
IS TENDERING ON:
Port Hedland Maintenance
Shop.
Pricing by 13th May 2016
Prices required by
Friday, 13th of May 2016
DHA Estate Works
RAAF Base Learmonth
Prices required by
Thursday, 19th of May 2016
Email:
tenders@westforce.com.au

BANKSIA GROVE
Small Lot Residential/
Retail/Commercial
Development Opportunity
OFFERS TO PURCHASE
The Banksia Grove
partners comprising the
Housing Department and
Banksia Grove Development
Nominees being responsible
for the development of the
Banksia Grove residential
estate are calling for Offers
to Purchase Lot 802
Glasshouse Drive, Banksia
Grove.
The 3122sqm site zoned
commercial with a
residential R60 coding has
potential to be developed
into small lot residential
home sites, grouped
housing and/or retail/
commercial uses. The lot is
located alongside beautiful
parkland, close to schools
and adjacent to a Childcare
Centre.
Offers to Purchase are to
be received
by 4pm Friday
10th June 2016. For an
information pack contact
Tony Naughtin on
9481 1633 or
tnaughtin@banksiagrove.net.au

BROAD
**SCARBOROUGH BEACH
POOL & COMMERCIAL
FACILITIES**
Prices required by 26/05/16
Contact: Tim Andrews
Email: tim.andrews@broad.com.au
Phone: (08) 9238 0573

**KINROSS COLLEGE
UPGRADE**
Prices required by 23/05/16
Contact: Kelana Saleh
Email: kelana.saleh@broad.com.au
Phone: (08) 9238 0566

**DEPT FOR CHILD
PROTECTION OFFICE
REFURBISHMENT**
Prices required by 13/05/16
Contact: Kelana Saleh
Email: kelana.saleh@broad.com.au
Phone: (08) 9238 0566

LOCAL GOVT. NOTICES

EMRC
EASTERN METROPOLITAN
REGIONAL COUNCIL
(EMRC)
Ordinary Council Meeting
Scheduled for Thursday,
19 May 2016 (if required)
IS REQUIRED.
Notice is hereby given that an
Ordinary Council Meeting will
be held on Thursday, 19 May
2016, commencing at 6.00pm.
The meeting will be held at
EMRC's Administration Office,
1st Floor, Ascot Place,
226 Great Eastern Highway,
Belmont.
PETER B. SCHNEIDER
Chief Executive Officer

Shire of Chittering
**PROPOSED
SHIRE OF CHITTERING
CATS AMENDMENT
LOCAL LAW 2016**
The Shire of Chittering has
resolved to make a local law
'Shire of Chittering Cats
Amendment Local Law 2016'.
The purpose of the local law
is to provide Council with
measures in addition to those
under the Cat Act 2011 to
control the keeping of cats.
The effect of the local law is
to control the number of cats
that can be kept and places
where cats can be kept.
Obtaining documentation
A copy of the proposed local
law is available from the Shire
of Chittering Administration
Centre, 6177 Great Northern
Highway, Bindoon; the
Bindoon Library; and
the Shire's website
(www.chittering.wa.gov.au).
Deadline for public
comments
4pm (WST) on Thursday,
30 June 2016
Written submissions on the
document may be made in
writing and addressed to the:
Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502
or via email to
chatter@chittering.wa.gov.au.
Further information
Contact Natasha Mossman, Executive
Support Officer by email on
chatter@chittering.wa.gov.au
or telephone on
(08) 9576 4600.
Alan Sheridan
Chief Executive Officer

Town of Cottesloe
**LOCAL GOVERNMENT
PROPERTY AMENDMENT
LOCAL LAW 2016**

Notice is hereby given that the Town of Cottesloe is seeking submissions on its proposed Local Government Property Amendment Local Law 2016.

Purpose: To improve the amenity of beaches in Cottesloe by reducing litter from cigarette butts, eliminating exposure to cigarette smoke by beach users and reducing the risk to marine life of ingesting the cigarette butts.

Effect: Smoking would effectively be prohibited on all beaches and beach reserves as determined by Council.

The proposed Local Law may be obtained and is available for inspection at the Town of Cottesloe Office, 109 Broome Street Cottesloe, the Grove Public Library, cnr Stirling Hwy and Leake Street, Peppermint Grove and the Town's website at www.cottesloe.wa.gov.au.

Written submissions closing at 4.00pm on Monday 4 July 2016 should be addressed to the undersigned by mail to PO Box 606, Cottesloe WA 6911 or by email to council@cottesloe.wa.gov.au.

If you have any questions, please contact the Town's administration on 9285 5000 during office hours.

Mat Humfrey
Chief Executive Officer

109 Broome Street, Cottesloe
PO Box 606 COTTESLOE WA 6911
Telephone: (08) 9285 5000
Facsimile: (08) 9285 5001
Email: council@cottesloe.wa.gov.au
Website: www.cottesloe.wa.gov.au



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The West Australian

**State Library
OF WESTERN AUSTRALIA**

Food and Beverage Services at the State Library of Western Australia
The State Library of Western Australia is seeking expressions of interest for a lease and licence for a range of food and beverage services at the State Library commencing in July 2016, from boutique food operators, café bar operators, functions and events caterers.
For EOI documents or to register interest contact Jenny Leunig, Administration Assistant on 9427 3337 or email jenny.leunig@slwa.wa.gov.au

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As a Field Officer, you must:

- Know your local community
- Be of reasonable fitness
- Have a current driver's licence and access to a vehicle
- Have a home computer with internet access and be comfortable using a mobile or tablet device
- Comply with ABS work health and safety policies
- Be an Australian citizen or have the legal right to work in Australia.

A Census Field Officer's duties may vary, depending on their assigned area. Job seekers from diverse backgrounds are encouraged to apply.

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Request for Temporary Barrier Road Closure of Everglades Avenue and a Portion of Youle-Dean Road, Brabham

Notice is hereby given in accordance with Section 3.50 of the Local Government Act 1995 of a proposal to close Everglades Avenue between its intersection with Youle-Dean Road and Gloucester Approach and a portion of Youle-Dean Road between its intersection with Lord Street and Everglades Avenue to vehicular traffic by installing bollards and barriers to facilitate the upgrade of these roads.

The closure period will run for approximately 12 months from late May 2016 until late May 2017.

A Locality Plan depicting the closure and a traffic management plan can be inspected at the City's Administration Centre, Morrison Road, Midland or at any of the City's libraries, during office hours.

Prior to Council considering this matter, submissions from the public are sought. Anyone wishing to comment on the proposal may do so by lodging a written submission, addressed to the undersigned, City of Swan, PO Box 196, Midland, 6936, on or before Monday 30 May 2016.

M J Foley
CHIEF EXECUTIVE OFFICER

MFE C81/486

city of swan

www.cityofswan.wa.gov.au

PUBLIC NOTICES

PUBLIC NOTICES

PUBLIC NOTICES

Proposed Shire of Chittering Cats Amendment Local Law 2016



The Shire of Chittering has resolved to make a local law 'Shire of Chittering Cats Amendment Local Law 2016'.

The **purpose** of the local law is to provide Council with measures in addition to those under the Cat Act 2011 to control the keeping of cats.

The **effect** of the local law is to control the number of cats that can be kept and places where cats can be kept.

Obtaining documentation

A **copy** of the proposed local law is available from the Shire of Chittering Administration Centre, 6177 Great Northern Highway, Bindoon; the Bindoon Library and the Shire's website (www.chittering.wa.gov.au).

Deadline for public comments

4pm (WST) on Thursday, 30 June 2016

Written submissions on the document may be made in writing and addressed to the:

Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502

or via email to chatter@chittering.wa.gov.au.

Further information

Contact Natasha Mossman, Executive Support Officer by email on chatter@chittering.wa.gov.au or telephone on (08) 9576 4600.

Alan Sheridan
Chief Executive Officer

P.O. Box 70 Bindoon 6502
T: (08) 9576 4600 F: (08) 9576 1250
www.chittering.wa.gov.au

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So for individuals contemplating a career, the Aged Care and Healthcare Sectors

present massive growth and opportunities never seen before, year on year from now on.

In recent times pay levels have improved. Now people going into this sector can expect a more reasonable wage in return for their hard work. As a guide, aged care workers can generally expect to earn around \$23 per hour as a base rate.

The demand for qualified aged care workers is high. TR7 usually find that 98% of students who complete their qualifications get jobs immediately, usually from their work experience employers. Additionally TR7 Healthcare, a part of the TR7 Group, is always looking for qualified people to work in the community.

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**EMPLOYER
PREFERRED
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OUR REF: O1671082, 19/04/2
Enquiries to: Natasha Mossman, Executive Support Officer

11 May 2016

Hon Tony Simpson MLA
Minister for Local Government
12th Floor, Dumas House
2 Havelock Street
PERTH WA 6005



ABN 48 445 751 800

6177 Great Northern Highway
PO Box 70 Bindoon WA 6502
T: 08 9576 4600 F: 08 9576 1250
E: chatter@chittering.wa.gov.au
www.chittering.wa.gov.au

Dear Minister

Shire of Chittering Cats Amendment Local Law 2016

At the Ordinary Council Meeting held on 20 April Council resolved the following:

9.4.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110416

Moved Cr Rossouw / Seconded Cr Tilbury

That Council:

- 1. In accordance with Section 3.12 of the Local Government Act 1995 approves the advertising of the proposed local law *Shire of Chittering Cats Amendment Local Law 2016* in order to seek community comment.**
- 2. Provide a copy of the proposed local law and public notice to the Minister for Local Government.**
- 3. Provide a copy of the Item 9.4.2 Shire of Chittering Cats Amendment Local Law 2016 to the Joint Standing Committee on Delegated Legislation.**
- 4. After the close of the public consultation period, submit to the Council for consideration a report on any submissions received on the proposed local law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with Section 3.12(4).**

**THE MOTION WAS PUT AND DECLARED CARRIED 5/0
BY AN ABSOLUTE MAJORITY**

Attached for your information is Item 9.4.1 Shire of Chittering Cats Amendment Local Law 2016 from the Ordinary Council Meeting held on 20 April 2016.

In accordance with requirements under the *Local Government Act 1995*, the Shire placed Statewide public notice in *The West Australian* (page 97, attached) and local public notice in *The Advocate* (page 18, attached) on 11 May 2016.

Details of the proposed local law have also been published on the Shire's website (www.chittering.wa.gov.au/council/have-your-say), public notice boards and in the Bindoon Library.

Deadline for public comments is **4pm on Thursday, 30 June 2016**, and comments to be addressed to:

Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502

If further information is required please do not hesitate to contact Natasha Mossman, Executive Support Officer by email at chatter@chittering.wa.gov.au or telephone [REDACTED]

Yours faithfully,

[REDACTED]

Alan Sheridan
Chief Executive Officer

Enc: 20 April 2016 OCM minutes (item 9.4.1, including attachments)
The West Australian, 11 May 2016 (page 97)
The Advocate, 11 May 2016 (page 18)

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9.4 CHIEF EXECUTIVE OFFICER

9.4.1 Shire of Chittering Cats Amendment Local Law 2015*

Report date	20 April 2016
Applicant	Shire of Chittering
File ref	19/04/2
Prepared by	Natasha Mossman, Executive Support Officer
Supervised by	Jean Sutherland, Acting Chief Executive Officer
Voting requirements	Absolute Majority
Documents tabled	1. Correspondence received from Joint Standing Committee on Delegated Legislation (ref I1669654)
Attachments	1. Government Gazette No 185, 8 December 2015 2. Shire of Chittering Cats Amendment Local Law 2016

Executive Summary

Council is requested to undertake changes to the gazetted *Shire of Chittering Cats Local Law 2015* in accordance with undertakings from the Joint Standing Committee on Delegated Legislation.

Background

The *Shire of Chittering Cats Local Law 2015* was adopted by Council on 28 October 2015 and published in the Government Gazette No 185 on 8 December 2014. The Joint Standing Committee on Delegated Legislation (JSCDL) considered the gazetted local law on 24 February, 16 March and 23 March 2016.

Following gazettal the JSCDL considered the *Shire of Chittering Cats Local Law 2015* and requested the following to be undertaken within six (6) months:

1. In clause 3.7(1)(b), replace "control" with "effective control" and delete "(keeper)".
2. Delete clause 3.7(3).
3. Delete Part 4 and Schedule 2.
4. Delete clauses 5.1(3)(a) and (b).
5. In clause 8.1(2), insert "Unless otherwise specified" at the beginning of the clause.
6. In Schedule 4, delete item number 1.
7. In item 3 of Schedule 4, replace "clause 3.7(3)" with "clause 3.8".
8. Not enforce the local law in a manner contrary to the above undertakings.
9. Make all consequential amendments arising from the undertakings.
10. Provide the Committee with a copy of the minutes of the meeting at which Council resolves to provide the undertakings.
11. Where the local law is made publicly available, whether hard copy or electronic form, that the law be accompanied by a copy of these undertakings.

The Committee has requested that following the Council meeting a letter be sent by 29 April 2016 under the signature of the Shire President setting out the undertakings given.

The Committee has advised in the letter that they have resolved to give a *Notice of Motion* in the Legislative Council to disallow the local law. However, the giving of the Notice should not be taken to indicate that the Committee has resolved to recommend disallowance of the Local Law at this stage. The giving of a Notice allows both the Shire and the Committee additional time to deal with and respond to the issues.



MINUTES FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY, 20 APRIL 2016

If the JSCDL disallows a local law, the Shire will have to restart the local law procedure from the very beginning.

Consultation

Executive Manager Development Services

Kimberley Ould, Joint Standing Committee on Delegated Legislation

Statutory Environment

State: *Local Government Act 1995, Section 3.12 'Procedure for making local laws'*
Cat Act 2011

Local: *Shire of Chittering Cats Local Law 2015*

Policy Implications

Nil

Financial Implications

There will be monetary costs for advertising the amended *Shire of Chittering Cats Local Law 2015* in The West Australian (statewide notice) and the Bullsbrook/Gingin Advocate (local notice).

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Comment

Proposed amendment local law

The Shire of Chittering Cats Local Law 2015 was published in the Government Gazette No 185 on 8 December 2014. This amendment to the local law is at the request of the JSCDL.

In accordance with the request for undertakings from the JSCDL, it is recommended that Council adopt the proposed *Shire of Chittering Cats Amendment Local Law 2016*.

