

Biosecurity and Agriculture Management Act 2007
Local Government Act 1995

Shire of Denmark

Pest Plants Local Law 2026

Under the powers conferred on it by the *Biosecurity and Agriculture Management Act 2007* and *Local Government Act 1995* and under all other enabling powers, the Council of the Shire of Denmark resolved on (insert date) to make the following local law.

Part 1 - Preliminary

1.1 Short title

This is the Shire of Denmark Pest Plants Local Law 2026.

1.2 Commencement

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

1.3 Application

This local law applies throughout the district.

1.4 Repeal

Local Laws Relating to Pest Plants 2008 published in the *Government Gazette* on 25 June 1997 is repealed.

1.5 Meaning of terms used in this local law

(1) In these local laws -

district means the district of the local government;

Local Government means Shire of Denmark;

Pest Plant means a plant described in the first schedule of this local law.

Part 2 – Pest Plants

- 2.1** Every plant described in the First Schedule of these local laws is a Pest Plant.
- 2.2** 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 local laws requiring the person to destroy, eradicate or otherwise control any Pest Plant on that land and any person so served shall comply with that notice within the time and in the manner specified therein.
- 2.3** Where a person fails to comply with a notice under clause 2.2 of this local law served upon the person, 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 and control of which was required by the notice; and
 - (b) recover in a court of competent civil jurisdiction, as a debt due to the Local Government, 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
african love grass	Eragrostis curvula
pampas grass	Cortaderia selloana
caster oil tree	Ricinus communis
onehunga	Soliva pterosperma
inkweed	Phytolacca octandra
cotoneaster	Cotoneaster sp.
dolichos pea	Dipegon lignosus
fleabane	Conyza sp.
sweet pittosporum	Pittosporum undulatum
sydney golden wattle	Acacia longifolia
taylorina	Psoralea pinnata
coastal (victorian) tea tree	Leptospermum laevigatum
watsonia	Watsonia sp.
tree of heaven	Ailanthus altissima
doublegee	Emex australis
angels trumpet	Datura suaveolens
ground asparagus / basket fern	Asparagus aethiopicus
bridal veil	Asparagus declinatus
asparagus fern / climbing asparagus	Asparagus scandens
montpellier / cape broom	Genista monspessulana
bleeding heart	Homolanthus novo-guineensis
wonga vine	Pandorea pandorana
tasmania blackwood	Acacia melanoxylon

Second Schedule

Biosecurity and Agriculture Management Act 2007

Shire of Denmark

Ref: _____

To _____
(full name)

of _____
(address)

You are hereby given notice under the above local laws 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 Council may destroy, eradicate or control, as the case may be, any specified Pest Plant at your expense.

Date of service of notice _____

Signature of person authorised by Shire of Denmark

Dated this day of year

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

Shire President

Chief Executive Officer