

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976
LOCAL GOVERNMENT ACT 1995**

Shire of Plantagenet

Pest Plants Local Laws 1987

In pursuance of the powers conferred upon it by the abovementioned Acts and all other powers enabling it, the Council of the Shire of Plantagenet hereby records having resolved on 17 February 1987, to make and submit for confirmation by the Governor the following by-laws.

1. These local laws may be cited as the *Shire of Plantagenet Pest Plants Local Law 1987*.

2. In these local laws, unless the contrary intention appears –

“**Council**” means Council of the Shire of Plantagenet;

“**district**” means the district of the Shire of Plantagenet;

“**local government**” means the Shire of Plantagenet;

“**pest plant**” means a plant described as a pest plant by clause 4 of these local laws.

3 These local laws apply in respect of the district.

4 Every plant described in the First Schedule to these local laws is a pest plant.

5(1) The local government may serve on the owner or occupier of private land within the district, a duly completed notice in the form of the Second Schedule to these local laws requiring him to destroy, eradicate or otherwise control any pest plant on that land;

(2) A person served with a notice under subclause (1) of this local law shall comply with that notice within the time and in the manner specified therein.

6 Where a person fails to comply with a notice under clause 5 of these local laws served upon him, the local government may –

(a) Without payment of any compensation in respect thereof, destroy, eradicate, or control, as the case may be, any pest plant the destruction, eradication or control of which was required by the notice; and

(b) recover in a court of competent jurisdiction from the person to whom the notice is directed, the amount of the expense of such destruction, eradication or control.

**First Schedule
Pest Plants**

Common Name

Scientific Name

Angels Trumpet

Datura Candida

**Second Schedule
Agriculture and Related Resources Protection Act 1976
Shire of Plantagenet Pest Plant Local Laws 1987**

PEST PLANT NOTICE

No.....

To.....
(Full Name)

of.....
(Address)

You are hereby given notice under the above local law that you are required to

.....
(Here specify whether required to destroy, eradicate or otherwise control)
the pest plant –

.....
(Common Name)

.....
(Scientific Name)

on.....
(hereby specify the land)

of which you are.....
(owner or occupier)

This notice may be complied with
by.....(hereby specify manner
.....
of achieving destruction, eradication or control)

Such measures shall be commenced not later than.....(date)
and shall be completed by.....(date)

Upon failure to comply with this notice within the times specified the local government
may destroy, eradicate or control, as the case may be, any specified pest plant at your
expense, and if necessary recover the same in a court of competent jurisdiction.

Date of service of notice.....

.....
Signature of authorised person.

Dated this 16th day of June. 1987.

The Common Seal of the Shire of Plantagenet was hereunto affixed in the presence –

H.W.R ARNOLD, President
C.E. NICHOLLS, Shire Clerk

Recommended –

JEFF CARR
Minister for Local Government

Confirmed by His Excellency the Governor in Executive Council this 4th day of August
1987.

G. PEARCE
Clerk of the Council