The local law will be advertised in accordance with Section 3.12(3) for a period of at least six (6) weeks (or 50 days) from the date that notice is given for the public to make submissions.

A copy of the local law will be provided to the Minister for Local Government.



MINUTES FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY, 20 APRIL 2016

Following this process, the proposed local law will then be referred back to the Council for consideration of any submissions received in relation to the local law and for the Council to resolve whether or not to make the local law by absolute majority decision.

Purpose and effect

The Act requires that the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law.

The purpose and effect of the Shire of Chittering Cats Amendment Local Law 2016 is as follows:

Purpose of the local law	The purpose of the local law is to provide Council with measures in addition to those under the Cat Act 2011 to control the keeping of cats.
Effect of the local law	The effect of the local law is to control the number of cats that can be kept and places where cats can be kept.

9.4.1 OFFICER RECOMMENDATION / COUNCIL RESOLUTION 110416

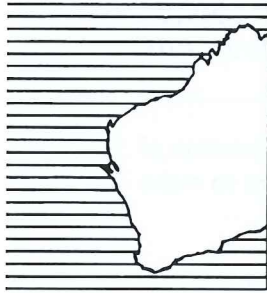
Moved Cr Rossouw / Seconded Cr Tilbury

That Council:

1. In accordance with Section 3.12 of the Local Government Act 1995 approves the advertising of the proposed local law *Shire of Chittering Cats Amendment Local Law 2016* in order to seek community comment.
2. Provide a copy of the proposed local law and public notice to the Minister for Local Government.
3. Provide a copy of the Item 9.4.2 Shire of Chittering Cats Amendment Local Law 2016 to the Joint Standing Committee on Delegated Legislation.
4. After the close of the public consultation period, submit to the Council for consideration a report on any submissions received on the proposed local law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with Section 3.12(4).

THE MOTION WAS PUT AND DECLARED CARRIED 5/0
BY AN ABSOLUTE MAJORITY

Item 9.4.1 - Attachment 1



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Gazette

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LOCAL GOVERNMENT ACT 1995
CAT ACT 2011

SHIRE OF CHITTERING

CATS LOCAL LAW 2015

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LOCAL GOVERNMENT ACT 1995 CAT ACT 2011

SHIRE OF CHITTERING

CATS LOCAL LAW 2015

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LOCAL GOVERNMENT ACT 1995
CAT ACT 2011

SHIRE OF CHITTERING

CATS LOCAL LAW 2015

Under the powers conferred by the *Cat Act 2011* and the *Local Government Act 1995* and by all other powers enabling it, the Council of the Shire of Chittering resolved on 28 October 2015 to make the following Local Law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Chittering Cats Local Law 2015*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Objects

The objects of this local law are to—

- (a) Control the number of cats kept on premises;
- (b) Promote responsible cat ownership; and
- (c) Reduce the nuisance to the community and the environment caused by cats.

1.5 Definitions

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

applicant means the occupier of the premises who makes an application for a permit under this local law;

authorised person means a person authorised by the local government to perform all or any of the functions conferred on an authorised person under this local law;

cat means any member of species *Felis Catus* (domestic cat) or a hybrid of that species;

cat management facility has the meaning given to it in the Act;

cattery means any premises where more than 2 cats over the age of 6 months are kept, boarded, trained or bred temporarily, usually for profit and where the occupier of the premises is not the ordinary keeper of the cats;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

district means the district of the local government;

effective control in relation to a cat means any of the following methods—

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape;

keeper in relation to a cat means any of the following persons—

- (a) the owner of the cat as defined in the Act;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in her or his possession for the time being;
- (e) a person who occupies any premises in which a cat is ordinarily kept or permitted to live and who has care and control of the cat;

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- (f) a permit holder of a permit which relates to the cat; or
 - (g) the holder of an exemption issued in relation to the cat;
- grouped dwelling** means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above the other, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property;
- Local Biodiversity Strategy** means the Shire of Chittering Local Biodiversity Strategy;
- local government** means the Shire of Chittering;
- microchip** has the meaning given to it in the Act;
- multiple dwelling** means a dwelling in a group of more than one dwelling on a lot where any part of a dwelling is vertically above part of any other but—
- (a) does not include a grouped dwelling; and
 - (b) includes any dwellings above the ground floor in a mixed use development;
- nuisance** means behaviour that includes where a cat—
- (a) excretes or urinates on premises being premises where the cat is not normally resident;
 - (b) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
 - (c) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land;
 - (d) interference which causes material damage to land or other property on the land affected by the interference; or
 - (e) is, or is likely to be, injurious or dangerous to the health of any person or domestic or Australian indigenous animal;
- permit** means a permit issued by the local government under clause 3.6;
- permit holder** means a person who holds a valid permit issued by the local government under clause 3.6;
- premises** includes—
- (a) any land (whether or not vacant) and any improvements used for any purpose;
 - (b) any part of any building in separate ownership or separate occupation, or any unit, flat, town house, duplex, apartment or group or multiple dwelling (whether permanent or temporary nature), industrial or business; and
 - (c) a vehicle;
- public place** includes any place to which the public lawfully has access;
- Regulations** means the *Cat (Uniform Local Provisions) Regulations 2013*; and *Cat Regulations 2012*
- RSPCA** means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;
- Schedule** means a schedule to this local law;
- Town Planning Scheme** means a Town Planning Scheme of the local government made under the *Planning and Development Act 2005*, or a Town Planning Scheme which was made under the *Town Planning and Development Act 1928*; and
- single dwelling** means a house that stands alone on its own parcel of land.

PART 2—CONTROL OF CATS

2.1 Cats in other places

A cat shall not be in any prohibited place as identified in Schedule 1.

PART 3—PERMITS FOR KEEPING CATS

3.1 Interpretation

In this Part, and for the purposes of applying the definition of “cattery” in clause 3.2—

cat does not include a cat less than 6 months old.

3.2 Cats for which permit is required

- (1) Subject to subclause (2) a person is required to have a permit—
 - (a) to keep more than 2 cats on any premises in accordance with a valid permit;
 - (b) to use any premises as a cattery; or
 - (c) to keep 1 or more cats in a Fauna Protection Buffer Zone as per Schedule 2.
- (2) A permit is not required under subclause (1) if the premises concerned are—
 - (a) a refuge of the RSPCA or any other registered animal welfare organisation; or
 - (b) a cat management facility which has been approved by the local government; or
 - (c) a veterinary surgery;

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3.3 Application for permit

An application for a permit under clause 3.2 shall be—

- (a) made in writing by an occupier of premises in relation to those premises;
- (b) in a form approved by the local government, describing and specifying the number of cats to be kept on the premises;
- (c) accompanied by a brief reason and justification for the request;
- (d) accompanied by the plans of the premises to which the application relates to the specification and satisfaction of the local government;
- (e) accompanied by the consent in writing of the owner of the premises, where the occupier is not the owner of the premises to which the application relates; and
- (f) accompanied by the application fee for the permit determined by the local government from time to time.

3.4 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 3.3.

3.5 Factors relevant to determination of application

- (1) In determining an application for a permit the local government may have regard to—
 - (a) the reasons and justification provided for the request;
 - (b) the physical suitability of the premises for the proposed use;
 - (c) the suitability of the zoning of the premises under any Town Planning Scheme which applies to the premises for the proposed use;
 - (d) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (e) the structural suitability of any enclosure in which any cat is to be kept;
 - (f) the likelihood of a cat causing a nuisance, inconvenience or annoyance to the occupiers of adjoining land;
 - (g) the likely effect on the amenity of the surrounding area of the proposed use;
 - (h) the likely effect on the local environment, including any pollution or other environment damage which may be caused by the use;
 - (i) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (j) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) The local government may require an applicant to—
 - (a) consult with adjoining landowners; and
 - (b) advise the adjoining landowners that they may make submissions to the local government on the application for the permit within 14 days of receiving that advice, before determining the application for the permit.
- (3) The local government may specify the extent of the consultation with nearby residents as specified in clause 3.5(2)(a) and may specify which properties should be consulted.

3.6 Decision on application

- (1) The local government may—
 - (a) approve an application for a permit in which case it shall approve it subject to the conditions in clause 3.7 and may approve it subject to any other conditions it considers fit; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue to the applicant a permit in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1), then it is to advise the applicant accordingly in writing.

3.7 Conditions

- (1) Every permit is issued subject to the following conditions—
 - (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act;
 - (b) each cat shall be contained on the premises unless under the control of a person (keeper);
 - (c) the permit holder will provide adequate space for the exercise of the cats;
 - (d) the premises shall be maintained in good order and in a clean and sanitary condition; and
 - (e) the permit holder shall not substitute or replace any cat once that cat is permanently removed from the premises as per those conditions contained in Schedule 3.
- (2) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.
- (3) The permit holder who fails to comply with a condition of a permit commits an offence.

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3.8 Compliance with conditions of permit

A permit holder shall comply with each condition of a permit.

Penalty: \$1000 and a daily penalty of \$100.

3.9 Duration of permit

Unless otherwise specified, in a condition on a permit, a permit commences on the date of issue and is valid for a period of 12 months from the date of issue unless and until—

- (a) it is revoked; or
- (b) the permit holder ceases to reside at the premises to which the permit relates.

3.10 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

3.11 Permit not transferable

A permit is not transferable either in relation to the permit holder or the premises.

3.12 Permit to be kept at the premises and available for view

- (1) A permit issued by the local government shall be kept at the premises to which it applied and shall be provided to an authorised person on demand.
- (2) In the case of a registered cattery, the permit shall be displayed in a prominent place within the premises.

PART 4—CAT RESTRICTED AREAS—FAUNA PROTECTION BUFFER ZONES**4.1 Designation of fauna protection buffer zones**

(1) The local government may designate land as a Cat Restricted Area—Fauna Protection Buffer Zone by stating a description of the land in Schedule 2.

- (a) The local government shall make available to the public the list of lands designated as Cat Restricted Areas after consideration of any submissions received under subclause 4.1 (3).

(2) In designating land for the purposes of section 4.1 the local government may have regard to the following matters in relation to the land—

- (a) the proximity of the land to any other land that has been recognised by any authority as having Fauna of Local, Regional or State significance, or to which section 5 of the *Conservation and Land Management Act 1984*, applies;
 - (b) the nature of the fauna habitat on any nearby public place whether there are any artificial or natural barriers between the land and the land described in (a) above; and
 - (c) such other matters which the local government considers relevant.
- (3) (a) The local government shall not designate a place or area to be a Cat Restricted Area without first giving Local Public Notice of its intention to designate a place or area as a Cat Restricted Area and considering any submissions received in response to the Local Public Notice; and
- (b) The local government shall publish an up to date list of lands or areas specified as Cat Restricted Areas in a Local Public Notice after the consideration of any submissions received.

PART 5—CAT PROHIBITED AREAS**5.1 Designation of Cat Prohibited Areas**

(1) The local government may designate land as a Cat Prohibited Area by stating a description of the land in Schedule 1.

- (a) The local government shall make available to the public the list of lands designated as Cat Prohibited Areas after consideration of any submissions received under subclause 5.1 (3).

(2) In designating land for the purposes of section 5.1 the local government shall have regard to clause 2.1.

- (3) (a) The local government shall not designate a place or area to be a Cat Prohibited Area without first giving Local Public Notice of its intention to designate a place or area as a Cat Prohibited Area and considering any submissions received in response to the Local Public Notice; and
- (b) The local government shall publish an up to date list of lands or areas specified as Cat Prohibited Areas in a Local Public Notice after the consideration of any submissions received.

PART 6—MISCELLANEOUS**6.1 Giving of a notice**

A notice given under this local law may be given to a person—

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

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PART 7—OBJECTIONS AND APPEALS

7.1 Objection and appeal rights

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object to or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 8—OFFENCES, DEFENCE AND PENALTIES

8.1 Offences

(1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

(2) Any person who commits an offence under this local law is liable, on conviction to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

8.2 Prescribed offences

(1) An offence against a clause specified in Schedule 4 is a prescribed offence for the purposes of 30 of the *Cat Regulations 2012*.

(2) The amount appearing directly opposite each such offence is the modified penalty in relation to that offence.

8.3 Forms

(1) The issue of infringement notices, their withdrawal, objections, warrants and payment of modified penalties is dealt with under the *Cat Regulations 2012*.

(2) An infringement notice given under section 62 of the Act is to be in the form of Form 6 of Schedule 1 of the *Cat Regulations 2012*.

(3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012*.

Schedule 1

CAT PROHIBITED AREAS

(refer clause 2.1)

Reserve Land

All Conservation and Parks and Recreation reserved land designated under the *Transfer of Land Act 1893* and *Shire of Chittering Town Planning Scheme No. 6*

Lot No / Rural No	Road	Location

Note—

1. The list is correct at the time of publication in the *Gazette*.
2. Members of the public may inspect or obtain a copy of the Local Public Notice containing an up-to-date list of the specified lands and areas designated as Cat Prohibited Areas, in accordance with this local law, from the Shire of Chittering's Administration Centre or public library during normal office hours.

Schedule 2

CAT RESTRICTED AREAS—FAUNA PROTECTION BUFFER ZONES

(refer clause 4.1)

Conservation/Preservation Areas

All land identified for the purposes of conservation and preservation of vegetation as designated under the *Shire of Chittering Town Planning Scheme No 6*, *Shire of Chittering Local Planning Strategy* and any endorsed Structure Plan

Lot No / Rural No	Road	Location

Note—

1. The list is correct at the time of publication in the *Gazette*.
2. Members of the public may inspect or obtain a copy of the Local Public Notice containing an up-to-date list of the specified lands and areas designated as Cat Restricted Areas, in accordance with this local law, from the Shire of Chittering's Administration Centre or public library during normal office hours.

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Schedule 3

ADDITIONAL CONDITIONS APPLICABLE TO PARTICULAR PERMITS

A. Permit to keep 3 or more cats

Additional conditions

- (1) The written consent to the application for a permit of the adjoining multiple dwellings has been obtained.
- (2) Without the consent of the local government, the permit holder will not substitute or replace any cat once that cat—
 - (a) dies; or
 - (b) is permanently removed from the premises.

