

AGRICULTURE AND RELATED RESOURCES PROTECTION AMENDMENT BILL 2010

Second Reading

Resumed from 15 September.

MS R. SAFFIOTI (West Swan) [3.37 pm]: I do not want to spend too much time —

Mr D.A. Templeman: That is the most common thing I hear in this place.

Ms R. SAFFIOTI: — and given that I cannot find my notes —

The ACTING SPEAKER (Mr J.M. Francis): Member for Mandurah, I should remind you about interjecting in this house. I remind you that you are —

Mr D.A. Templeman: I haven't had any calls!

The ACTING SPEAKER: You are on no strikes today!

Mr D.A. Templeman: Absolutely; I have been very good—although I am looking for an early pass.

The ACTING SPEAKER: As long as Collingwood win, we will all be happy! The member for West Swan has the call.

Ms R. SAFFIOTI: As I said, I do not want to spend too much time this afternoon, but the opposition's key concern is the abolition of the Biosecurity Council, as was raised by the members for Gosnells and Collie–Preston yesterday. We do not want to see any reduction in the government's commitment to disease and pest management, which is a very serious issue for the agricultural industry, and I am worried about the abolition of the council. We need the best experts to give the best advice to ensure that we protect our agricultural industry.

The electorate of West Swan is home to the equine and viticulture industries.

Ms L.L. Baker interjected.

Ms R. SAFFIOTI: Sorry?

Ms L.L. Baker: Sorry; I was just commenting about drinking and riding—what a choice!

Ms R. SAFFIOTI: Exactly.

Those industries are important to the state, and they are also part of a lifestyle choice for a number of people. We need to do everything we can to ensure we have good systems in place to manage disease and pests. As the representative for the electorate of West Swan, which encompasses a big portion of the Swan Valley where there are a number of horse owners, and the equine and viticulture industries are very strong, it is a key concern for me.

That is a matter that we have serious concerns about, so will the minister provide some commitment in his response as to how we can ensure that our biosecurity protection is not reduced? The minister's second reading speech said that the current budget situation prevents the government from maintaining the Biosecurity Council, but I do not know when that speech was written and maybe that is no longer the case. For example, royalties for regions has quite a big budget and funding could come from all different areas of government. I believe that biosecurity is something that we cannot reduce our efforts in, and, again, it is something that is very significant for my electorate.

I will briefly finish with a couple of comments about agriculture policy in the state and what I believe we should have a renewed focus on. We talk a lot about the food bowl of the north, but I am a big supporter of having a good agriculture industry close to the metropolitan area. I believe that there is an increasing need and an increasing want in the community to attend things such as farmers markets, and we see them popping up throughout the suburbs. I do not think that as a state and a government we place enough importance on undertaking policy work to ensure that we have good land close to the city to allow for market gardens, orchards and viticulture to continue and thrive. As I said, I believe that it adds another dimension to living in the metropolitan area. Around the urban fringe where the metropolitan area meets the regional boundaries, we need to be far more aggressive in looking at how we can maintain a strong agriculture industry close to the city. I grew up on an orchard in Roleystone and I think there is increasing interest from people to meet farmers, orchardists and market gardeners on the weekends and buy their fresh produce. I think that is something that we need to do better.

In my area, and I think throughout Wanneroo and also the Swan Valley, the increasing tension between the need for land for urban development and trying to retain some sense of agriculture within the proximity of —

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Mr D.T. Redman: What are your views on chicken processing facilities, which are also under pressure from that urban growth, as are a lot of the industries that you talked about, which might be a bit more palatable to the public than maybe some of those other industries that are also key agriculture industries?

Ms R. SAFFIOTI: I am not across any specific examples. I know that broadly there is an issue, I think, possibly in North Wanneroo.

Mr D.T. Redman: On that urban fringe, there are a number of agricultural industries that produce a range of things, like broiler chickens and eggs, which are under pressure from urban growth because of smells and other things, and that is putting pressure on the sector. They are also agricultural industries along the same lines you talk about.

Ms R. SAFFIOTI: The government talks about the Ord quite a bit and the subsidies being invested in the Ord to make that work. Let us face it: hundreds of millions of dollars have been invested to try to make that work. There were some proposals—I do not want to say around Gingin, but I will say it because I think that is where it was—to create a district to where we could move agriculture. There are all these issues that I think we need to contemplate. I believe there was a proposal—I am not sure whether it ever advanced—for recycled water from the Alkimos treatment plant, which is being built, to be treated in such a way that it can then be used for agricultural activities. I think it would be really smart and a great investment for Western Australia to look at some of these things that are happening. For example, the Alkimos treatment plant will flush millions of tonnes of water into the sea and we could look at treating that. The Department of Health has had concerns about water treatment and the quality of water to be used in agriculture, and all these obstacles need to be overcome —

Mr A.P. Jacob: Would the mound recharge trial be a better way?

