

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

SHIRE OF RAVENSTHORPE

PEST PLANT LOCAL LAW 2010

Under the powers conferred by the *Agriculture and Related Resources Protection Act 1976* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Ravensthorpe resolved on 19 August, 2010 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Ravensthorpe Pest Plant Local Law 2010*.

2. Commencement

This local law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

3. Application

This local law applies throughout the district.

4. Definition

In this local law, unless the contrary intention appears—

“district” means the district of the Shire of Ravensthorpe;

“local government” means the Shire of Ravensthorpe;

5. Pest Plants

Every plant described in Schedule 1 is a pest plant.

6. Serving of a notice

(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 Schedule 2 requiring the owner or occupier to destroy, eradicate or otherwise control any pest plant on that land.

(2) An owner or occupier served with a notice under subclause (1) of this clause shall comply with that notice within the time and in the manner specified therein.

7. Failure to comply with a notice

Where an owner or occupier fails to comply with a notice served under clause 6, 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 owner or occupier to whom the notice is directed, the amount of the expense of such destruction, eradication or control.

Schedule 1
Shire of Ravensthorpe
Pest Plant Local Law 2010

[cl. 5]

PEST PLANTS	
Common Name	Scientific Name
Caltrop	<i>Tribulus Terrestris</i>

Afghan Thistle

Solanum Hystrix or Solanum Hoplopetalum
Schedule 2

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

LOCAL GOVERNMENT ACT 1995

Shire of Ravensthorpe

Pest Plant Local Law 2010

[cl. 6]

PEST PLANT NOTICE

No.

To
(Full name)

of
(Address)

You are hereby given notice under the above local law 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 person authorised by the Shire of Ravensthorpe.

Dated: 2 February 2011.

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

Cr I. GOLDFINCH, Shire President.
P. DURTANOVICH, Chief Executive Office.