B. Permit to use premises as a cattery

Additional conditions

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
- (2) There is to be a feed room, wash area, isolation cages and maternity section.
- (3) Materials used in structures are to be approved by the local government.
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects.
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
- (6) Wash basin with the minimum of cold water to be available.
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
- (8) An entry book is to be kept recording in respect of each cat the—
 - (a) date of admission;
 - (b) date of departure;
 - (c) breed, age, colour and sex; and
 - (d) the name and residential address of the keeper.
- (9) The entry book is to be made available for inspection on the request of an authorised person.
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
- (11) No sick or ailing cat to be kept on the premises.
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

Schedule 4

MODIFIED PENALTIES (refer clause 8.2)

Item Number	Clause Number	Nature of Offence	Modified Penalty
1	2.2(1)	Cat in any prohibited place	\$200
2	3.2(1)	Keeping of 3 or more cats/cattery on premises without permit	\$200
3	3.7(3)	Failure to comply with a condition of a permit	\$200

Item 9.4.1 - Attachment 2

CAT ACT 2011
LOCAL GOVERNMENT ACT 1995
Shire of Chittering
CATS AMENDMENT LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995*, *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Chittering resolved on <insert date> to make the following local law.

1. Citation

This Local Law shall be cited as the *Shire of Chittering Cats Amendment Local Law 2016*.

2. Commencement

This Local Law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this Local Law, the *Shire of Chittering Cats Local Law 2015* as published in the *Government Gazette* on 8 December 2015 is referred to as the principal local law. This principal local law is amended as follows.

4. Clause 3.7(1)(b) amended

In Clause 3.7(1)(b) replace “control” with “effective control” and delete “(keeper)”.

5. Clause 3.7(3) deleted

Clause 3.7(3) is deleted.

6. Part 4 and Schedule 2 deleted

Part 4 and Schedule 2 is deleted.

7. Clauses 5.1(3)(a) and (b) deleted

Clauses 5.1(3)(a) and (b) is deleted.

8. Clause 8.1(2) amended

In clause 8.1(2) insert “Unless otherwise specified” at the beginning of the clause.

9. Schedule 4 amended

Delete Schedule 4 and substitute the following—

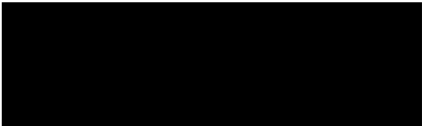
Item Number	Clause Number	Nature of Offence	Modified Penalty
1	3.2(1)	Keeping of 3 or more cats/cattery on premises without permit	\$200
2	3.8	Failure to comply with a condition of a permit	\$200

Item 9.4.1 - Attachment 2

Dated: <insert date approved by Council>

The Common Seal of the }
Shire of Chittering }
was affixed by authority of a }
resolution of the Council in the }
presence of: }

Cr Steve Vallance
Shire President



Alan Sheridan
Chief Executive Officer

DRAFT

LOOK LOCAL

WORKPLACE

TRAINING & EDUCATION

HEALTHWISE

COMMUNITY CLASSIFIEDS

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Request for Temporary Barrier Road Closure of Everglades Avenue and a Portion of Youle-Dean Road, Brabham

Notice is hereby given in accordance with Section 3.50 of the Local Government Act 1995 of a proposal to close Everglades Avenue between its intersection with Youle-Dean Road and Gloucester Approach and a portion of Youle-Dean Road between its intersection with Lord Street and Everglades Avenue to vehicular traffic by installing bollards and barriers to facilitate the upgrade of these roads.

The closure period will run for approximately 12 months from late May 2016 until late May 2017.

A Locality Plan depicting the closure and a traffic management plan can be inspected at the City's Administration Centre, Morrison Road, Midland or at any of the City's libraries, during office hours.

Prior to Council considering this matter, submissions from the public are sought. Anyone wishing to comment on the proposal may do so by lodging a written submission, addressed to the undersigned, City of Swan, PO Box 196, Midland 6956, on or before Monday 30 May 2016.

M J Feley
CHIEF EXECUTIVE OFFICER

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PUBLIC NOTICES

Proposed Shire of Chittering Cats Amendment Local Law 2016



The Shire of Chittering has resolved to make a local law 'Shire of Chittering Cats Amendment Local Law 2016'.

The purpose of the local law is to provide Council with measures in addition to those under the Cat Act 2011 to control the keeping of cats.

The effect of the local law is to control the number of cats that can be kept and places where cats can be kept.

Obtaining documentation

A copy of the proposed local law is available from the Shire of Chittering Administration Centre, 6177 Great Northern Highway, Bindoon, the Bindoon Library and the Shire's website (www.chittering.wa.gov.au).

Deadline for public comments

4pm (WST) on Thursday, 30 June 2016

Written submissions on the document may be made in writing and addressed to the:

Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502

or via email to chatter@chittering.wa.gov.au.

Further information

Contact Natasha Mossman, Executive Support Officer by email on chatter@chittering.wa.gov.au or telephone on (08) 9576 4600.

Alan Sheridan

Chief Executive Officer

PO Box 70 Bindoon 6502
T: (08) 9576 4600 F: (08) 9576 3250
www.chittering.wa.gov.au

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LOCAL GOVT. TENDERS

CITY OF BELMONT TENDERS

TENDER 12/2016 SUPPLY AND INSTALLATION OF LANDSCAPE WORKS – COPLEY PARK UPGRADE STAGE 1

TENDER 13/2016 CONSTRUCTION OF KERBING AND ASSOCIATED WORKS

Tenders are invited for the supply of services in accordance with the specifications provided.

Interested parties are invited to obtain the specifications and contract documents from the City of Belmont web page: www.belmont.wa.gov.au.

All tenders must be submitted on the "Form of Tender" in a sealed envelope clearly endorsed with the tender number and title of tender and placed in the tender box situated in the foyer of the Civic Centre, before the closing time.

Closing Dates and Times

Tender 12/2016 – Supply and Installation of Landscape Works – Copley Park Upgrade Stage 1

Tuesday 31 May 2016 at 2pm

Please note: A mandatory tender briefing will be held at 9:30am on Monday, 16 May 2016 at the Kooyong Road end of Copley Park. Prospective Tenderers will need to attend to be eligible to submit a tender.

Tender 13/2016 – Construction of Kerbing and Associated Works

Thursday 26 May 2016 at 2pm

Enquiries for further tender information should be directed to the City's Coordinator Contracts & Tender, via fax (08) 9478 1473 or email tenders@belmont.wa.gov.au

STUART COLE
CHIEF EXECUTIVE OFFICER



LOCAL LAWS
Local Government Act 1995 (as amended) – section 3.12
Council is in the process of amending the following Local Laws for the Shire of Kellerberrin in accordance with the Local Government Act 1995:

Cemeteries Local Law
The purpose is to make provisions about the management and control of the Kellerberrin Public Cemetery.
The effect is to provide guidelines for the management and control of the Kellerberrin Public Cemetery.

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
The purpose is to make provisions about the management and control of activities on thoroughfares and trading in thoroughfares and public places.
The effect is to provide guidelines for the management and control of activities on thoroughfares and trading in thoroughfares and public places.

General Local Law
The purpose is to make provisions about the management and control of the Shire of Kellerberrin.
The effect is to provide guidelines for the management and control of the Shire of Kellerberrin.

Local Government (Council Meeting) Local Law
The purpose is to make provisions about the management and control of the Council Meeting.
The effect is to provide guidelines for the management and control of the Council Meeting.

Planning and Parking Local Law
The purpose is to make provisions about the management and control of the Shire of Kellerberrin.
The effect is to provide guidelines for the management and control of the Shire of Kellerberrin.

Local Government (Council Meeting) Local Law
The purpose is to make provisions about the management and control of the Council Meeting.
The effect is to provide guidelines for the management and control of the Council Meeting.

Local Government (Council Meeting) Local Law
The purpose is to make provisions about the management and control of the Council Meeting.
The effect is to provide guidelines for the management and control of the Council Meeting.

SHIRE OF KELLERBERRIN

Call for Nominations to be a Local Government Councillor of the Shire of Kellerberrin.
You would be involved in running an organisation with the responsibility of making decisions that have a major impact on our lifestyle. As a representative of your community you will find the role of councillor challenging and stimulating. Your involvement in matters as diverse as social issues, libraries, the environment, town planning, health, roads and much more. Meeting fees and some expenses are paid.

Extraordinary Vacancy
The term for vacancy is period ending October 2017.
Who can nominate? Any person who is an Australian Citizen over the age of 18 years who is an elector of the district and is not disqualified under the Local Government Act 1995 may nominate for council.

When to nominate?
Nominations open on 13th May 2016 at 9:00am and close at 5:00pm sharp on 13th May 2016.

Where to nominate?
Shire of Kellerberrin - Shire Office - 28 Johnson Street, Kellerberrin.
Nominations must be on a nominated form that is available from the shire office. A \$50 nomination deposit is required as well as a profile of the candidate consisting of no more than 150 words. You may include a short statement about your goals and objectives if you wish. If unable to personally attend, you may nominate an authorised agent who can do this on your behalf.

More information
A nomination pack is available from the Returning Officer, Shire of Kellerberrin.

TAMALA PARK REGIONAL COUNCIL
Unit 2/280
Kellerberrin Beach Road,
Innals WA 6018
www.kellerberrin.wa.gov.au

DISPOSITION OF PROPERTY
Section 5.58 (2) & (3) of the Local Government Act 1995
The Tamala Park Regional Council of Kellerberrin, Perth, Stirling, Vincent, Swan, and Victoria Parks is considering offers to dispose of the following lots of the Council Estate:

Lot 1
Purchase: 200 & 5 Harris
Valuation: \$200,000
Price: \$200,000
Lot 2
Purchase: 200 & 5 Harris
Valuation: \$200,000
Price: \$200,000

Lot 3
Purchase: 200 & 5 Harris
Valuation: \$200,000
Price: \$200,000

Anyone wishing to make a submission on the proposal should do so by 25 May 2016.
Ray Griffin
Chief Executive Officer

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and/or *The Weekend West*.

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Beach Pools
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MPA Maintenance Workshop
Pricing by 18th May
Milton, PA
Pricing by 18th May
Kilmore College
Pricing by 24th May
Scarborough Beach Pool
Pricing by 30th May
Phone: 8344 8004
Email: tenders@firmconstruction.com.au

metrowest
ARE TENDERING ON:
NBN TAND-4 Expansion
Data Centre, Wingham
Pricing 08/05/16
Contact for details via email:
tenders@metrowest.com.au

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are tendering on:
Milton Primary School
tenders close 12.5.2016
Contact:
graham@colgan.com.au
0818 260 842

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quoting@lanskey.com.au
Closures 20th May 2016

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Maintenance Workshop
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8344 8004 E: tenders@thomasbuilding.com.au

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are tendering on:
Port Hedland Maintenance
Workshop Stage 2
Prices required by
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DHA Estate Works
RAAF Base Leemurth
Prices required by
Thursday, 12th of May 2016
Email:
tenders@westforce.com.au

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Banksia Grove Development
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Grove.
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into small lot residential
home sites, grouped
residential anchor retail
commercial uses. The lot is
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parkland, close to schools
and adjacent to a Childcare
Centre.
Offers to Purchase are to
be received by 5pm Friday
13th June 2016. For an
information pack contact
Tony Hargrave on
8341 1133 or
tonyh@banksiagrove.net.au

BROAD SCARBOROUGH BEACH POOL & COMMERCIAL FACILITIES

Prices required by 26/05/16
Contact: Tim Andrews
Email: tim.andrews@broad.com.au
Phone: (08) 9238 0573

**KINROSS COLLEGE
UPGRADE**
Prices required by 23/05/16
Contact: Kelana Saleh
Email: kelana.saleh@broad.com.au
Phone: (08) 9238 0566

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LOCAL GOVT. NOTICES

EMRC
EASTERN METROPOLITAN
REGIONAL COUNCIL
(EMRC)
Ordinary Council Meeting
Scheduled for Thursday,
18 May 2016 at 9:00am
The meeting will be held at
EMRC Administration Office,
1st Floor, Ascot Place,
225 Great Eastern Highway,
Belmont.
PETER B. SCHMIDTKE
Chief Executive Officer

Shire of Chittering
PROPOSED
SHIRE OF CHITTERING
LOCAL LAW 2016

The Shire of Chittering has
resolved to make a Local Law
Shire of Chittering Local Law 2016.

The purpose of the local law is
to provide Council with
measures in addition to those
under the Local Govt Act 2011 to
control the keeping of dogs.

The effect of the local law is
to control the number of dogs
that can be kept and placed
where dogs can be kept.

Obtaining documentation
A copy of the proposed local
law is available from the Shire of
Chittering Administration
Centre, 6177 Great Northern
Highway, Bindoon, the
Shire's website
(www.chittering.wa.gov.au).

Deadline for public
comments
2pm (WST) on Thursday,
26 June 2016
Written submissions on the
local law may be made in
writing and addressed to the:
Chief Executive Officer
Shire of Chittering
PO Box 100
Bindoon WA 6061
or via email to:
chittering@chittering.wa.gov.au
Further information
Contact
Kathleen Musmann, Executive
Support Officer by email on
kathleen@chittering.wa.gov.au
or telephone on
(08) 9276 4000
Ally Sheridan
Chief Executive Officer

Town of Cottesloe
LOCAL GOVERNMENT
PROPERTY AMENDMENT
LOCAL LAW 2016

Notice is hereby given that the Town of Cottesloe
is seeking submissions on its proposed Local
Government Property Amendment Local Law 2016.
Purpose: To improve the amenity of beaches in
Cottesloe by reducing litter from cigarette butts,
eliminating exposure to cigarette smoke by beach
users and reducing the risk to marine life of
ingesting the cigarette butts.

Effect: Smoking would effectively be prohibited
on all beaches and beach reserves as determined
by Council.

The proposed Local Law may be obtained and is
available for inspection at the Town of Cottesloe
Office, 109 Broome Street Cottesloe, the Grove
Public Library, cnr Stirling Hwy and Leake Street,
Peppermint Grove and the Town's website at
www.cottesloe.wa.gov.au.

Written submissions closing at 4.00pm on Monday
4 July 2016 should be addressed to the undersigned
by mail to PO Box 606, Cottesloe WA 6911 or by
email to council@cottesloe.wa.gov.au.

If you have any questions, please contact the Town's
administration on 9285 5000 during office hours.

