

MODEL LOCAL LAWS

Agriculture And Related Resources Protection Act 1976

Local Government Act 1995

LOCAL LAW No. 11 – PEST PLANTS

MODEL LOCAL LAWS

Agriculture And Related Resources Protection Act 1976 Local Government Act 1995

Shire of Merredin Pest Plants Local Law 2002

Under the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the local government of the Shire of Merredin resolved to make the following local laws on the 17th September 2002.

1. These local laws may be cited as the Shire of Merredin Pest Plant Local Laws 2002.
2. In these local laws, unless the contrary intention appears -

“district” means the Shire of Merredin under the *Local Government Act 1995*.

“local government” means the Shire of Merredin;

“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 or her to destroy, eradicate or otherwise control any pest plant on that land.

(2) A person served with a notice under subclause (1) 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.

MODEL LOCAL LAWS

FIRST SCHEDULE

PEST PLANTS

(1)	(2)	(3)
COMMON NAME	SCIENTIFIC NAME	DISTRICT FOR WHICH DESCRIBED
Doublegee	<i>Emex australis Steinh</i>	The whole of the Shire

MODEL LOCAL LAWS

SECOND SCHEDULE
Agriculture and Related Resources Protection Act 1976
Shire of Merredin Pest Plants Local Law 2002

PEST PLANT NOTICE

No.....

TO: _____ Full Name

OF: _____ Address

You are hereby given notice under the Shire of Merredin Pest Plants Local Law 2002 that you are required to _____

_____ (specify whether required to destroy, eradicate or otherwise control) the pest plant

_____ (common name) _____ (scientific

name) on _____ (specify

the land) of which you are the owner or occupier.

This notice may be complied with by _____

_____ (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 plant at your expense, and if necessary recover the expense in a court of competent jurisdiction.

Date of service of notice _____

Signature of person authorized
by the Shire of Merredin

MODEL LOCAL LAWS

The Common Seal of the Shire of Merredin was hereunto affixed by authority of a decision of the Council in the presence of -

MARTIN MORRIS, Shire President

PHILLIP ANASTASAKIS, Chief Executive Officer

Dated 20th September 2002.