**DOG FENCE ACT AMENDMENT BILL 1984**

**LEGISLATIVE COUNCIL, 29 August 1984 page 607**

Second reading

Received from the House of Assembly and read a first time.

The Hon. FRANK BLEVINS (Minister of Agriculture):

I move:

*That this Bill be now read a second time.*

It is the culmination of lengthy negotiations, negotiations between a group of dog fence owners and their immediate cattle lessee neighbours regarding the maintenance of that part of the dog fence that is their common boundary. The problem has been that for several years the cattle lessees on the northern side of the fence have not contributed to the maintenance of the fence. This has been the case even where the fence forms a common boundary with the sheep lessees, who have traditionally undertaken responsibility for the fence. However, in recent times pressure has been brought to bear for a change in circumstances. This has probably occurred because the Dog Fence Board has been placing increased pressure on dog fence owners to upgrade their sections of the fence and because cattle lessees have increased the erection of subdivision fences using the dog fence as a base.

In response to a letter from the Hon. A.M. Whyte in 1982, the then Minister of Lands initiated an inquiry by the Dog Fence Board into the matter. Correspondence was entered into with the United Farmers and Stockowners of S.A. Incorporated and a discussion paper prepared. As part of the consultation process, three meetings were convened by the United Farmers and Stockowners of S.A. Incorporated between the interested parties. The result was an agreement that is now reflected by this legislation. In particular, it was agreed that the cattle lessees would contribute to the maintenance of the fence at the rate of $37.50 per kilometre of dog fence per annum.

The commencement date would be November 1984, for the 1984-85 financial year. The funds would be paid into the Dog Fence Fund for distribution to the dog fence owners who are the immediate neighbours of the cattle lessees. The rate of payment would be reviewed every five years. It is pleasing to note that the agreement was reached at an open meeting by a unanimous decision, and all parties are to be commended for their fair-mindedness and willingness to assist to resolve the matter. It may also be noted that the arrangement will affect seven cattle lessees who occupy land abutting the dog fence for an approximate distance of 900 kilometres. It is therefore expected that the contributions will total approximately $33 750 per year during the first five years. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 makes consequential amendments to the interpretative section of the principal Act. Clause 3 amends section 24a of the Dog Fence Act to clarify the application of Part III of the Act so that it will accord with accepted practice, being that the owners of land inside the fence are, for the purpose of this Part, to be regarded as the owners of the fence.

Clause 4 proposes the insertion of a new section 28. This proposed new section allows the Board, in respect of any financial year, to charge an occupier of land immediately outside the dog fence to pay an amount towards the costs of maintaining the fence. The charge is to be assessed according to a prescribed rate per kilometre of dog fence that is adjacent to the land being occupied. It will be due and payable within 28 days and recoverable as a debt.

Amounts received by the Board are to be paid to the owners of land inside the dog fence in proportion to the length of fence that they own that is contiguous to land occupied by the persons who have been charged under the section. It is proposed that the rate per kilometre of dog fence that may be charged initially be $37.50, and that the Board then be required to review that rate on a five-yearly basis after consulting the United Farmers and Stockowners of S.A. Incorporated. The section will apply to the 1984-85 financial year, and every financial year thereafter.

The Hon. M.B. CAMERON secured the adjournment of the debate.