

## NOXIOUS WEEDS BILL.

Second reading.

The MINISTER of AGRICULTURE (Hon. S. R. Whitford)—The law relating to the destruction of noxious weeds is contained in the Thistle and Burr Act of 1862, and in the various Acts amending and extending the same. The provisions of these Acts are out of date and too rigid for effective administration. This Bill, therefore, repeals the existing legislation dealing with noxious weeds and enacts new provisions in their stead. In an Act dealing with the destruction of noxious weeds it is essential that its provisions should be sufficiently elastic to provide for plants to be declared noxious weeds as the occasion warrants and within such portions of the State as is desirable. A plant regarded as a noxious weed in some portions of the State is not regarded as such in other portions; while some plants are so prevalent in certain portions of the State that it would be futile to attempt to eradicate them. Under clause 7, therefore, the Governor is given power to declare by proclamation any plant to be a noxious weed throughout the whole or any portion of the State, also to declare that any plant

declared to be a noxious weed shall cease to be a noxious weed throughout the whole or any portion of the State. Under clause 8 the duty is imposed on every municipal and district council of destroying all noxious weeds on all land vested in the council except public roads. The clause further empowers the council to impose a rate on the land within its district sufficient to provide funds for the purpose of complying with the provisions of the clause. Clause 9 provides that every council shall, within its district, strictly carry out and enforce the provisions of the Bill relating to the destruction of noxious weeds. If the Minister has reason to believe that any council has failed, or is failing, to strictly carry out or enforce within its district the provisions of the Bill relating to the destruction of noxious weeds, he may cause an inspection to be made of the district by an authorised officer who will report the result of his inspection to the Minister. If the Minister is satisfied that the council is failing in its duty under the Bill he may give notice to the council requiring the council to strictly carry out or enforce its provisions. If the council fails to comply with the notice the Minister may himself carry out and enforce the provisions of the Bill within the district of the council and may recover the cost of so doing from the council. Division II, of Part III, deals with the obligations of owners and occupiers of land to destroy noxious weeds on their land. Clause 11 provides that every owner and every occupier of land shall at all times destroy all noxious weeds on the said land and upon the half width of all public roads adjoining the same. Under clause 12 power is given to every authorised officer, with or without assistants, to enter upon any lands for the purpose of ascertaining whether any noxious weeds are upon the land. If the authorised officer finds any noxious weeds on the land he may give notice in writing to the owner or occupier requiring him to destroy all noxious weeds upon the land and upon half the width of all public roads adjoining the same. If the owner or occupier fails to comply with the notice he is liable to a penalty of not exceeding £5 for a first offence and £20 for every subsequent offence. In addition, the authorised officer may enter upon the land in question and destroy all the noxious weeds upon the lands and roads comprised in the notice. Clause 17 places on

the owner or occupier the liability of paying all the costs and expenses incurred by the authorised officer in destroying the noxious weeds on the land of the owner or occupier and the half width of the adjoining public roads. This amount may be recovered by proceedings against the owner or occupier in any court of competent jurisdiction or in any other of the other methods provided in clauses 19 to 23 for the recovery of the same. Division 3 of Part III. makes special provision for the destruction of noxious weeds on breakwind reserves in the Pinnaroo Railways District and on drainage lands in the South-East. The duty of destroying noxious weeds on these breakwind reserves and drainage land is imposed, under this division, on the owners and occupiers of the land adjoining the breakwind reserves and drainage lands. Part IV. deals with the methods of giving notices required to be served on owners and occupiers of land and with the

power of the Governor to make regulations under the Bill. Part V. imposes penalties for such offences as interfering with or molesting an authorised officer engaged in carrying out his duties under the Bill. Part VI. deals with general matters of procedure in legal proceedings under the Bill. Under clause 44, if a council institutes any legal proceedings for an offence under the Bill committed within the limits of the district of the council, the moneys received as penalties will be paid to the council. In all other cases the moneys received as penalties for offences against the Bill will be paid into general revenue. I move the second reading.

The Hon. J. COWAN secured the adjournment of the debate until July 17.

ADJOURNMENT.

At 3.33 p.m. the Council adjourned until Friday, July 17, at 2 p.m.