

This Local Law was reviewed on 15 February 2012 (Item 10.3) with no changes being made.

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

Shire Of Pingelly

Pest Plants Local Law 2003

Under the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the local government of the Shire of Pingelly resolved to make the following local laws on 22 May 2003.

1. These local laws may be cited as the Shire of Pingelly Pest Plant Local Laws 2003.
2. In these local laws, unless the contrary intention appears -
“district” means the Shire of Pingelly under the *Local Government Act 1995*;
“local government” means the Shire of Pingelly;
“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.
7. The Local Laws relating to Pest Plants published in the *Government Gazette* of 18 June 1982, are repealed.

FIRST SCHEDULE

PEST PLANTS

COMMON NAME	SCIENTIFIC NAME
Caltrop	<i>Tribulus Terrestris</i>
Afghan Thistle	<i>Solanum hystrix, R.Ba)</i> <i>Solanum hoplopetalum)</i>
Heliotrope	<i>Heliotropium europaeum</i>

SECOND SCHEDULE
Agriculture and Related Resources Protection Act 1976
Shire of Pingelly Pest Plant Local Laws 2003
PEST PLANT NOTICE

No.

TO: _____ Full Name

OF: _____ Address

You are hereby given notice under the Shire of Pingelly Pest Plant Local Laws 2003 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 authorised
by the Shire of Pingelly

Dated this 10th day of June 2003.

The Common Seal of the Shire of Pingelly was affixed in the presence of—

C. F. LEE, Shire President
G. R. CARTER, Chief Executive Officer