Mat Humphrey
Chief Executive Officer
109 Broome Street, Cottesloe
PO Box 606 COTTESLOE WA 6911
Telephone: (08) 9285 5000
Facsimile: (08) 9285 5001
Email: council@cottesloe.wa.gov.au
Website: www.cottesloe.wa.gov.au



OUR REF: O1670916, 19/04/2
YOUR REF: 3965.20/KO
Enquiries to: *Natasha Mossman, Executive Support Officer*

9 May 2016



ABN 48 445 751 800

6177 Great Northern Highway
PO Box 70 Bindoon WA 6502
T: 08 9576 4600 F: 08 9576 1250
E: chatter@chittering.wa.gov.au
www.chittering.wa.gov.au

Mr Peter Abetz (Chairman)
Joint Standing Committee on Delegated Legislation
Legislative Council Committee Office
Parliament House

Via email: delleg@parliament.wa.gov.au

Dear Mr Abetz

Shire of Chittering Cats Local Law 2015

Further to our correspondence dated 27 April 2016 (ref O1670466; 19/04/2) I hereby advise that the Shire of Chittering will provide undertakings to, within six (6) months:

- In clause 3.7(1)(b), replace "control" with "effective control" and delete "(keeper)"
- Delete clause 3.7(3)
- Delete Part 4 and Schedule 2
- Delete clauses 5.1(3)(a) and (b)
- In clause 8.1(2), insert "Unless otherwise specified" at the beginning of the clause
- In Schedule 4, delete item number 1
- In item 3 of Schedule 4, replace "clause 3.7(3)" with "clause 3.8"
- Not enforce the local law in a manner contrary to the above undertakings
- Make all consequential amendments arising from the undertakings
- Provide the Committee with a copy of the minutes of the meeting at which the Council resolves to provide the undertakings – *this was provided as an attachment to our previous letter dated 27 April 2016*
- Where the local law is made publicly available, whether in hard copy or electronic form, that the law be accompanied by a copy of these undertakings.

If further information is required please do contact Natasha Mossman, Executive Support Officer at chatter@chittering.wa.gov.au or telephone 9576 4600.

Yours faithfully



Cr Steve Vallance
President

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Office hours:
Monday to Friday, 8.30am - 4.30pm

SHIRE OF CHITTERING

Cats Local Law 2015

Local Government Act 1995

Cat Act 2011

LOCAL GOVERNMENT ACT 1995
CAT ACT 2011

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Local Government Act 1995
Cat Act 2011

Shire of Chittering

CATS LOCAL LAW 2015

Under the powers conferred by the *Cat Act 2011* and the *Local Government Act 1995* and by all other powers enabling it, the Council of the Shire of Chittering resolved on 28 October 2015 to make the following Local Law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Chittering Cats Local Law 2015*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Objects

The objects of this local law are to —

- (a) Control the number of cats kept on premises;
- (b) Promote responsible cat ownership; and
- (c) Reduce the nuisance to the community and the environment caused by cats.

1.5 Definitions

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

applicant means the occupier of the premises who makes an application for a permit under this local law;

authorised person means a person authorised by the local government to perform all or any of the functions conferred on an authorised person under this local law;

cat means any member of species *Felis Catus* (domestic cat) or a hybrid of that species;

cat management facility has the meaning given to it in the Act;

cattery means any premises where more than 2 cats over the age of 6 months are kept, boarded, trained or bred temporarily, usually for profit and where the occupier of the premises is not the ordinary keeper of the cats;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

district means the district of the local government;

effective control in relation to a cat means any of the following methods —

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape;

keeper in relation to a cat means any of the following persons—

- (a) the owner of the cat as defined in the Act;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in her or his possession for the time being;
- (e) a person who occupies any premises in which a cat is ordinarily kept or permitted to live and who has care and control of the cat;
- (f) a permit holder of a permit which relates to the cat; or
- (g) the holder of an exemption issued in relation to the cat;

grouped dwelling means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above the other, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property;

Local Biodiversity Strategy means the Shire of Chittering Local Biodiversity Strategy;

local government means the Shire of Chittering;

microchip has the meaning given to it in the Act;

multiple dwelling means a dwelling in a group of more than one dwelling on a lot where any part of a dwelling is vertically above part of any other but —

- (a) does not include a grouped dwelling; and
- (b) includes any dwellings above the ground floor in a mixed use development;

nuisance means behaviour that includes where a cat—

- (a) excretes or urinates on premises being premises where the cat is not normally resident;
- (b) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (c) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land;
- (d) interference which causes material damage to land or other property on the land affected by the interference; or
- (e) is, or is likely to be, injurious or dangerous to the health of any person or domestic or Australian indigenous animal;

permit means a permit issued by the local government under clause 3.6;

permit holder means a person who holds a valid permit issued by the local government under clause 3.6;

premises includes—

- (a) any land (whether or not vacant) and any improvements used for any purpose;
- (b) any part of any building in separate ownership or separate occupation, or any unit, flat, town house, duplex, apartment or group or multiple dwelling (whether permanent or temporary nature), industrial or business; and
- (c) a vehicle;

public place includes any place to which the public lawfully has access;

Regulations means the *Cat (Uniform Local Provisions) Regulations 2013*; and *Cat Regulations 2012*;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a schedule to this local law;

Town Planning Scheme means a Town Planning Scheme of the local government made under the *Planning and Development Act 2005*, or a Town Planning Scheme which was made under the *Town Planning and Development Act 1928*; and

single dwelling means a house that stands alone on its own parcel of land.

PART 2—CONTROL OF CATS

2.1 Cats in other places

A cat shall not be in any prohibited place as identified in Schedule 1.

PART 3—PERMITS FOR KEEPING CATS

3.1 Interpretation

In this Part, and for the purposes of applying the definition of "cattery" in clause 3.2—
cat does not include a cat less than 6 months old.

3.2 Cats for which permit is required

- (1) Subject to subclause (2) a person is required to have a permit —
 - (a) to keep more than 2 cats on any premises in accordance with a valid permit; or
 - (b) to use any premises as a cattery; or
 - (c) to keep 1 or more cats in a Fauna Protection Buffer Zone as per Schedule ~~21~~.
- (2) A permit is not required under subclause (1) if the premises concerned are—
 - (a) a refuge of the RSPCA or any other registered animal welfare organisation;
 - (b) a cat management facility which has been approved by the local government; or
 - (c) a veterinary surgery.

3.3 Application for permit

An application for a permit under clause 3.2 shall be—

- (a) made in writing by an occupier of premises in relation to those premises;
- (b) in a form approved by the local government, describing and specifying the number of cats to be kept on the premises;
- (c) accompanied by a brief reason and justification for the request;
- (d) accompanied by the plans of the premises to which the application relates to the specification and satisfaction of the local government;
- (e) accompanied by the consent in writing of the owner of the premises, where the occupier is not the owner of the premises to which the application relates; and
- (f) accompanied by the application fee for the permit determined by the local government from time to time.

3.4 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 3.3.

3.5 Factors relevant to determination of application

- (1) In determining an application for a permit the local government may have regard to—
 - (a) the reasons and justification provided for the request;
 - (b) the physical suitability of the premises for the proposed use;
 - (c) the suitability of the zoning of the premises under any Town Planning Scheme which applies to the premises for the proposed use;
 - (d) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (e) the structural suitability of any enclosure in which any cat is to be kept;
 - (f) the likelihood of a cat causing a nuisance, inconvenience or annoyance to the occupiers of adjoining land;
 - (g) the likely effect on the amenity of the surrounding area of the proposed use;
 - (h) the likely effect on the local environment, including any pollution or other environment damage which may be caused by the use;
 - (i) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (j) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) The local government may require an applicant to—
 - (a) consult with adjoining landowners; and
 - (b) advise the adjoining landowners that they may make submissions to the local government on the application for the permit within 14 days of receiving that advice, before determining the application for the permit.
- (3) The local government may specify the extent of the consultation with nearby residents as specified in clause 3.5(2)(a) and may specify which properties should be consulted.

3.6 Decision on application

- (1) The local government may—
 - (a) approve an application for a permit in which case it shall approve it subject to the conditions in clause 3.7 and may approve it subject to any other conditions it considers fit; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue to the applicant a permit in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1), then it is to advise the applicant accordingly in writing.

3.7 Conditions

- (1) Every permit is issued subject to the following conditions—
 - (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act;
 - (b) each cat shall be contained on the premises within the cattery unless under the effective control of a person ~~(keeper)~~;
 - (c) the permit holder will provide adequate space for the exercise of the cats;
 - (d) the premises shall be maintained in good order and in a clean and sanitary condition; and
 - (e) the permit holder shall not substitute or replace any cat once that cat is permanently removed from the premises as per those conditions contained in Schedule 32.
- (2) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.
- ~~(3) The permit holder who fails to comply with a condition of a permit commits an offence.~~

3.8 Compliance with conditions of permit

A permit holder shall comply with each condition of a permit.

Penalty: \$1000 and a daily penalty of \$100.

3.9 Duration of permit

Unless otherwise specified, in a condition on a permit, a permit commences on the date of issue and is valid for a period of 12 months from the date of issue unless and until—

- (a) it is revoked; or
- (b) the permit holder ceases to reside at the premises to which the permit relates.

3.10 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

3.11 Permit not transferable

A permit is not transferable either in relation to the permit holder or the premises.

3.12 Permit to be kept at the premises and available for view

- (1) A permit issued by the local government shall be kept at the premises to which it applied and shall be provided to an authorised person on demand.
- (2) In the case of a registered cattery, the permit shall be displayed in a prominent place within the premises.

~~PART 4—CAT RESTRICTED AREAS—FAUNA PROTECTION BUFFER ZONES~~

~~4.1—Designation of fauna protection buffer zones~~

- ~~(1) The local government may designate land as a Cat Restricted Area—Fauna Protection Buffer Zone by stating a description of the land in Schedule 2.~~
 - ~~(a) The local government shall make available to the public the list of lands designated as Cat Restricted Areas after consideration of any submissions received under subclause 4.1 (3).~~
- ~~(2) In designating land for the purposes of section 4.1 the local government may have regard to the following matters in relation to the land—~~
 - ~~(a) the proximity of the land to any other land that has been recognised by any authority as having Fauna of Local, Regional or State significance, or to which section 5 of the Conservation and Land Management Act 1984, applies;~~
 - ~~(b) the nature of the fauna habitat on any nearby public place whether there are any artificial or natural barriers between the land and the land described in (a) above; and~~
 - ~~(c) such other matters which the local government considers relevant.~~
- ~~(3) (a) The local government shall not designate a place or area to be a Cat Restricted Area without first giving Local Public Notice of its intention to designate a place or area as a Cat Restricted Area and considering any submissions received in response to the Local Public Notice; and~~
 - ~~(b) The local government shall publish an up to date list of lands or areas specified as Cat Restricted Areas in a Local Public Notice after the consideration of any submissions received.~~

~~PART 54—CAT PROHIBITED AREAS~~

~~54.1 Designation of Cat Prohibited Areas~~

- (1) The local government may designate land as a Cat Prohibited Area by stating a description of the land in Schedule 1.
 - (a) The local government shall make available to the public the list of lands designated as Cat Prohibited Areas after consideration of any submissions received ~~under subclause 5.1 (3).~~
- (2) In designating land for the purposes of section ~~54~~.1 the local government shall have regard to clause 2.1.

- ~~(3) (a) The local government shall not designate a place or area to be a Cat Prohibited Area without first giving Local Public Notice of its intention to designate a place or area as a Cat Prohibited Area and considering any submissions received in response to the Local Public Notice; and~~
- ~~(b) The local government shall publish an up to date list of lands or areas specified as Cat Prohibited Areas in a Local Public Notice after the consideration of any submissions received.~~

PART ~~65~~—MISCELLANEOUS

~~65.1~~ Giving of a notice

A notice given under this local law may be given to a person—

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

PART ~~76~~—OBJECTIONS AND APPEALS

~~76.1~~ Objection and appeal rights

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object to or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART ~~87~~—OFFENCES, DEFENCE AND PENALTIES

~~87.1~~ Offences

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Unless otherwise specified, any person who commits an offence under this local law is liable, on conviction to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

~~87.2~~ Prescribed offences

- (1) An offence against a clause specified in Schedule ~~4-3~~ is a prescribed offence for the purposes of Regulation 30 of the *Cat Regulations 2012*.
- (2) The amount appearing directly opposite each such offence is the modified penalty in relation to that offence.

~~87.3~~ Forms

- (1) The issue of infringement notices, their withdrawal, objections, warrants and payment of modified penalties is dealt with under the *Cat Regulations 2012*.
- (2) An infringement notice given under section 62 of the Act is to be in the form of Form 6 of Schedule1 of the *Cat Regulations 2012*.

- (3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012*.

SCHEDULE 1—CAT PROHIBITED AREAS
(refer clause 2.1)

Reserve Land

All Conservation and Parks and Recreation reserved land designated under the *Transfer of Land Act 1893* and *Shire of Chittering Town Planning Scheme No. 6*

Lot No / Rural No	Road	Location

Note:

- ~~The list is correct at the time of publication in the *Gazette*.~~
- ~~Members of the public may inspect or obtain a copy of the Local Public Notice containing an up to date list of the specified lands and areas designated as Cat Prohibited Areas, in accordance with this local law, from the Shire of Chittering's Administration Centre or public library during normal office hours.~~

SCHEDULE 21—CAT RESTRICTED AREAS - FAUNA PROTECTION BUFFER ZONES
(refer clause 4.1)

Conservation/Preservation Areas

All land identified for the purposes of conservation and preservation of vegetation as designated under the *Shire of Chittering Town Planning Scheme No 6*, *Shire of Chittering Local Planning Strategy* and any endorsed Structure Plan

Lot No / Rural No	Road	Location

Note:

1. The list is correct at the time of publication in the *Gazette*.
 2. Members of the public may inspect or obtain a copy of the Local Public Notice containing an up-to-date list of the specified lands and areas designated as Cat Restricted Areas, in accordance with this local law, from the Shire of Chittering's Administration Centre or public library during normal office hours.
-

SCHEDULE 32—ADDITIONAL CONDITIONS APPLICABLE TO PARTICULAR PERMITS

A. Permit to keep 3 or more cats

Additional conditions

- (1) The written consent to the application for a permit of the adjoining multiple dwellings has been obtained.
- (2) Without the consent of the local government, the permit holder will not substitute or replace any cat once that cat—
 - (a) dies; or
 - (b) is permanently removed from the premises.

