

DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT — WORK ORDERS —
WEED AND PEST CONTROL NONCOMPLIANCE

1313. Hon Colin Holt to the Minister for Agriculture and Food:

- (1) Does the Department of Primary Industries and Regional Development (DPIRD) have the power to issue work orders for the non-compliance of weed and pest control to the owners or managers of:
 - (a) freehold land;
 - (b) unallocated Crown land,;
 - (c) Crown land;
 - (d) shire road reserves;
 - (e) State road reserves; and
 - (f) freehold land owned by government agencies?
- (2) If a work order is issued and not complied with, does the DPIRD have the power to engage a contractor to do the work and, if so, who is financially responsible for the costs of the necessary work and, if needed, who bears the legal cost of recovering the contractor fees if unpaid?
- (3) Does the Blackwood Biosecurity Group have the power to direct the DPIRD to issue work orders?

Hon Alannah MacTiernan replied:

- (1) (a)–(f) Yes.
- (2) Yes. Under section 38 of the *Biosecurity and Agriculture Management Act 2007* (Act) if a person does not comply with a Pest Control Notice the Director General may take remedial action in accordance with section 94 of the Act and recover the cost from the person accordingly. The power to take remedial action under section 94 includes power to engage contractors. If legal action is necessary to recover the costs of any remedial action taken, the legal costs are recoverable under the normal court rules.
- (3) No. No entity has power to direct DPIRD to issue a Pest Control Notice under the Act.