

Shire of Gingin

PEST PLANTS LOCAL LAW 2015

Under the powers conferred by the *Biosecurity and Agriculture Management Act 2007*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gingin resolved on [**insert date**] to make the following local law.

PART 1 - PRELIMINARY

1.1 Title

This local law may be cited as the *Shire of Gingin Pest Plants Local Law 2015*.

1.2 Commencement

This local law commences on the 14th day after the day on which it is published in the Government Gazette.

1.3 Repeal

The *Shire of Gingin By-laws Relating to Pest Plants (No. 2)* published in the *Government Gazette* on 24 January 1992 are hereby repealed.

1.4 Application

This local law applies throughout the entire district.

1.5 Definitions

In this local law, unless the contrary intention appears –

district means the district of the local government;

local government means the Shire of Gingin;

pest plant means a plant described as a pest plant by clause 2.1.

PART 2 – PEST PLANTS

2.1 Pest plants

Every plant described in Schedule 1 is a pest plant.

PART 3 – NOTICES

3.1 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 as decided by the local government from time to time requiring him to destroy, eradicate or otherwise control any pest plant on that land.
- (2) A person served with a notice under subclause (1) of this clause shall comply with that notice within the time and in the manner specified therein.

3.2 Failure to comply with a notice

Where a person fails to comply with a notice under clause 3.1 served upon them, 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, as a debt due to the local government, from the person to whom the notice is directed, the amount of the expense of such destruction, eradication or control.

SCHEDULE 1

PEST PLANTS

Common Name	Scientific Name
Afghan Thistle	<i>Solanum hoplopetalum</i> Bitter & Summerh.
African Love Grass	<i>Eragrostis curvula</i> (Schrad.) Nees
Apple of Sodom	<i>Solanum linnaeanum</i> Hepper & P.-M.L.Jaeger
Caltrop	<i>Tribulus terrestris</i> L.
Castor Oil Tree	<i>Ricinus communis</i> L.
Doublegee	<i>Emex australis</i> Steinh.
Geraldton Carnation Weed	<i>Euphorbia terracina</i> L.
Mossman River Grass	<i>Cenchrus echinatus</i> L.
Spiny Burrgrass	<i>Cenchrus spinifex</i> Cav.
Tambookie (Tussock Grass)	<i>Hyparrhenia hirta</i> (L.) Stapf

Dated this day of 20.....

The Common Seal of the Shire of Gingin)
was affixed by authority)
of a resolution of the Council in the)
presence of:)

M ASPINALL
Shire President

J EDWARDS
Chief Executive Officer