B. Permit to use premises as a cattery

Additional conditions

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
- (2) There is to be a feed room, wash area, isolation cages and maternity section.
- (3) Materials used in structures are to be approved by the local government.
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects.
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
- (6) Wash basin with the minimum of cold water to be available.
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
- (8) An entry book is to be kept recording in respect of each cat the—
 - (a) date of admission;
 - (b) date of departure;
 - (c) breed, age, colour and sex; and
 - (d) the name and residential address of the keeper.
- (9) The entry book is to be made available for inspection on the request of an authorised person.
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
- (11) No sick or ailing cat to be kept on the premises.

- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

SCHEDULE 43—MODIFIED PENALTIES
(refer clause 87.2)

Item Number	Clause Number	Nature of Offence	Modified Penalty
1	2.2(1)	Cat in any prohibited place	\$200
2	3.2(1)	Keeping of 3 or more cats/cattery on premises without permit	\$200
3	3.7(3) <u>8</u>	Failure to comply with a condition of a permit	\$200

Dated: 18 November 2015

The Common Seal of the }
Shire of Chittering }
was affixed by authority of a }
resolution of the Council in the }
presence of: }

Cr Steve Vallance
Shire President

Gary Tuffin
Chief Executive Officer

CAT ACT 2011
LOCAL GOVERNMENT ACT 1995
Shire of Chittering
 CATS AMENDMENT LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995*, *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Chittering resolved on <insert date> to make the following local law.

1. Citation

This ~~L~~ocal ~~L~~aw shall be cited as the *Shire of Chittering Cats Amendment Local Law 2016*.

2. Commencement

This ~~L~~ocal ~~L~~aw comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

~~In this Local Law, the *Shire of Chittering Cats Local Law 2015* as published in the *Government Gazette* on 8 December 2015 is referred to as the principal local law. This principal local law is amended as follows. This local law amends the *Shire of Chittering Cats Local Law 2015* as published in the *Government Gazette* on 8 December 2015.~~

4. Clause 3.7(1)(b) amended

In ~~C~~lause 3.7(1)(b)

- (a) ~~—delete replace~~ “control” and replace with “effective control”;
- (b) ~~delete~~ “on the premises” and replace with “within the cattery”;
- (b) delete “(keeper)”.

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5. Clause 3.7(3) deleted

Clause 3.7(3) is deleted.

~~**6. Part 4 and Schedule 2 deleted**~~

~~Part 4 and Schedule 2 is deleted.~~

~~**7.6. Clauses 5.1(3)(a) and (b) deleted**~~

~~Clauses 5.1(3)(a) and (b) is deleted.~~

7. Clause 5.1(1)(a) amended

In clause 5.1(1)(a) delete “under subclause 5.1(3)”

8. Clause 8.1(2) amended

In clause 8.1(2) replace “Any person” with insert “Unless otherwise specified, any person” ~~at the beginning of the clause.~~

In clause 8.2(1) replace “purposes of 30” with “purposes of Regulation 30”.

~~**9. Part 4 and Schedule 2 deleted**~~

~~Part 4 and Schedule 2 is deleted.~~

~~**9.10. Schedule 4 amended**~~

~~Delete~~ Schedule 4 ~~and substitute the following~~ is amended as follows:—

Item Number	Clause Number	Nature of Offence	Modified Penalty
1	3.2(1)	Keeping of 3 or more cats/cattery on premises without permit	\$200
2	3.8	Failure to comply with a condition of a permit	\$200

(a) ~~delete item 1; and~~

(b) ~~in item 3, delete “3.7(3)” and replace with “3.8”.~~

Dated: <insert date approved by Council>

The Common Seal of the
Shire of Chittering
was affixed by authority of a
resolution of the Council in the
presence of:

}
}
}
}
}

Cr ~~Steve Vallance~~ Gordon Houston
Shire President

Alan Sheridan
Chief Executive Officer

CAT ACT 2011
LOCAL GOVERNMENT ACT 1995
Shire of Chittering
CATS AMENDMENT LOCAL LAW 2016

Under the powers conferred by the *Local Government Act 1995*, *Cat Act 2011* and under all other powers enabling it, the Council of the Shire of Chittering resolved on <insert date> to make the following local law.

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2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

This local law amends the *Shire of Chittering Cats Local Law 2015* as published in the *Government Gazette* on 8 December 2015.

4. Clause 3.7(1)(b) amended

In clause 3.7(1)(b)

- (a) delete “control” and replace with “effective control”;
- (b) delete “on the premises” and replace with “within the cattery”; and
- (b) delete “(keeper)”.

5. Clause 3.7(3) deleted

Clause 3.7(3) is deleted.

6. Clause 5.1(3)(a) and (b) deleted

Clause 5.1(3)(a) and (b) is deleted.

7. Clause 5.1(1)(a) amended

In clause 5.1(1)(a) delete “under subclause 5.1(3)”

8. Clause 8.1(2) amended

In clause 8.1(2) replace “Any person” with “Unless otherwise specified, any person”.

In clause 8.2(1) replace “purposes of 30” with “purposes of Regulation 30”.

9. Part 4 and Schedule 2 deleted

Part 4 and Schedule 2 is deleted.

10. Schedule 4 amended

Schedule 4 is amended as follows:

- (a) delete item 1; and
- (b) in item 3, delete “3.7(3)” and replace with “3.8”.

Dated: <insert date approved by Council>

Deed of Variation to Contract of Sale: Portion of Lot 62 Great Northern Highway, Bindoon

Shire of Chittering

Retirees WA (Inc)



McLEODS

Barristers & Solicitors

Stirling Law Chambers | 220-222 Stirling Highway

CLAREMONT WA 6010

Tel: (08) 9383 3133 | Fax: (08) 9383 4935

Email: mcleods@mcleods.com.au

Ref: LMC:CHIT-34229

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Details

Parties

Shire of Chittering

of PO Box 70, Bindoon, Western Australia
(Shire)

Retirees WA (Inc)

of Suite 2, 915 Albany Highway, East Victoria Park, Western Australia
(Buyer)

Background

- A The Shire and the Buyer entered into the Contract of Sale for the purchase of the Land.
- B At the time the Contract of Sale was entered into the Land formed part of Lot 62.
- C Pursuant to:
 - (a) clause 4 of the Contract of Sale, the parties agreed that settlement of the Land would occur within 28 days of the Deposited Plan creating the Land being placed in order of dealings; and
 - (b) clause 7 of the Contract of Sale, the Buyer agreed with the Shire that:
 - (i) commencement of the surveying, site planning, building applications and associated planning in connection with the Development would commence within 6 months of the Shire's acceptance of the Buyer's offer to purchase the Land; and
 - (ii) construction of the first 5 units of the Development would be completed on or before January 2016.
- D Lot 62 was subdivided by the Shire in accordance with Deposited Plan 404798 and the Land is now described as Lot 89 on Deposited Plan 404798 being the whole of the land comprised in Certificate of Title Volume 2892 Folio 428 (**Lot 89**).
- E Settlement of the Land has not occurred in accordance with clause 4 of the Contract of Sale.
- F The Buyer has not commenced the associated planning and surveying works by time timeframe set out in clause 7(e) of the Contract and, consequently, is unable to construct the first 5 units of the Development within the timeframe provided in the Contract.
- G The Parties have agreed to vary the terms of the Contract of Sale in order to:
 - (a) extend the settlement date for the sale of Land; and
 - (b) extend the timeframe for completion of the works described in Background paragraph C, on the terms and conditions contained in this Deed.
- H The Parties enter into this Deed to record the terms of their agreement to vary the terms of the Contract of Sale .

Agreed Terms

1. Definitions & Interpretation

1.1 Definitions

Unless otherwise required by the context or subject matter the following words have these meanings in this Deed:

Contract of Sale means the contract of sale dated 3 November 2014 between the Shire of Chittering and Retirees WA (Inc), a copy of which is annexed to this Deed as **Annexure 1**;

Deed means this deed as supplemented, amended or varied from time to time;

Development has the same meaning as defined in the Contract of Sale;

Land has the same meaning as defined in the Contract of Sale;

Lot 89 is defined in Background Paragraph D;

Party means the Shire or the Buyer according to the context;

Schedule means the Schedule to this Deed; and

Variation Date means the date this Deed is executed by the Shire.

1.2 Same meaning as Contract of Sale

Unless the contrary intention appears words defined in the Contract of Sale have the same meaning when used in this Deed.

1.3 Interpretation

(1) In this Deed unless the contrary intention appears:

- (a) reference to a person includes a reference to that person's personal representatives, successors and assigns;
- (b) reference to a person includes a natural person, partnership, trust, association and company;
- (c) the singular includes the plural and vice versa;
- (d) a word importing a gender includes each other gender;
- (e) reference to a company includes any incorporated body of any description;
- (f) an obligation or representation on the part of two or more persons binds them jointly and severally;
- (g) an obligation or representation in favour of two or more persons is for the benefit of them jointly and severally;
- (h) if a period of time is specified and is from a given day or the day of an act or event, it is to be calculated exclusive of that day;

- (i) reference to a recital, clause or schedule is a reference to a recital, clause or schedule in this Deed and a reference to this Deed includes recitals and schedules;
 - (j) reference to any statute in this Deed includes a reference to that statute as amended, modified or replaced and includes orders, ordinances, regulations, rules and local laws made under or pursuant to that statute;
 - (k) reference to the provisions of a document or part of a document includes a reference to all the terms, covenants, conditions, stipulations and reservations contained or implied in that document or in that part of a document; and
 - (l) unless repugnant to the sense or context a reference to a party includes that party's executors, administrators, personal representatives, successors and assigns and if a party comprises two or more persons the executors, administrators, personal representatives, successors and assigns of each of those persons.
- (2) Headings are inserted for convenience only and do not affect the interpretation of this Deed.

2. Terms of Variation

The Parties agree that with effect from the Variation Date the Contract of Sale will be varied as follows:

- (a) clause 4(b) will be deleted and replaced with the following:
“settlement of the sale of the Land shall occur within 30 days of the Variation Date”;
- (b) clause 7(c) will be deleted and replaced with the following:
“that commencement of surveying, site planning, building applications and associated planning must be commenced within 6 months of the Variation Date”;
- (c) clause 7(f) will be deleted and replaced with the following:
“that construction of the first 5 units must commence on or before 28 February 2018, or such other date as agreed by the parties in writing”; and
- (d) the reference to the definition of ‘Variation Date’ in clauses 4(b), 7(c) and 7(f) will be taken as referring to the definition of Variation Date contained in **clause 1.1** of this Deed.

3. Terms of Variation

Except as varied by this Deed all terms and conditions contained or implied in the Contract of Sale continue to apply.

4. Severance

If any part of this Deed is or becomes void or unenforceable that part is or will be severed from this Deed so that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by the severance.

5. Costs

The Buyer shall pay to the Shire or as directed by the Shire on demand the Shire's costs in relation to this Deed including all legal costs and expenses of and incidental to the preparation and execution of this Deed.

Signing page

EXECUTED by the parties as a Deed

2016

THE COMMON SEAL of the SHIRE)
OF CHITTERING was affixed in the)
presence of:)

SHIRE PRESIDENT

(PRINT FULL NAME)

CHIEF EXECUTIVE OFFICER

(PRINT FULL NAME)

THE COMMON SEAL of RETIREES WA (INC)
was hereunto affixed pursuant to the
constitution of Retirees WA (Inc) in the
presence of each of the undersigned each of
whom hereby declares by the execution of this
document that he or she holds the office in the
Retirees WA (Inc) indicated under his or her
name-

Office Holder Sign

Office Holder Sign

Name:

Name:

Address:

Address:

Office Held:

Office Held:

Annexure 1 – Contract of Sale

Binda Place Proposed Plants

As per previous discussions, and the CPGRG Precinct Plan

Guidelines for Binda Place	To be considered
1) Colourful – cream / yellow / orange / deep red	5) Size of root system
2) Non-seeding	6) Height of trees / spread of groundcover
3) Seasonal	7) Type of tree (native / exotic)
4) Shady	8) Flammability (1 – highly / 5 – low)

- It is noted that the use of root guards, grates and tree guards is recommended.
- It is understood that as part of the project there will be irrigation to the new plantings.
- It is recommended that there be areas available for annual plantings (ie for the Wildflower Festival) and also that there be space available for future plantings.

Proposed Tree	1	2	3	4	5	6	7	8
Albizzia ‘Lebbeck’ <i>OK for building side</i>	Green ‘puff’	Possibly	Sum flowers	Yes	Deep	6m	Exotic	Low
Casuarina Obesa ‘Sheoaks’	Nil	Locally Native					Locally Native	Low
Crepe Myrtle <i>Will need water</i>	White	Possibly	Sum / Aut	Yes	Shallow & fibrous	4m	Exotic	Low
Melaleuca Preissiana	White	Locally native	Sum flowers	Yes		6m	Local native	Med
Native Willow Pittosporum angustifolium <i>OK for building side / could be grouped for shade in Clune Park</i>	Cream flowers / orange fruit	Can become a weed	Win/Spr flowers & Aut fruit	‘Feature’ rather than shade	Shallow	6m	Native	Low?
Powderbark Wandoo Euc. accedens	Cream flowers / white trunk	Locally native		Yes		25m	Local Native	Med
Red Flowering Paperbark Mel viridiflora?	Red flowers / cream trunk	No	Jan-Aug flowers			8m	Native	Med
Cupaniopsis anacardioides “Tuckeroo”	Orange fruit							
Proposed Shrub/Groundcover	1	2	3	4	5	6	7	8
Chorizema dicksonii	Orange red yellow	Locally native	Spr	N/A		1m high	Local native	
Daviesia nudiflora	Orange/ yellow/ red/ brown	No	Win / Spr	N/A		1.5m high	Local native	
Hemiandra pungens	White flowers	Locally native	Flowers much of year	N/A		2m wide	Local Native	Low
Marianthus bicolor	White striped flowers	Locally native	Sum / Aut	N/A		0.45m h x 2m w (without support)	Local native	Low-Med
Myoporum parvifolium <i>Will need to be maintained.</i>	White flowers	Potential weed	Sum	N/A	Roots from nodes	1m wide	E Aust native	Low

The following items were removed from the list as 'not suitable for Binda Place', however it was felt that they could be utilised in other areas of the Bindoon townsite.

