

Local Government Act 1995

Shire of Gingin

Bee Keeping Amendment Local Law 2015

Under the powers conferred by the *Local Government Act 1995* and all other relevant powers, the Council of the Shire of Gingin resolved on 27 October 2015 to make this local law.

1. Title

This local law may be cited as the *Shire of Gingin Bee Keeping Amendment Local Law 2015*.

2. Commencement

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

3. Principal Local Law

This local law amends the *Shire of Gingin Bee Keeping Local Law 2004* as published in the *Government Gazette* on 13 September 2004.

4. Clause 3 amended

In clause 3 –

(a) Insert new definitions in alphabetical order as follows:

“**Bee keeper**” has the meaning given to it in regulation 3 of the *Biosecurity and Agriculture Management Regulations 2013*;

“**Rural Living Area**” means any area zoned as Rural Living under the local government’s Local Planning Scheme;

“**Schedule**” means the Schedule to this local law; and

(b) Amend the definition for “**permit holder**” by deleting the word “and”.

5. Clause 4 amended

In clause 4(2)(a) delete “the townsite” and replace with “a townsite or Rural Living Area”;

6. Clause 5 amended

In clause 5(a) delete “section 8 of the *Beekeeper’s Act 1963*” and replace with “regulation 13 of the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*”.

7. Clause 6 amended

In clause 6(4), following “issue” insert “for a period of five years,”.

8. Clause 7 amended

Clause 7 is amended as follows:

- (a) In clause 7(1)(a) delete “a good and sufficient” and insert “an adequate and permanent”;
- (b) In clause 7(1)(b)(i):
 - (i) after “any” insert “neighbouring building,”; and
 - (ii) after “place” insert “, private street, laneway”;
- (c) In clause 7(1)(c) delete “and”;
- (d) In clause 7(1)(d) delete the full stop and replace with a semi colon; and
- (e) After subclause (1)(d) insert:
 - (e) annual submission by the permit holder of a copy of a Bee Keeper’s Licence as approved by the Department of Agriculture and Food, Western Australia; and
 - (f) an annual inspection will be carried out by the local government.

9. Clause 8 amended

In clause 8(3)(a) delete “section 8 of the *Beekeeper’s Act 1963*” and replace with “regulation 13 of the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*”.

10. Clause 9 amended

- (1) In clause 9(2)(a) delete “section 8 of the *Beekeeper’s Act 1963*” and replace with “regulation 13 of the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*”; and
- (2) In clause 9(3)(a) delete “section 8 of the *Beekeeper’s Act 1963*” and replace with “regulation 13 of the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*”.

11. Clause 12 amended

In clause 12(1) delete “*Beekeeper’s Act 1963*” and replace with “*Biosecurity and Agriculture Management Act 2007*”.

12. Clause 15 amended

In clause 15 delete “and 34”.

13. Schedule amended

Delete the Schedule and insert:

Schedule – Prescribed Offences

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
4(1)	Failure to obtain permit to keep bees	125
4(4)	Failure to comply with obligation when temporarily keeping bees	125
6(2)	Failure to comply with a condition of a permit to keep bees	125
9(3)	Failure to comply with notice of local government	125
11	Creation of nuisance from keeping of bees or beehives	125
12(1)	Failure to comply with notice to remove bees or bee hives for contravention of local law	125

Dated this day of 20.....

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

D W ROE
Shire President

J EDWARDS
Chief Executive Officer