

12 SEP 2018

LEGISLATIVE COUNCIL

Question On Notice

Wednesday, 15 August 2018

1572. Hon Robin Chappie to the Minister for Regional Development; Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade

I refer to the photos found here, <https://robinchapple.com/2018-06-06-leopold-downs-station-stray-cattle>, of a dead cow bearing the Leopold Downs Station brand 'ORS', struck on 6 June 2018 by a vehicle, 50-55 km from Fitzroy Crossing heading to Derby, and I ask:

- (a) was the Leopold Downs Station informed;
- (b) if no to (a), why not;
- (c) if yes to (a), was compensation offered to the vehicle owner by Leopold Downs Station;
- (d) if no to (c), why not;
- (e) is it an offence to allow cattle to roam the highways under either State or local government laws;
- (f) if no to (e), why not;
- (g) if yes to (e) in either case, was action taken against Leopold Downs Station for allowing stock to roam the highway;
- (h) if no to (g), why not;
- (i) in relation to a further vehicle accident on the Great Northern Highway reported by the ABC Kimberley on 11 August 2018, was this reported to the police;
- (j) if no to (i), why not;
- (k) if yes to (i), did the police investigate who the animal belonged to; and
- (l) if no to (k), why not?

Answer

- a) Unknown
- b) The Department of Primary Industries and Regional Development is not responsible for notifying stations of vehicle collisions involving cattle.
- c) Not Applicable
- d) Compensation is a civil matter between the car owner and the station lessee.
- e) Yes
- f) Not Applicable
- g) No
- h) Under the *Highways (Liability for Straying Animals) Act 1983* liability for injury or damage to people or vehicles caused by stock straying onto a highway is determined by a

court of law according to the laws of negligence, the laws governing intentional acts or omissions and the circumstance of each case.

i) Unknown

j) The Department of Primary Industries and Regional Development is not responsible for notifying WA Police of vehicle collisions involving cattle.

k) Not Applicable

l) Not Applicable

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