Trees	1	2	3	4	5	6	7	8
Corymbia ficifolia "Neon Light" <i>Utilise for median strip / in front of offices / entry feature</i>	Orange	No	Sum flowers	Yes	Deep	3m	Native	High?
Eucalyptus drummondi <i>Utilise for other areas, not a feature tree</i>	Cream flowers / white trunk	<i>Locally native</i>	Sum flowers	Yes	Deep	to 8m	Local native	Med
Tipuana Tipu <i>Root system would mean it needs to go on a verge or in an open space. Consider for Koomal Street.</i>	Yellow flowers	Potential weed	Spr/Sum flowers	Yes	Large	10m	Exotic	Low
Shrubs/Groundcover	1	2	3	4	5	6	7	8
Grevillea obtusifolia Gin Gin Gem <i>Will need to be maintained.</i>	Red flowers	<i>Locally native</i>	Win / Spr	N/A		3m wide	Local native	Low
Xerochrysum bracteatum	Varies yellow-red brown purple	No	Spr / Sum	N/A	Small		Native	

BINDA PLACE BINDOON

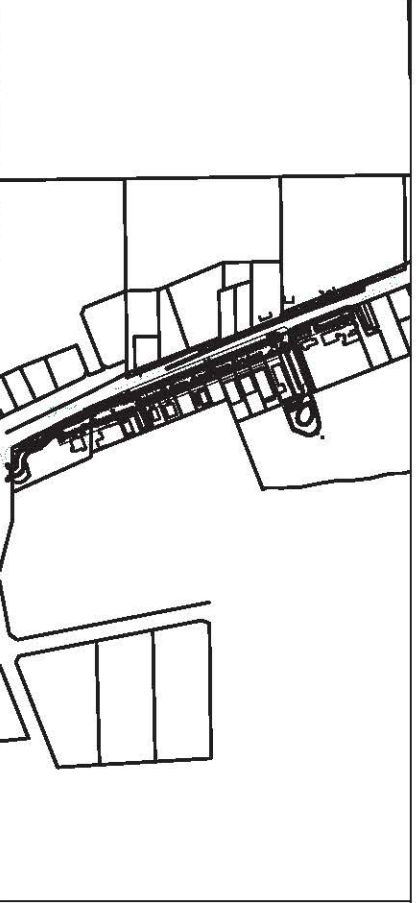
LANDSCAPE ARCHITECTURAL DRAWINGS

ISSUED FOR CONSTRUCTION

DWG NO.	DWG NAME	SCALE @ A1	REV
L00	COVER SHEET	1:1000	2
L01	LANDSCAPE PLAN 01	1:250	2
L02	LANDSCAPE PLAN 02	1:250	2
L03	LANDSCAPE PLAN 03	1:250	2
L04	SOFTWARE DETAILS	N/A	2

REV	DATE	ISSUE
0	03.03.2016	ISSUED FOR TENDER
1	13.06.2016	ISSUED FOR CONSTRUCTION
2	04.08.2016	ISSUED FOR CONSTRUCTION

LOCATION PLAN



LEGEND

EXTENT OF WORKS



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WHERE MIXED PLANTING IS PROPOSED PLANT IN GROUPS OF 3, 5 OR 7 OF THE SAME SPECIES.

ecoscape

9 Stirling Highway, North Fremantle, WA 6159
(08) 9430 8955, www.ecoscape.com.au

AUTHOR: NJC CHECKED: PJ PROJECT NO: 3550-15

BINDA PLACE - BINDOON

CLIENT: SHIRE OF CHITTERING

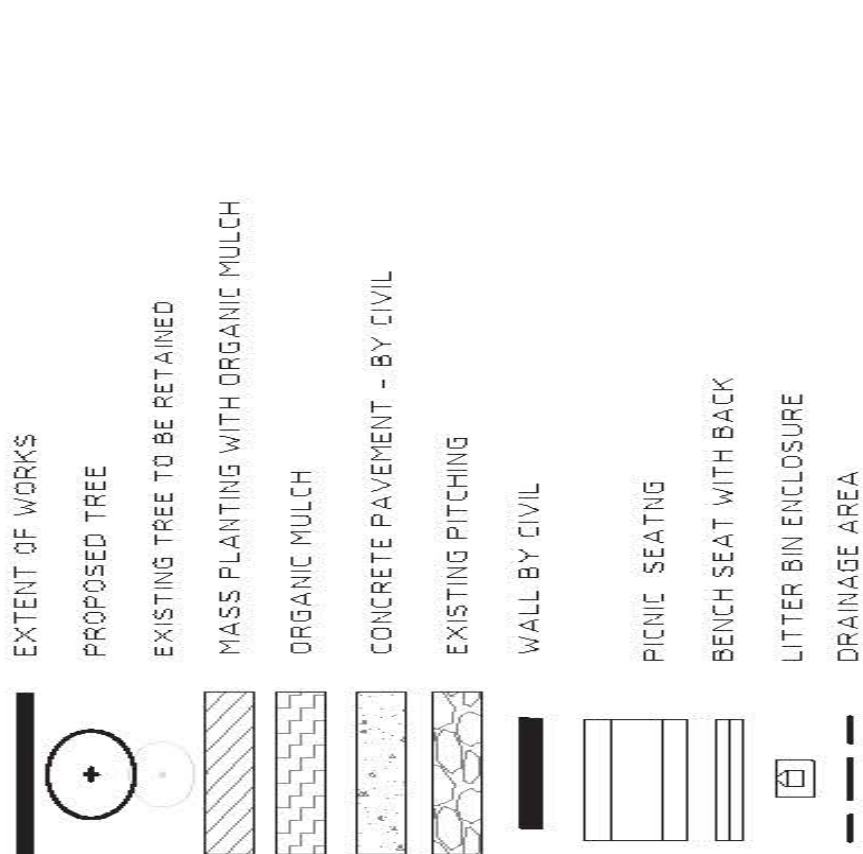
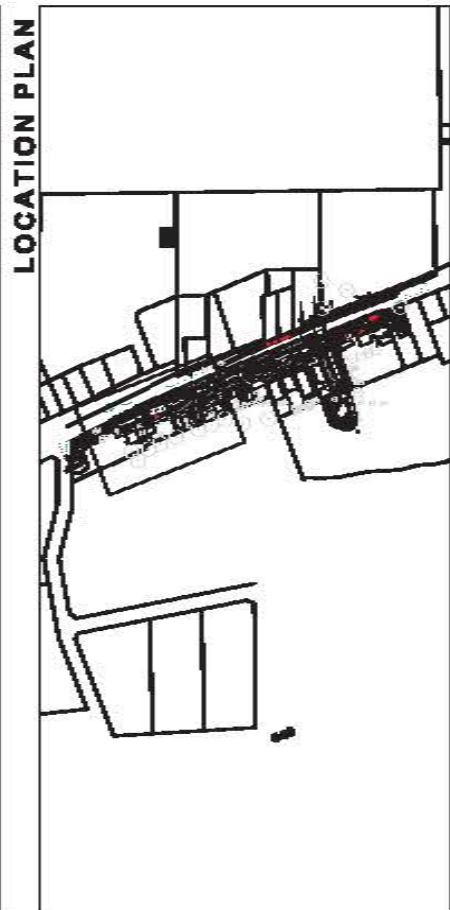
COVER SHEET

L00 - 2

SCALE 1:1000 @ A1

0 10 20 30 40 50 100m

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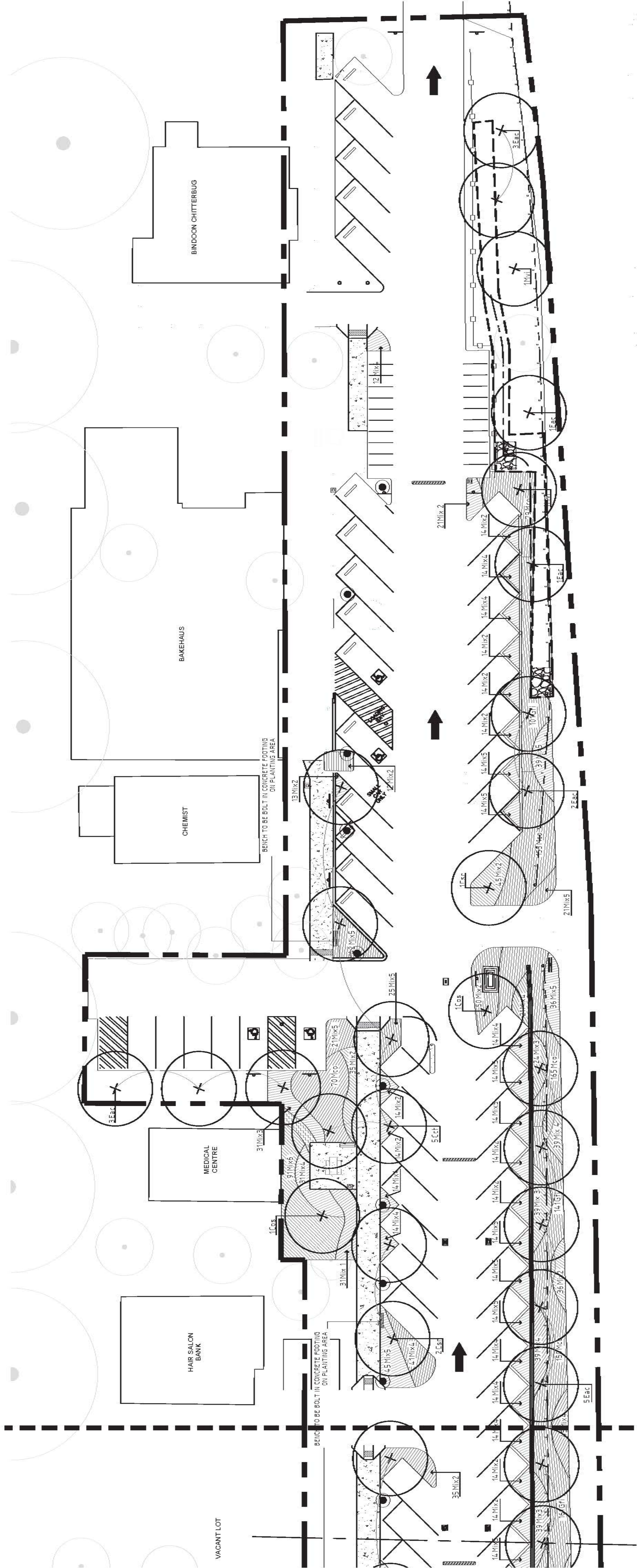
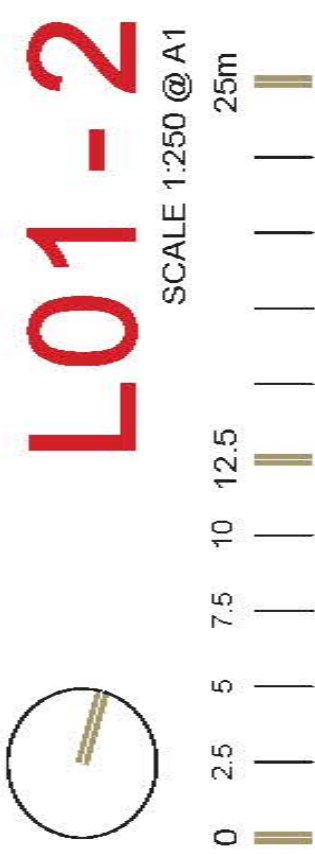
WHERE MIXED PLANTING IS PROPOSED PLANT IN GROUPS OF 3, 5 OR 7 OF THE SAME SPECIES.



AUTHOR: NJC CHECKED: PJ PROJECT NO: 3650-16

BINDA PLACE - BINDOON
CLIENT: SHIRE OF CHITTERING

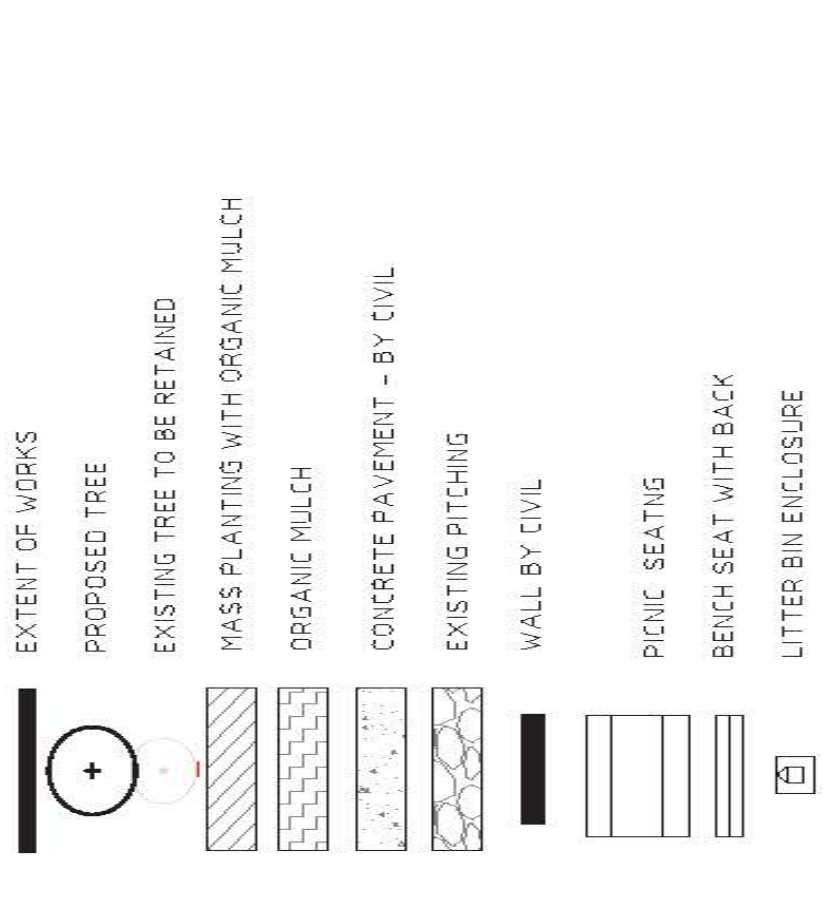
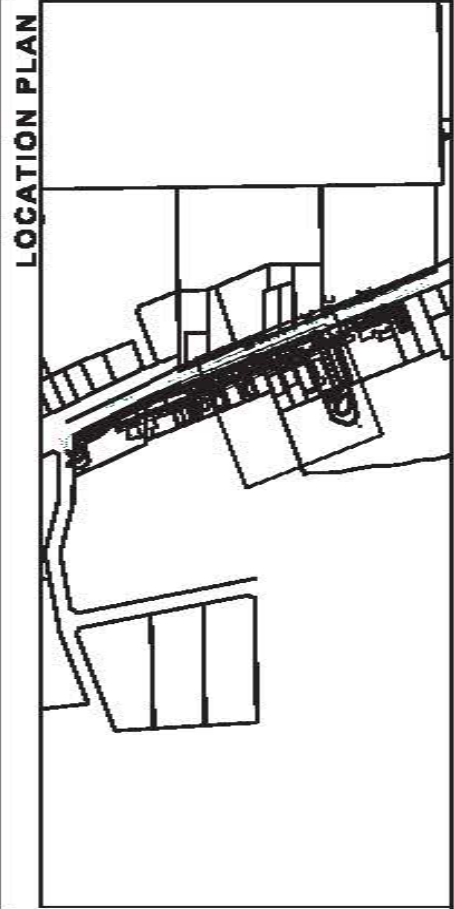
LANDSCAPE PLAN 01