Ms R. SAFFIOTI: That is happening anyway but that issue is quite different. Alkimos is a dedicated new plant that is being constructed. There is an issue about recharging the Gngangara mound but that is happening with the existing water treatment plant. The Alkimos plant will be a brand-new water treatment plant. I am not totally across it; I am not exactly sure of its progress, but the last time I remember looking at the issue we were still pumping tonnes of water into the sea. Therefore, whether we can actually —

Mr A.P. Jacob interjected.

Ms R. SAFFIOTI: I know that the recharge is there and there are issues with the pine plantation and trying to get more water into the aquifer, but as a policy more generally —

Mr D.T. Redman: I'm sorry; I actually like this debate but some time on relevance might be needed. I do not want to raise a point of order against you, member, because I actually quite like this discussion, but I am keen to move on.

Ms R. SAFFIOTI: I will just finish. Yes, I was talking more generally, but the minister raised the issue about the chicken farm.

Mr D.T. Redman: Sure.

Ms R. SAFFIOTI: This is an increasingly important issue and we find it coming up, for example, in my district and particularly in Wanneroo. At least the Swan Valley is covered by the Swan Valley Planning Act, which, in part, protects the viticulture industry, but this is an increasingly important issue. I do not want a situation in which children cannot see how apples and lettuces grow; that would be ridiculous. A lot of effort has been put into the Ord. As I said, hundreds of millions of dollars have been provided in subsidies, and we can argue for that, but I think —

Mr D.T. Redman: I don't agree with your subsidies; I do not believe it is a subsidy.

Ms R. SAFFIOTI: Okay. The other issue is that governments are always excited about new things. They are like children who are very excited about their new toys and forget about their existing toys. However, we have existing agricultural industries, market gardens, orchards, viticulture and an existing equine industry, and we need to put as much effort into preserving them and ensuring that they have as much of a sustainable future as we try to create with these new sparkly things. This is because, again, the majority of our food still comes from this area. Food production is increasingly popular nowadays with the growth of interest in organic food and in having a direct relationship between the farmer and the customer. Therefore, we need to ensure that we have policies in place to better promote and protect those agricultural industries.

MR D.T. REDMAN (Blackwood–Stirling — Minister for Agriculture and Food) [3.47 pm] — in reply: I thank members for their contribution to the second reading debate of the Agriculture and Related Resources

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Protection Amendment Bill 2010. I will walk through a couple of points that have been made, and I hope that we will make short work of the bill today.

There is a fundamental point that all members, with the lead from the shadow minister, have got wrong in their assessment of this bill. In all the arguments that have been raised, the point has been made that this bill moves to abolish the Biosecurity Council. That is simply not the case. The member for Gosnells referred to my second reading speech, from which he quoted —

In view of the current budget situation and the government policy to reduce the number of boards and committees, the continuation of both the APB and the Biosecurity Council can no longer be justified.

The key word in that sentence is “both”. The point is that there is no intention whatsoever to get rid of the Biosecurity Council; in fact, I supported it in opposition when the bill was taken through by the then government in, I think, 2007. At this time we are in transition between old arrangements and the full implementation of the Biosecurity and Agriculture Management Act. The Agriculture Protection Board is still in place, so we have a duplication of process and resource. I am sure that even the opposition would accept that we simply cannot have two boards operating at cross-purposes. This legislation is in many ways transitional because we are not in a position to fully implement the Biosecurity and Agriculture Management Act. I think the member for Gosnells mentioned that a range of regulations need to be put in place to achieve that; however, this bill will enable us to transition to a position to fully implement the Biosecurity and Agriculture Management Act.

