



LOCAL GOVERNMENT ACT 1995

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

## **Shire of Toodyay**

# **Local Laws Relating to Pest**

## **Plants**



Gazette Date: 31/12/1999, page 7077

**LOCAL GOVERNMENT ACT, 1960 - 1982**  
**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**  
Shire of Toodyay.  
**Local Laws Relating to Pest Plants**

**FIRST SCHEDULE** ..... 5  
**PEST PLANTS** ..... 5  
**SECOND SCHEDULE** ..... 6  
***PEST PLANT NOTICE*** ..... 6

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**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**  
Shire of Toodyay.  
**Local Laws Relating to Pest Plants**

In pursuance of the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the Council of the Shire of Toodyay hereby records having resolved on the 19th day of February, 1979 and 20 September 1982, to make and submit for confirmation by the Governor, the following local laws—

1. These local laws may be cited as the Shire of Toodyay Pest Plant Local Laws 1979.

2. In these local laws, unless the contrary intention appears—

“district” means the district of the local government;

“local government” means the Shire of Toodyay;

“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. (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 the Second Schedule to these local laws requiring him to destroy, eradicate or otherwise control any pest plant on that land.

(b) A person served with a notice under subclause (a) of this clause shall comply with that notice within the time and in the manner specified therein.

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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.

**FIRST SCHEDULE**  
**PEST PLANTS**

Common Name	Scientific Name
Afghan Thistle	Solanum hystrix
	Solanum hoplopetalum
Caltrop	Tribulus terrestris L



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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 authorized person

Dated this 9th day of May, 1979.

The Common Seal of the of the Shire of Toodyay was hereunto affixed in the presence of—

A. J. W. BOLTON, President.

A. D. SMITH, Chief Executive Officer.