**VERTEBRATE PESTS BILL 1975**

**Legislative Assembly, 11 March 1975, page 2776-7**

Second reading

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to provide for the control of vertebrate pests; to repeal the Vermin Act, 1931-1967, and the Wild Dogs Act, 1931-1970; to amend the Statute Law Revision Act, 1935, the Statute Law Revision Act, 1936, the Loans for Fencing and Water Piping Act, 1938-1973, and the Statutes Amendment (Dog Fence and Vermin) Act, 1964; and for other purposes, Read a first time.

The Hon. J. D, CORCORAN: I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in Hansard without my reading it.

Leave granted.

Explanation of Bill

This measure is intended to replace the Vermin Act, 1931-1967, and the Wild Dogs Act, 1931-1970, Acts providing for the same purpose, the control of vermin. These two Acts, although they have been amended over the years, are now outmoded. This Bill is intended to be a more effective scheme for the control of vermin referred to as vertebrate pests, and also a modern legislative expression of that purpose. The basic provision of measure, as of the Vermin Act, 1931-1967, imposes ad on the owner or occupier of. any land to control vertebrate pests upon that land and, thereby, reduce the loss to agriculture and damage to the environment generally.

The Bill provides for establishment of an authority called the Vertebrate Pests Control Authority, with a primary function of ensuring that landholders discharge that duty. For that purpose, the authority is empowered to appoint State authorized officers, who may inspect the control of vertebrate pests anywhere within the State. Councils are empowered to appoint local authorised officers, who are to inspect the control of vertebrate pests within the areas of their councils. The State authorised officers are intended to be concerned with areas both within and outside council areas. In relation to any land, where a State authorised officer is satisfied that the owner or occupier of any land has not adequately controlled vertebrate pests, he may give a notice to the owner or occupier requiring him to control the vertebrate pests. As under the Vermin Act, 1931-1967, a person given such a notice may have the notice reviewed by the Minister. If a person fails to comply with a notice, he will be guilty of an offence, and the authority is empowered to carry out the terms of the notice and recover the cost of so doing.

At the local government level the Government is aware that there have been problems relating to enforcement, and it is in this aspect that this measure departs from the approach under the Vermin Act, 1931-1967. One basic problem has been lack of information at the central level about the degree and distribution of infestation by vertebrate pests within the State. Accordingly, provision is made requiring councils to supply such information to the authority in relation to their areas, and the authority will receive such information from its own officers in relation to the rest of the State. In addition, the central body, the authority, is intended .to play a larger role in enforcement within local government areas, with local authorised officers being empowered to give only warning notices to defaulting landholders.

A duplicate of any warning notice is to be forwarded to the authority, and a State authorised officer may issue his usual notice to a landholder failing to heed a warning notice. This approach should reduce the burden on local government and achieve a more uniform pattern of enforcement. As under the Vermin Act, 1931-1967, the central body, in this measure, the authority, is empowered to take action against a defaulting council, subject to review by the Minister. In relation to a council that, for. whatever reason, is ineffectively enforcing vertebrate pest control within its area, the Bill provides in addition that such a council may, if it is able to reach agreement with neighbouring councils, request the establishment of a board comprised of persons representative of itself and such other councils as agree to take part.

A board so established would take over from the participating councils the enforcement of this measure within their areas, enabling the cost of such enforcement to be shared. Where an arrangement of this nature is not entered into voluntarily, it may, under the Bill, be established by the authority, or the authority as a last resort may itself assume responsibility for enforcement of the measure within the area of the council and recover the costs thereby incurred. One basic change from the Vermin Act, 1931-1967, providing for contribution towards the cost of rabbit-proof or dog-proof fencing by adjoining landholders.

It is intended that this matter be regulated under the new measure relating to contribution for fencing costs, and clause 47 provides that, where a dispute occurs relating to such contribution, the authority may, by providing the appropriate document, settle any question before a court as to whether a rabbit-proof or dog-proof fence is an appropriate fence in the circumstances. Clause 48 provides for the service of notices, and clause 49 is an evidentiary provision. Clauses 50 and 51 are formal provisions relating to proceedings for offences. Clause 52 empowers the making of regulations, including regulations relating to the supply and use of poisons for vertebrate pest control.

Mr. ALLEN secured the adjournment of the debate.