The only reason that the APB remains in existence is to fulfil the function of declaring plants and animals. Therefore, we have an entire board in place. This board meets, with a cost involved to do that, and its whole purpose is to declare plants and animals. This amendment bill seeks to shift the responsibility or the power to declare plants and animals to the minister, which is in concert with what the Biosecurity and Agriculture Management Act will have in place. That legislation was passed by the previous government in 2007, so I would not have thought that the opposition would oppose that point. This legislation also formalises giving the board’s operational role to the Director General of the Department of Agriculture and Food which, in practice, has been in place for more than a decade. The Agriculture and Related Resources Protection Amendment Bill is a transitional bill to transfer the responsibility of declaring plants and animals from the Agriculture Protection Board to the Minister for Agriculture and Food, consistent with the Biosecurity and Agriculture Management Act; and to formally give the board’s operational role to the Director General of the Department of Agriculture and Food which, as I said, has been the case in practice for more than a decade. There were many arguments about this government’s commitment to biosecurity. Opposition speakers picked up on this issue in unison, starting with the shadow Minister for Agriculture and Food saying that he would move amendments and so on to sort out the areas where the government is dropping the ball. The members for Gosnells, Mandurah, Rockingham and Maylands also argued that the government was going to can the Biosecurity Council. That is absolutely not the case; this government is committed to biosecurity in this state. In fact, we have committed \$36 million to biosecurity, and that is certainly consistent with the resources that had been deployed by the previous government. The member for Mandurah made the point that the amendments proposed by the shadow Minister for Agriculture and Food were legitimate, valid and genuine; however, the shadow minister failed to get a briefing and therefore an understanding of what this bill proposes. In his second reading contribution he grabbed onto the idea that the government considered both the APB and the Biosecurity Council to be no longer justified and would can them. I can categorically say that that is, in fact, not the case.

Mr C.J. Tallentire: You would concede, though, that the particular sentence that you read in your speech is very poorly and ambiguously worded.

Mr D.T. REDMAN: I can understand how the member came to that conclusion, but when members raise issues in this house and talk about points of law—this bill will become law—it is appropriate to be briefed and to take legitimate steps to mount arguments.

Mr C.J. Tallentire: In fact, minister, I would say that it was because we on this side of the house were well aware of the intended transitional arrangements from the APB to the Biosecurity Council that we were particularly concerned when we read that statement in your second reading speech.

Mr D.T. REDMAN: I beg to differ with the member; I believe that it still reads fairly. It makes the point that to have both in place under the current financial circumstances is not realistic. I highlight that the Biosecurity Council will not be abolished, and I am hoping that that statement will settle this point of the debate from the opposition. As I understood it, the opposition’s argument was centred around the fact that there are no governance arrangements—I think that is the wording that the member for Gosnells used—for the management of biosecurity in this state.

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There are a couple of other clauses that were supported by the shadow Minister for Agriculture and Food in his contribution to the second reading debate. Those clauses are designed to change some of the fines that exist under the Agriculture and Related Resources Protection Act. Because we will now come under the Biosecurity and Agricultural Management Act, the current fines are now old and need to be updated. I hope that highlights to the opposition the government's position in saying that we need appropriate fines and penalties in place for people who breach issues of biosecurity, and also highlights this government's focus on biosecurity and the need to maintain the most stringent of processes in Western Australia.

I do not know that there are many other matters to raise.

Mr C.J. Tallentire: I raised this matter in my speech yesterday. Perhaps we have misread this, but I invited your interjection and you did not take the opportunity.

Mr D.T. REDMAN: No, I did not.

Mr C.J. Tallentire: Was that because you, at the time, did not realise what your second reading speech was saying?

Mr D.T. REDMAN: I would say that when members take up issues on matters of legislation, it is important for them to be briefed. I offered briefings and the opportunity was there for members. The shadow Minister for Agriculture and Food talked about the same issue in his contribution to the second reading debate, and members opposite clearly took their lead from that.

If I had more time, I would go into one of the issues that is playing out federally; I am sure it is an issue that the member for Gosnells is probably close to, and that is the Beale review. Some changes to the rules were picked up under the last federal Labor government. I am not quite sure what the new federal settings will be under the new federal Minister for Agriculture, Fisheries and Forestry. However, early commentary suggests that he is taking up the same position as existed under the previous Labor administration. From Western Australia's perspective, we need to be very cautious that we do not lose an appropriate resource for dealing with biosecurity. In that debate and discussion, we need to make clear that we are cognisant of Western Australia's unique circumstances in being what I refer to as a "biological island", and the opportunities that we have to remain free of a range of pests, diseases and declared plants and animals that are endemic in some other areas of Australia. I have raised that point on a couple of occasions at ministerial council meetings, and I will continue to raise the same issues to ensure that Western Australia gets a good hearing on that front. I think that that is an area in which the opposition can play a key role and, being close to its federal colleagues, ensure that Western Australia is adequately resourced.