PLANT SCHEDULE			
SYMBOL	SPECIES	COMMON NAME	POT SIZE
TREES			
Eac	<i>Eucalyptus accedens</i>	powder-barked wandoo	100L
Cct	<i>Corymbia ficifolia</i> var 'christmas tree red'		35L
Cos	<i>Corymbia ficifolia</i> var 'orange splendour'		35L
Csr	<i>Corymbia ficifolia</i> var 'summer red'		35L
Mm	<i>Melaleuca viridiflora</i>	broad-leaved paperbark	5L
PLANTING (based on 3 / sq m)			
MIX 1			
Gli	<i>Grevillea filifolia</i> var 'Eliendale'	as nominated	tubestock
Mco	<i>Melaleuca corothamnoides</i>	as nominated	tubestock
MIX 2			
Bbl	<i>Banksia blechnifolia</i>		%
Bpo	<i>Banksia polyccephala</i>		50 tubestock
Cco	<i>Chorizema cordatum</i>	heart-leaf flame pea	25 tubestock
MIX 3			
Asp	<i>Argyranthemum</i> var 'Amber velvet'	kangaroo paw	%
Hpu	<i>Hemiantandra plungens</i>	snakebush	50 tubestock
MIX 4			
Bel	<i>Beaufortia elegans</i>		%
Dcl	<i>Dawsonia citrifolia</i> var 'Red star'		25 tubestock
Dli	<i>Dampiera linearis</i> var 'True blue'		25 tubestock
Han	<i>Hypocalymma angustifolium</i>		25 tubestock
MIX 5			
Bni	<i>Banksia nivea</i>	couch honeypot	%
Lbi	<i>Lechenaultia biloba</i> var 'Sky blue'	blue lechenaultia	25 tubestock
Gnu	<i>Grevillea nudiflora</i> - prostrate form		50 tubestock
MIX 6			
Gpr	<i>Grevillea preissii</i> var 'Mini marvel'		%
Idu	<i>Isopogon dubius</i>	pin cushion cone flower	20 tubestock
Omu	<i>Orthocentrus multiflorus</i>	morning flag	20 tubestock
Vch	<i>Verticordia chrysantha</i>	yellow feather flower	20 tubestock
Vde	<i>Verticordia densiflora</i>	pink feather flower	20 tubestock

ADJOINS L02

REV	DATE	ISSUE
0	03.03.2016	ISSUED FOR TENDER
1	13.06.2016	ISSUED FOR CONSTRUCTION
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AUTHOR: NJC CHECKED: PJ PROJECT NO: 3650-15

BINDA PLACE - BINDOON
CLIENT: SHIRE OF CHITTERING

LANDSCAPE PLAN 02

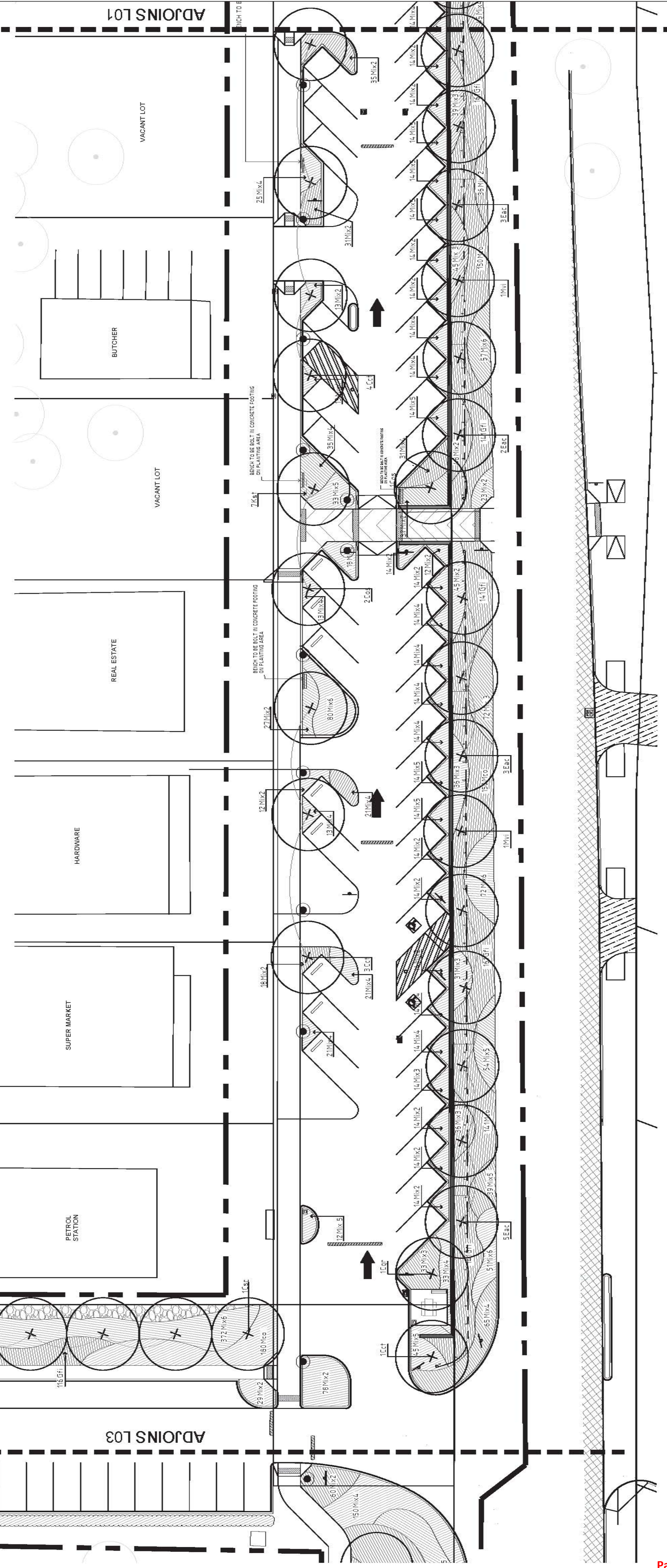
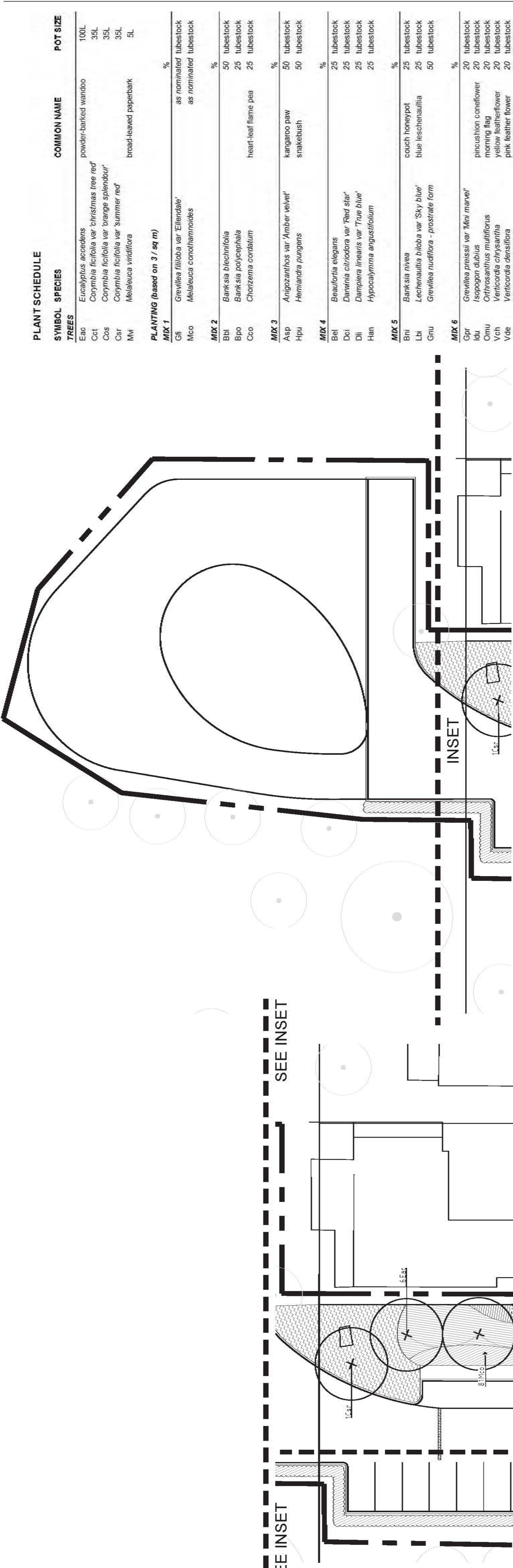


L02 - 2

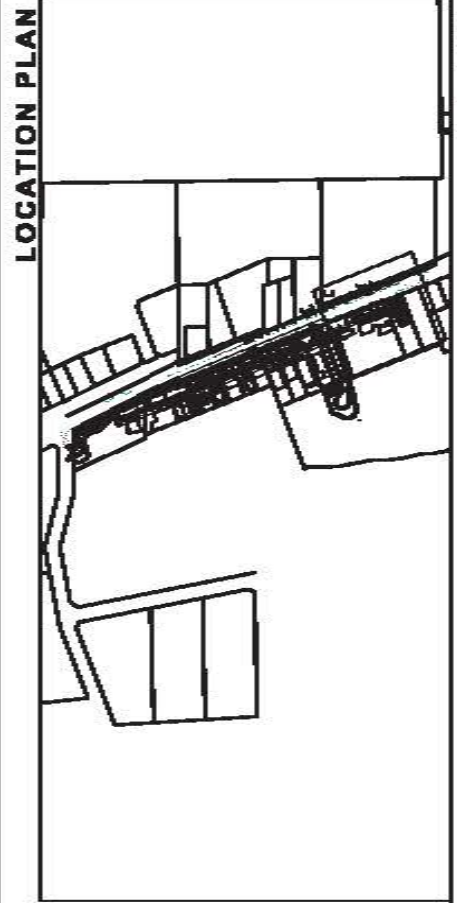
SCALE 1:250 @ A1

PLANT SCHEDULE

SYMBOL	SPECIES	COMMON NAME	POT SIZE
TREES			
Eac	<i>Eucalyptus accedens</i>	powder-barked wandoo	100L
Cot	<i>Corymbia ficifolia</i> var 'Christmas tree red'		35L
Cos	<i>Corymbia ficifolia</i> var 'orange splendour'		35L
Csr	<i>Corymbia ficifolia</i> var 'Summer red'		35L
Mt	<i>Meiotelea vridiflora</i>	broad-leaved paperbark	5L
PLANTING (based on 3 / sq m)			
MIX 1			
Gf	<i>Grevillea filifolia</i> var 'Ellendale'	as nominated tubestock	%
Mco	<i>Meiotelea conothamnoides</i>	as nominated tubestock	%
MIX 2			
Bbl	<i>Banksia blechnifolia</i>		50 tubestock
Bpo	<i>Banksia polycephala</i>		25 tubestock
Cco	<i>Chorizanthe cordatum</i>	heart-leaf flame pea	25 tubestock
MIX 3			
Asp	<i>Anigozanthos</i> var 'Amber velvet'		%
Hpu	<i>Hemianthus purpureus</i>	kangaroo paw	50 tubestock
MIX 4			
Bel	<i>Beaufortia elegans</i>		25 tubestock
Dcl	<i>Davallia citriodora</i> var 'Red Star'		25 tubestock
Dli	<i>Dampiera linearis</i> var 'True blue'		25 tubestock
Han	<i>Hypocalymma angustifolium</i>		25 tubestock
MIX 5			
Bni	<i>Banksia nivea</i>		25 tubestock
Lbi	<i>Lechenaultia biloba</i> var 'Sky blue'	couch honeypot	25 tubestock
Gnu	<i>Grevillea nudiflora - prostrate form</i>	blue lechenaultia	50 tubestock
MIX 6			
Gpr	<i>Grevillea preissii</i> var 'Mini marvel'		20 tubestock
Idu	<i>Isopogon dubius</i>	pin cushion coneflower	20 tubestock
Omu	<i>Orthrosanthus multiflorus</i>	morning flag	20 tubestock
Vch	<i>Verticordia chrysantha</i>	yellow leatherflower	20 tubestock
Vde	<i>Verticordia densiflora</i>	pink leather flower	20 tubestock



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ecoscope

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AUTHOR: NJC CHECKED: PJ PROJECT NO: 3550-15

