

LOCAL GOVERNMENT ACT, 1960-1978
AGRICULTURE AND RELATED RESOURCES PROTECTION ACT, 1976

The Municipality of the Shire of Kalamunda.

BY LAWS RELATING TO PEST PLANTS.

IN pursuance of the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 26th day of March, 1979, to make and submit for confirmation by the Governor the following by-laws -

1. These by-laws may be cited as the Shire of Kalamunda Pest Plant By-laws, 1979.
2. In these by-laws, unless the contrary intention appears -
 - "Council" means council of the municipality of the Shire of Kalamunda;
 - "District" means the district of the council;
 - "Pest plant" means a plant described as a pest plant in by-law 4 of these by-laws.
3. These by-laws apply in respect of the district.
4. Every plant described in the First Schedule to these by-laws is a pest plant.
5. (1) The Council 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 by-laws requiring him to destroy, eradicate or otherwise control any pest plant on that land.
(2) A person served with a notice under sub-by-law (1) of this by-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 by-law 5 of these by-laws served upon him the council 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.

(Pest Plant Notice - cont....)

Upon failure to comply with this notice within the times specified, the council 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 the notice.....

.....
Signature of person authorised
by the council of the municipality
of the Shire of Kalamunda
.....

Dated this 1st day of June, 1979.

The Seal of the Municipality of The Shire of Kalamunda
was affixed hereto in the presence of -

P WILLMOTT,
Shire President

E H KELLY,
Shire Clerk

Recommended-

JUNE CRAIG,
Minister for Local Government

Approved by His Excellency the Governor in Executive Council this 31st day of
October, 1979.

R D DAVIES,
Clerk of the Council