A number of other points were raised that fall outside the brief of this bill by the member for Maylands and the member for West Swan. Although I would have loved to have taken up those very important discussions, they do not fall within this brief.

With that, I will close my remarks. I think I have answered the questions that directly relate to this bill, and have hopefully highlighted to the opposition that the government is not going to get rid of the Biosecurity Council. I hope that allays any fears the opposition might have about the government dropping the ball in respect of biosecurity. I trust that we will have the opposition's support in seeing this bill through.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

MR D.T. REDMAN (Blackwood–Stirling — Minister for Agriculture and Food) [3.57 pm]: I move —

That the bill be now read a third time.

MR C.J. TALLENTIRE (Gosnells) [3.58 pm]: I am greatly reassured by the Minister for Agriculture and Food's words, and pleased to hear that the Biosecurity Council is not facing its last days and that it is not about to be eliminated. That greatly reassures us. I say again, however, that during the course of the second reading debate, I and other members invited the minister to correct us if we had misunderstood things, but he did not take that opportunity. I suspect that that may have been because, at the time, he was not sure about the actual interpretation of his second reading speech.

Mr D.A. Templeman: I'm certain of it.

Mr C.J. TALLENTIRE: That said, I am pleased with what has come forward from the minister. Upon reflection on the second reading debate, there were some great contributions from members on this side of the house. However, I am very disappointed by the absence of any contributions by members on the government side. Traditionally, the Western Australian public looks to the conservative parties, the Liberal Party and the National Party, to be the defenders of all things rural and regional—to be the parties that talk about those things that impact on the day-to-day lives of people in regional areas. This debate has shown that only the members of the Labor Party, the members on this side of the house, really care about things rural and regional. We had strong contributions from only members on this side of the house on all matters relating to pests and invasive species. Not one contribution came from members opposite, apart from the Minister for Agriculture and Food, who has carriage of the bill and therefore was bound to speak, but he was quite brief. I was very disappointed that the member for Geraldton did not make a contribution. I know that the member for Geraldton is passionate about defending agriculture in his area. There are many issues to raise and he could have added to the quality of the debate on a bill that, after all, is about agriculture and natural resource protection, but there was no contribution at all—likewise, the member for North West, representing the National Party. Many benefits come to the state from protecting and looking after our biosecurity. The area represented by the member for North West is particularly vulnerable to incursions by invasive species. We have invested a lot of money to counter problems in the North West that have come about because of foxes and other invasive species.

Mr D.A. Templeman: Some consider the member for North West an invasive species. I wouldn't say that. Some would say that.

Mr C.J. TALLENTIRE: I think there is a lot in what the member for Mandurah says.

This bill is of absolute importance to anyone who is interested in environmental matters. I was disappointed to note that there was no contribution from the member for Fremantle. Looking a little closer to Perth, there are electorates in which we have some of that peri-urban environment—that interface between the suburban and the rural. I am talking about areas such as the Darling Range, which has an increasing spread of weed species. In her speech the member for Maylands referred to a number of the weeds that invade people's properties that are on that interface. The reason people become strong environmentalists is that they realise how damaging it is when mistakes are made. There is no going back. Once these mistakes are made, once we let soursob, Cape tulip, Paterson's curse or any of those weed species take hold in our natural environment where they have no natural predators, they are ready to become monocultures that wipe out productive land and put environmental values at risk. It was very disappointing that the member for Darling Range did not make a contribution.

The electorate of Vasse is renowned for its arum lilies. In the previous Parliament the member for Capel, Mr Steve Thomas, presented a bouquet of arum lilies to the then environment minister. We have to tackle that issue of arum lilies. A species such as arum lily, a bulbous species, is very hard to eradicate once it takes hold.

The member for Swan Hills and the member for Murray–Wellington made no contribution. The people of Western Australia have to be clear about this: those members who really care about this issue are members of the Labor Party—the members who sit on this side of the house. Yet again, I am very proud to be a Labor member because we speak up for those issues that are likely to affect the state of Western Australia. It costs us so much in agricultural production and potential loss of amenity when these invasive species take hold of our natural environment.

