

LOCAL GOVERNMENT ACT 1995
AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

Shire of Wagin

LOCAL LAW RELATING TO PEST PLANTS 2002

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Shire of Wagin hereby resolved on the 16th day of April 2002 to make the following local law;

Citation

(1) This Local Law may be cited as the *Shire of Wagin Pest Plant Local Law 2002*.

Repeal

(2) The following Local Law is repealed; *Shire of Wagin Pest Plant Local Law* published in the *Government Gazette* of 2 April 1993.

Interpretation

(3) In this local law, unless the context otherwise requires–

“**Council**” means the Council of the Shire of Wagin;

“**district**” means the district of the Shire of Wagin;

“**Pest Plant**” means a plant described as a pest plant by clause (4) of this local law.

(4) Every plant described in the in the First Schedule of this local law is a pest plant.

(5) 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 this local law requiring that 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.

(6) Where a person fails to comply with a notice served under clause (5) of this local law, 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 jurisdiction 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
Caltrop

Scientific Name
Tribulus terrestris

Second Schedule
Agriculture and Related Resources Protection Act 1976
Shire of Wagin Pest Plant Local Law 2002

No.....
To
(Full names)
of
(address)

You are hereby given notice under the above local law 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 measure 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 plants at your expense.

Date of service of this notice

.....
Signature of person authorised by the Council
of the Shire of Wagin.

Dated this 3rd day of May 2002

The Common Seal of the Shire of Wagin was hereto affixed by authority of a Resolution of the Council in the presence of

P. I. PIESSE, President.
B. K. FISHER, Acting Chief Executive Officer.