**DOG FENCE ACT AMENDMENT BILL 1949**



**LEGISLATIVE COUNCIL, 22 NOVEMBER, 1949, PAGE 1477**

**Second reading**

Hon. R. J. RUDALL (Midland— Attorney-General)—The Dog Fence Act, 1946, makes provision for the establishment of a dog proof fence across the northern part of the State. In order to maintain this fence, provision is made for the rating of pastoral land south of the fence and for the payment to the lessees of land on which the dog fence is situated of sums to be applied towards the maintenance of the fence. The Act is administered by the Dog Fence Board. This Bill is introduced for the purpose of making some administrative changes in the Act which have been suggested by the board. The scheme of the Act is that the dog fence is to be erected and maintained by the lessees of the land on which the fence is situated. In instances, however, part of the fence may be situated on Crown lands and the board has suggested that, in such a case, the board should undertake the duty of establishing and maintaining the fence. Power to carry out this work is accordingly given by clause 2. Where practicable, the board would arrange for this work to be done by a lessee of land in the vicinity and the clause provides that the board may make arrangements of this nature.

As before stated, the scheme of the Act is that lessees of land upon which the dog fence is situated are to be paid an annual amount which is to be applied by them towards the maintenance of the fence. On occasion, the fence is situated on the common boundary of two properties and is thus owned jointly. In such cases, it is obviously desirable that the obligation to maintain the fence should be undertaken by one of the joint owners either on the basis that one should under­take the maintenance of the whole fence or that a portion of the fence should be main­tained by each of them. In order to enable arrangements of this nature to be made, clause 3 authorizes the board, in such circum­stances, to make the payment in question to such of the lessees as undertakes the obliga­tion to maintain.

Clause 4 is ancillary to clause 2. If the board itself is to undertake the work of estab­lishing the fence on Crown lands, it will be necessary for the board to borrow money for the purpose. The clause therefore authorizes the Treasurer to borrow, under the Financial Agreement, any amounts necessary for this purpose and for the Treasurer to lend to the board any moneys so borrowed. The Bill is limited to two matters arising out of the administration of the 1946 Act. The first is to allow the board to erect and maintain a fence on Crown lands, and that seems only right and proper. The second matter relates to fences on a common boundary between two properties owned jointly by those people, and gives the board power to make arrange­ments with either one or both of the lessees to maintain the existing fence.

The Hon. E. A. Oates—Can the board borrow an unlimited amount?

The Hon. E. J. RUDALL—The board will erect and maintain the fence. To make improvements, the board of course must have money, which can be loaned by the Treasurer. That money is then repaid to him.

The Hon. E. A. Oates—I understood you to say that the Treasurer had power to obtain an unlimited loan.

The Hon. R. J. RUDALL—Only a loan of the amount necessary in respect of a fence on Crown lands. I move the second reading.

The Hon. C. R. CUDMORE secured the adjournment of the debate.