I am very pleased that the future of the Biosecurity Council is assured. I am very pleased that we will be able to draw on that body of expertise and the minister will be open to the advice that the Biosecurity Council gives. I trust that he will be open to the sometimes inevitable controversial comments that the Biosecurity Council will need to make. There is a very strong role in our modern government structure for bodies whose membership is perhaps appointed by the minister to act with a fair degree of autonomy. I hope the minister will enable people to speak out if they see an issue that the government is letting slide. I trust he will allow people on the Biosecurity Council to use their position to speak out on those sorts of issues. I return to an issue that I touched on in my speech during the second reading debate; that is, whether the minister sacked a member of the Biosecurity Council because he did not like her views on genetically modified crops. That was disappointing. That person, Dr Maggie Lillith, has a very high degree of expertise; she is expert in feral animal control. She did her doctoral thesis on problems associated with feral cats. She has a broad range of biosecurity expertise but her term on the council was not renewed because she wanted to speak out on issues relating to the introduction of GM crops in Western Australia. In terms of the governance arrangements, I am reassured that we will maintain the Biosecurity Council but we need some reassurance that it will be a body that is empowered by the minister to speak out where necessary. Its members need to feel that they can comment on things in the media, help create that space for good public debate, help the people who convey to the broader community the sense of urgency about action and help convey to the broader community an understanding of why we have to spend a lot of

Extract from Hansard

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money on biosecurity activity. Sometimes the minister will get hit by people on the council, if he allows it to act in the correct way, but at least he will enable the Western Australian community to be engaged in such an important issue. I think the minister's own standing would be enhanced by allowing that debate to take place. That is the position that the previous minister, Hon Kim Chance, took. He understood that sometimes governments set up autonomous bodies that are critical of ministers and they have to take a bit of a hit. Overall, it improves the quality of understanding in the Western Australian community and it will potentially improve the minister's standing and stature as Minister for Agriculture and Food.

I recognise that the other aspects to this bill are principally transitional and about improving that movement from the old Agriculture Protection Board, which all members on this side of the house understood was to be phased out and quite quickly replaced by the Biosecurity Council. I am pleased that we have clarified that situation. I look forward to hearing recommendations from the Biosecurity Council and reading its reports. I look forward to hearing about the strategy that it has put before the cabinet and how that will protect Western Australia from all those invasive species that are such a potential threat to Western Australia.

MR D.A. TEMPLEMAN (Mandurah) [4.09 pm]: I will be very brief. I am pleased that, through the forcefulness of the opposition, we have forced the Minister for Agriculture and Food to clarify the issue of the Biosecurity Council and the status of it. Yesterday during the debate on this Agriculture and Related Resources Protection Amendment Bill a number of members on this side of the house, led by the shadow spokesperson, the member for Collie–Preston, very eloquently highlighted a number of concerns and issues. I also join the member for Gosnells in saying how pleased I am that the Biosecurity Council will continue in its role. I did not sleep well last night after I left this place; I tossed and turned as I was concerned that it may not continue to exist. In all seriousness, it is disappointing that members opposite did not make any contribution, and the member for Gosnells highlighted a number of those members. The underlying theme of this bill is very serious. It is the ongoing fight, if we like, against noxious flora and fauna that threatens our agriculture.

Mr D.T. Redman: They were obnoxious yesterday.

Mr D.A. TEMPLEMAN: That is true; and they are too. I thought my contribution yesterday was one of the most outstanding contributions I have made! But, as members know, I am a very modest person. I was disappointed that we did not hear from members opposite, particularly the member for Wanneroo, because he is very eager to interject in this place. The member for Wanneroo represents an area that has significant horticulture, particularly fresh fruit and vegetables for the metropolitan area. I was astounded yesterday when the member for Wanneroo failed to make a contribution. The member for Gosnells has gone through a number of other members who did not contribute. At the end of the day, members in this place must stand up and reiterate our concern for our locales, particularly when we represent areas that are important parts of the agricultural and horticultural industries. I was disappointed that did not happen.

The member for Collie–Preston is very keen to make a contribution—very shortly! When I am on the right side of the member, he may recognise that I am trying to attract his attention. However, I am sure that when the member gets up to speak, he will ask series of questions that he would have asked during consideration in detail had we not granted leave to proceed to the third reading stage. I know that the Minister for Agriculture and Food will be able to —

Mr D.T. Redman: A series of questions that he is asking in the third reading!

Mr D.A. TEMPLEMAN: Exactly, but we are being very kind to the Minister for Agriculture and Food because some of us have a long way to travel. People like me, who live in the regions, have a long way to travel tonight, so I am very keen to get out of here—extremely keen. I am sure that the member for Collie–Preston has a couple of questions that I will listen to from my office—or indeed from my iPhone as I make my way down to Mandurah very shortly.

