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

#### CITY OF ROCKINGHAM

# **PEST PLANTS LOCAL LAW 2000**

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#### **LOCAL GOVERNMENT ACT 1995**

#### AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

#### CITY OF ROCKINGHAM

#### PEST PLANTS LOCAL LAW 2000

Under the powers conferred by the abovementioned Acts and under all other powers enabling it, the Council of the City of Rockingham resolved on 28 November 2000 to make the following local law.

#### PART 1—PRELIMINARY

#### 1.1 Citation

This local law may be cited as the City of Rockingham Local Government Pest Plants Local Law 2000.

#### 1.2 Repeal

The City of Rockingham Local Law relating to Pest Plants published in the *Government Gazette* on 7 June 1985 is repealed.

#### 1.3 Definitions

In this local law, unless the context otherwise requires—

- "district" means the district of the local government;
- "local government" means the City of Rockingham;
- "pest plant" means a plant described as a pest plant by clause 2.1 of this local law;

### 1.4 Application

This local law applies throughout the district.

## PART 2—DESCRIPTION OF PEST PLANTS

## 2.1 Description of Pest Plants

Every plant described in Schedule 1 to this local law is a pest plant.

## **PART 3—SERVING OF NOTICES**

# **3.1 Serving of Notices**

- (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 Schedule 2 to this local law requiring the destruction, eradication or otherwise control of any pest plant on that land.
- (b) A person served with a notice under sub clause (a) shall comply with that notice within the time and in the manner specified therein.

#### **PART 4—OFFENCES**

#### 4.1 Penalties

- (a) Where a person fails to comply with a notice served under clause 3.1 of this local law, the local government may—  $\,$ 
  - (i) 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
  - (ii) 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.

Schedule 1
PEST PLANTS

Scientific Name

Tribulus terrestis Solanum hermannii

**Common Name**Caltrop
Apple of Sodom

# Schedule 2 PEST PLANT NOTICE

No.:	
То	(Full name)
of	(z un name)
01	(Address)
You are hereby given notice the required to	nat under the City of Rockingham Pest Plants Local Law 2000 you are
(here specify wh	ether required to destroy, eradicate or otherwise control)
the pest plant—	
	(Scientific Name)
on	(here specify the land)
of which you are the	(owner or occupier)
	rith by
(here specify n	nanner of achieving destruction, eradication or control)
Such measures shall be commo	enced not later than
	(date)
and shall be completed by	(date)
Upon failure to comply with the radicate or control, as the carecover the same in a court of	nis notice within the times specified, the local government may destroy use may be, any specified pest plant at your expense, and if necessary competent jurisdiction.
Date of service of notice	
	Signature of authorised persor
	<del></del>

Dated 19 December 2000.

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—  $\,$ 

C. S. ELLIOTT, Mayor. G. G. HOLLAND, Chief Executive Officer.

