

Date:

To:

By Email:

Baiting Program:

Date of Notice:

## **POISON BAITING : NOTICE OF OBJECTION Toxic Trespass and Private Nuisance Notice**

We are writing to **PUT YOU ON NOTICE**

**WE THE UNDERSIGNED** oppose 1080, PAPP or any other Chemical toxin being on a property occupied by any one of the signatories to this Notice, because of the highly toxic nature of compound 1080, the risk of harm or death to our family members or ourselves, our domestic pets and animals and the potential for environmental damage to flora and fauna, including native wildlife and habitat.

It has been proven that ingestion of 1080 poison will cause death in animals and potentially humans. There is no antidote. Baits laced with 1080 poison and other similar toxins can represent a hazard to humans and animals for up to eight months after baits have been laid or dropped from a helicopter. PAPP or any other toxin on our property is also strenuously opposed.

*(Longevity of Meat Baits in Central Australia – Final Report to National Feral Animal Control Program 1999 which found that baits “are likely to provide a hazard...for up to 8 months”)*

Current proposals to lay or aerial drop poison baits near to, adjacent or in the vicinity to our property could give rise to a claim of **Toxic Trespass and Private Nuisance** by me/us, the signatory/ies to this Notice, caused by the presence of poison Baits on our properties. This is because it is common knowledge that a fox or bird(s) will carry poison baits for considerable distances. Some research indicates up to 2 kilometres, and it is therefore a **reasonably foreseeable event** that land near to or in the vicinity of or adjacent to where poison baits are laid or are to be dropped from a helicopter may ultimately

be carried some distance to a property and that property ultimately interfered with by toxins.

We have been advised and believe it is not necessary to show the interference with a property occupied was direct or intentional, but that the interference was a **reasonably foreseeable consequence of baiting activities** conducted nearby. For that reason, we are placing you on **NOTICE OF OUR OBJECTION to any toxins being on my/our property.**

### **Reasonably Foreseeable Consequence**

There is very good reason to believe that a poison bait dropped by helicopter or laid on neighbouring or adjoining property or in the vicinity of a property occupied by the signatory/ies to this Notice could be carried on to the property/ies occupied by the signatories to this Notice, by an animal, a fox or bird, and, as a consequence cause interference/loss and damages.

### **APVMA Review Findings 2008**

*In Review Findings Sodium Fluoroacetate, Technical Report, The Reconsideration of Registration of Products containing Sodium Fluoroacetate and Approvals Published February 2008, paragraph:*

#### **5.2.3 Uptake and Movement of Baits**

*"Movement and caching of meat baits by foxes is a well documented problem.... "can compromise baiting operations." It is further documented "Some baits were moved up to 800 metres from the baiting point" (Page 21)*

Published evidence from APVMA states "it is a reasonably foreseeable event that foxes could carry baits" on to a property, should you proceed with the proposed poison baiting program.

It is therefore a reasonably foreseeable event that any of our domestic pets or animals could be exposed to poison baits and will die after ingesting poison baits caused by the baiting program near to or adjacent to my or our property/ies.

It is common knowledge 1080 poison causes death to any living and breathing creature, there is no antidote, it is an undisputed fact. PAPP poison is also responsible for causing deaths in domestic dogs and will destroy guardian dogs. The cruelty has been acknowledged by many authorities, RSPCA and Humane Society International, to name two, and death caused

by poison 1080 poison ingestion has been reported as an "horrific death".

It is not unreasonable to believe that a small child could die after ingestion of a small quantity of poison 1080. If 1080 poison or PAPP can kill a dog, it is reasonable to believe that a small child could also die from accidental ingestion of a bait laced with poison.

**For these reasons, WE OBJECT to poison baits on any land occupied by us**

We believe the information set out in this letter to be relevant, reliable and clear, and based upon Government investigations and reports prepared by the Statutorily appointed Authority APVMA.

You are therefore **ON NOTICE** that should a poison bait be found on a property occupied by any one or more of the signatories to this Notice, and/or that a bait interferes with property occupied by any or more of the signatories to this Notice, and as a consequence causes a Toxic Trespass and Private Nuisance including loss and damages, whatever legal proceedings available shall commence without further notice.

Further, should any signatory or signatories to this Notice suffer any loss or damage caused by the presence of any poison baits on an occupied property, as a consequence of the proposed baiting program despite this **NOTICE OF OBJECTION** and which subsequently brings about death in any domestic pet or animal on land occupied by a signatory or signatories to this Notice, or causes ill health or at worst death to family members of a signatory or by that signatory, the next of kin to the signatory, that signatory to this Notice or legal personal representative shall hold you personally responsible for any loss or damages and shall take whatever action is available including seeking pecuniary damages for all loss and damage plus punitive damages against you, occasioned as a consequence of the proposed toxic baiting program, and will seek an Order for all legal costs incurred in pursuing such damages claim.

Yours faithfully,

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