BINDA PLACE - BINDOON

CLIENT: SHIRE OF CHITTERING

LANDSCAPE PLAN 03

L03-2

SCALE 1:250 @ A1

25m

0

2.5

5

7.5

10

12.5

25m

PLANT SCHEDULE

SYMBOL	SPECIES	COMMON NAME	POT SIZE
TREES			
Eac	<i>Eucalyptus accedens</i>	powder-barked wandoo	100L
Cct	<i>Corymbia ficifolia</i> var 'Christmas tree red'		35L
Cos	<i>Corymbia ficifolia</i> var 'orange splendour'		35L
Csr	<i>Corymbia ficifolia</i> var 'summer red'		35L
Mm	<i>Melaleuca viridiflora</i>	broad-leaved paperbark	5L
PLANTING (based on 3 / sq m)			
MIX 1			
Gfi	<i>Grevillea filicoides</i> var 'Ellendale'	as nominated	tubestock
Mco	<i>Melaleuca conchamoides</i>	as nominated	tubestock
MIX 2			
Bbi	<i>Banksia blechnifolia</i>		50 tubestock
Bpo	<i>Banksia polycephala</i>		25 tubestock
Cco	<i>Chorizema cordatum</i>	heart-leaf flame pea	25 tubestock
MIX 3			
Asp	<i>Anigozanthos</i> var 'Amber velvet'	kangaroo paw	50 tubestock
Hpu	<i>Hemianthus purgens</i>	snakebush	50 tubestock
MIX 4			
Bel	<i>Baeulifolia elegans</i>		25 tubestock
Dci	<i>Dawsonia circodora</i> var 'Red star'		25 tubestock
Dli	<i>Dampiera linearis</i> var 'True blue'		25 tubestock
Han	<i>Hypocalymma angustifolium</i>		25 tubestock
MIX 5			
Bni	<i>Banksia nivea</i>		25 tubestock
Lbi	<i>Lechenaultia biloba</i> var 'Sky blue'	couch honeypot	25 tubestock
Gnu	<i>Grevillea nudiflora</i> - prostrate form	blue lechenaultia	50 tubestock
MIX 6			
Gpr	<i>Grevillea preissii</i> var 'Mini marvel'		20 tubestock
Idu	<i>Isopogon dubius</i>	piccushion corielflower	20 tubestock
Omu	<i>Orientalis multiflorus</i>	morning flag	20 tubestock
Von	<i>Veronica chrysanthia</i>	yellow featherflower	20 tubestock
Vde	<i>Veronica densiflora</i>	pink feather flower	20 tubestock

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REV	DATE	ISSUE
0	03.03.2016	ISSUED FOR TENDER
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LOCATION PLAN		
LEGEND		



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AUTHOR: NJC	CHECKED: PJ	PROJECT NO: 3550-15
BINDA PLACE - BINDOON		
CLIENT: SHIRE OF CHITTERING		

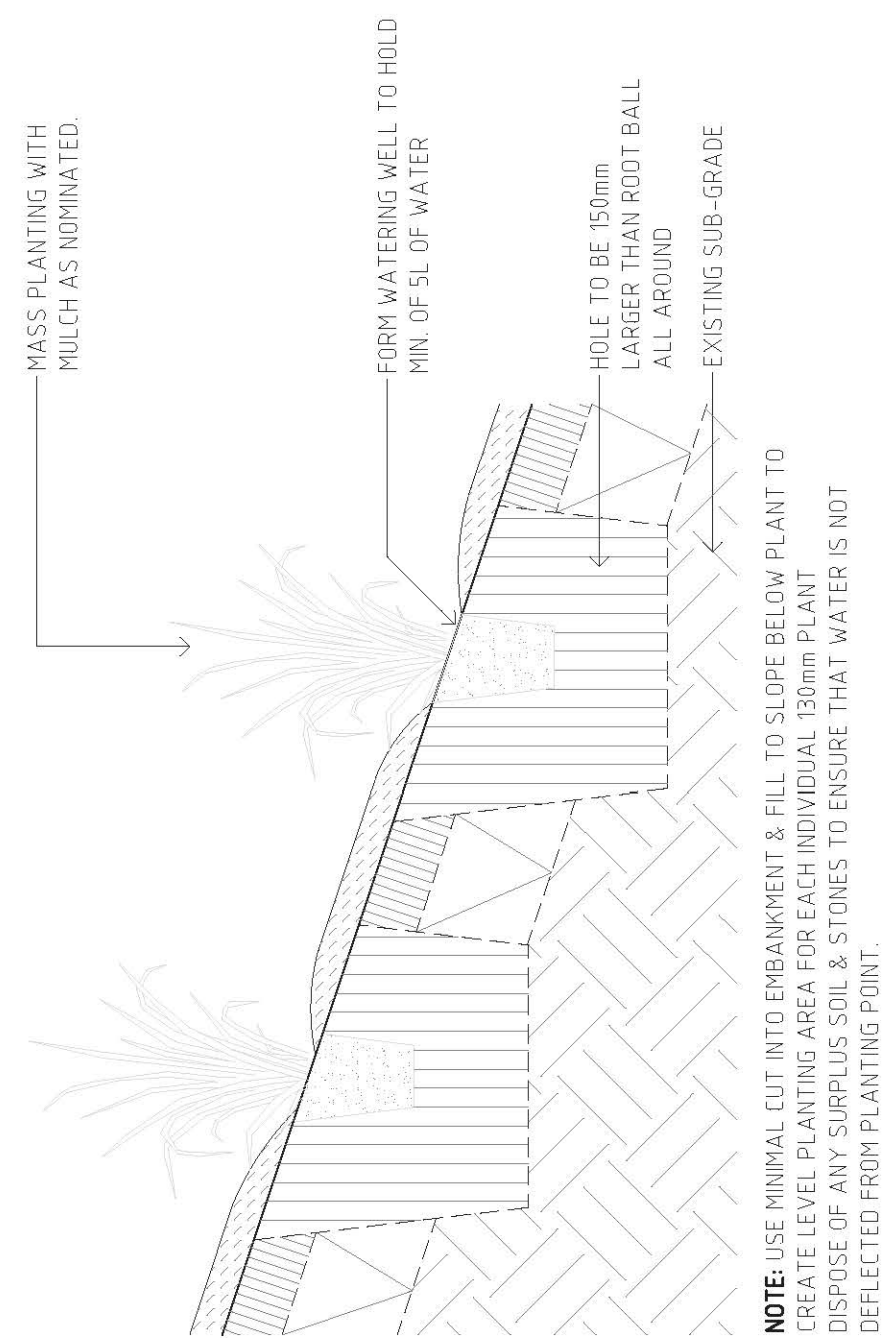
SOFTWARES DETAILS

L04 - 2

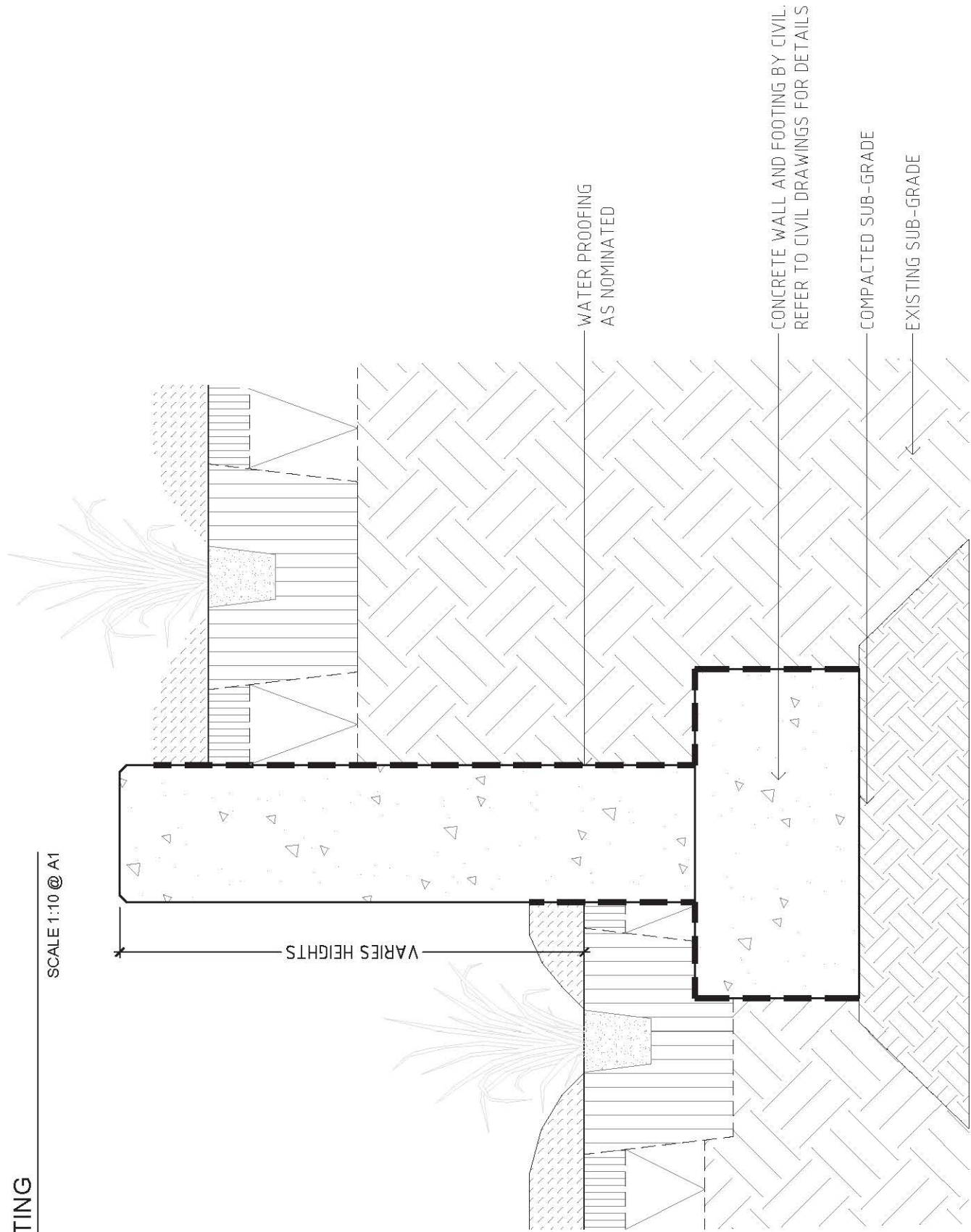
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SCALE AS SHOWN

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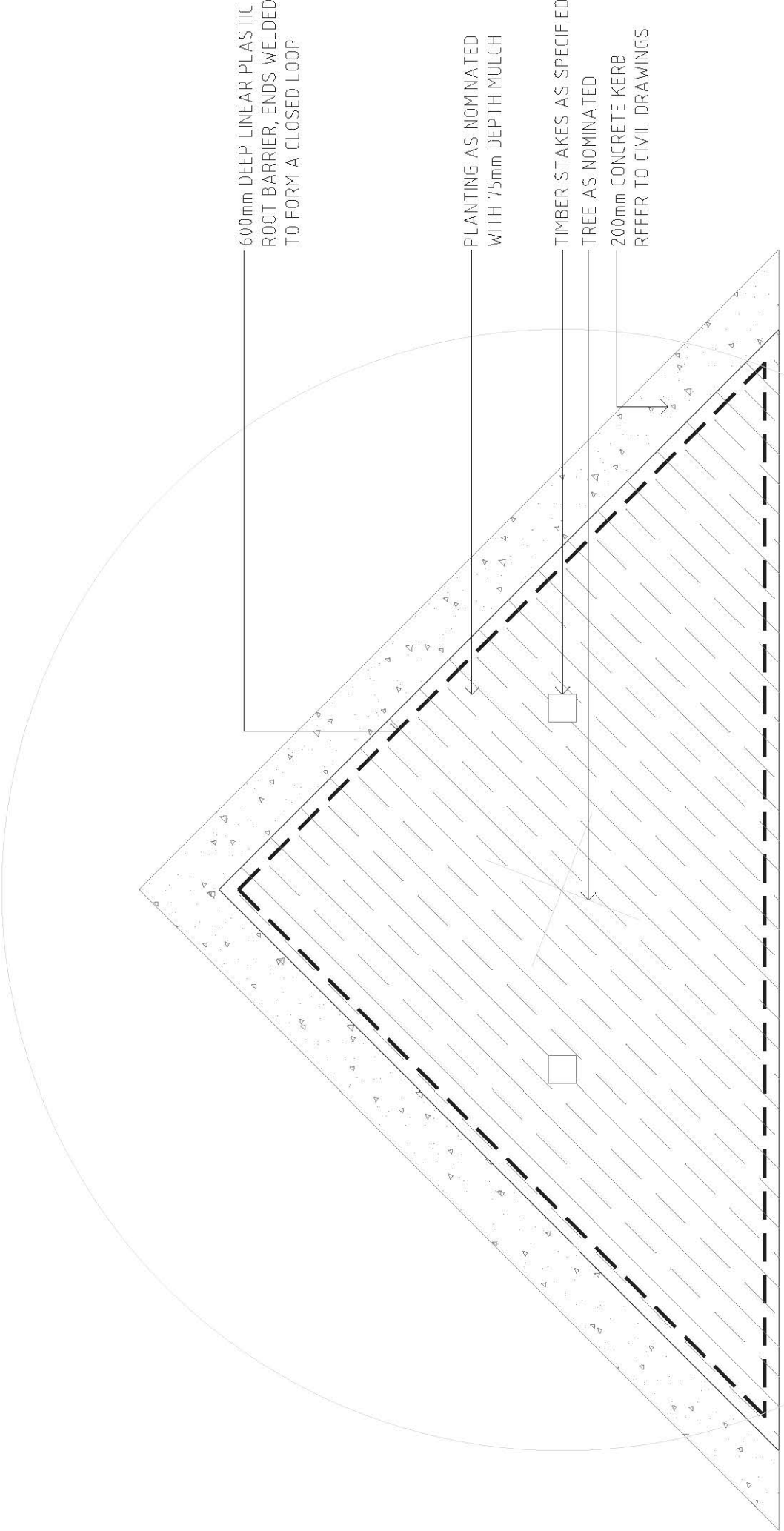
01 MASS PLANTING ON SLOPE
US TYPICAL DETAIL
SCALE 1:10 @ A1



02 MASS PLANTING
US TYPICAL DETAIL
SCALE 1:10 @ A1

03 TREE IN MASS PLANTING
US TYPICAL DETAIL
SCALE 1:20 @ A1

04 RETAINING WALL
US TYPICAL DETAIL
SCALE 1:10 @ A1



05 TREE IN ANGLE PARKING SPOT
US TYPICAL DETAIL SECTION
SCALE 1:20 @ A1

06 TREE IN ANGLE PARKING SPOT PLAN
US TYPICAL DETAIL PLAN
SCALE 1:20 @ A1