

LG305*

LOCAL GOVERNMENT ACT 1995

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

Shire of Wickepin

LOCAL LAWS RELATING TO PEST PLANTS

In pursuance of the powers conferred upon it by the above mentioned Acts and of all other powers enabling it, the Council of the Shire of Wickepin resolved on 15 November 2000 to make the following local laws—

1. These local laws may be cited as the Shire of Wickepin Pest Plant Local Laws 2000.
2. In these local laws, unless the contrary intention appears—
 - “district” means the district of the local government;
 - “local government” means the Shire of Wickepin;
 - “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. (a) 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.
 - (b) A person served with a notice under subclause (a) of this clause 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relating to Pest Plants published in the *Government Gazettes* of 18 July 1980, 26 February 1982 and 4 June 1982, are repealed to the extent that they are still valid.

First Schedule
Pest Plants

Common Name	Scientific Name
Afghan Thistle	Solanum hystrix
	Solanum hoplopetalum
Buffalo Burr	Solanum Rostratum Dunal
Caltrop	Tribulus Terrestris L.

Second Schedule

Agriculture and Related Resources Protection Act 1976

Shire of Wickepin Pest Plant Local Laws

PEST PLANT NOTICE

No.....

To:
(Full name)

of:
(Address)

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

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

.....
(Common Name) (Scientific Name)

on

.....
(here specify the land)

of which you are the
(owner or occupier)

This notice may be complied with by
(here 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 authorized person

Dated this Thirtieth day of November 2000.

The Common Seal of the Shire of Wickepin was affixed by authority of a resolution of the Council in the presence of—

H. M. LANG, President.
L. J. CALNEGGIA, Chief Executive Officer.