

**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 The Local Laws relating to Pest Plants published in the *Government Gazette* of 18 June 1982, are repealed.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**

<b>COMMON NAME</b>	<b>SCIENTIFIC NAME</b>
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 10<sup>th</sup> 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