MR M.P. MURRAY (Collie–Preston) [4.13 pm]: I missed some of the debate on this Agriculture and Related Resources Protection Amendment Bill due to urgent parliamentary business. However, having now been informed that the Biosecurity Council of Western Australia is being retained, some of my concerns have been allayed. As I said previously, the minister reneged on some of the things that he said he would do during the debate on genetically modified crops, and he found excuses not to do them. I hope we will not see the same thing happen with this bill. The minister put his points forward in this bill, but he did that in a previous bill and members on this side were very disappointed when he did not honour his commitments.

I would like to comment on the lack of speakers from the government side, especially members who represent country people and regional areas. Those members have far closer ties with the farming and grower communities than I and some other people on this side of the chamber have. It has been extremely disappointing. It looks like

the minister has been left to carry the can. The minister certainly does not represent his area very much these days; he seems to be away and busy doing other things, which is starting to concern his constituents.

Clause 12 deletes the requirement for the Agriculture Protection Board to publish each year in the *Government Gazette* a list of declared animals and plants. That was considered unnecessary as this is now accessible on the department's website. Could the minister advise who processes that list, and how one gets something onto that list? Is that done through the department, or can someone write in and say, "I think we have this weed and we need to put it on the list because it is a new one we have not seen it before." As a member of the Economics and Industry Standing Committee we toured some pastoral leases, and when we asked, "What sort of plant is that?", the pastoralists had no idea, although they thought it might be an introduced species. I would like some more detail about how those plants are identified and how they are put on the list and then published on the website.

To move on a little, I refer to the increase in penalties. I have always been concerned about people's ability to pay increased penalties. We know that sometimes farmers are financially stressed; they are asset rich but do not have a great deal of cash in their pockets. For example, one year they might miss spraying an area, and they receive a notice but do not have the financial capacity to fix that problem. This bill provides the opportunity for the department to go to court and probably to foreclose on someone's property for not complying with the requirement for spraying or ploughing something in, or that sort of thing. Does the bill contain a hardship clause or a provision for people to defer payment? I think it should. In many areas there has been the opportunity over many years for the old time payment method. I could not find it. Previously there was some relief for pensioners: time to pay and different ways to pay that off, and also some concessions. I do not see those concessions in this bill and maybe the minister could also point me to those concessions.

Clause 18 increases the penalty if the occupier of private land fails to comply with the obligation to control declared plants and animals. Again, I can be corrected and pointed in the right direction on the situation with Department of Environment and Conservation land and also station land, which is leasehold and not private land. How does that fit into this bill? Are there any penalties across government agencies? Those penalties should apply to all people who do not take their responsibilities seriously and cause problems for our great state. I could probably add to that organisations like Western Power, whose workers can drive through people's paddocks maybe carrying seed under the truck, and if they hit a bump and a lump of sand falls off, it could contribute to the spread of, say, Paterson's curse or something like that from absolutely miles away. What compensation could the farmer get due to these problems being introduced, the cost of which comes back to the farmer?

That is something that we have seen in other areas; in dieback areas where we have to have the trucks washed down before they can move into another section of forest. The process needs to be the same with the carriage of seeds from one area to another and, God help us, even from a genetically modified paddock across to a non-genetically modified paddock. A truck might go 50 kilometres down the road, because that is their work entitlement for the day, the seeds could get blown off the truck because it had driven through the GM paddock. The person down the road's property then gets contaminated with GM seed. He might have been an organic grower and have his business jeopardised because of that GM seed. I did not hear any of that discussion around this bill and I think there should have been some, especially as some government agencies now contract out work. Not all contractors are as vigilant as they should be and this could cause major problems in the future.

There is also the issue about shires having to do a cleanup under the direction of the Department of Agriculture and Food or Minister for Agriculture and Food. I understand that when costs become high, compensation for those shires has not been forthcoming. While there are some valid arguments for joint works, if the direction has been given by an outside body, why should the local ratepayers have to pay to clean road verges et cetera under this bill? I do not think that monetary issues, fines, and who pays them have quite enough coverage in the bill and need to be addressed in more detail. I could be convinced otherwise, but at this stage I do not see that.

Poison is another issue that is very important and comes under several areas in this bill, an example being clause 22 in the poison section. We can go back many years to the issue of 2,4,5-T. Agricultural workers are still suffering from its use because it was just signed out. I believe this bill is far looser in that regard than the previous legislation on this issue. Clause 22 simply states —

The Director General may supply poison under subsection (1) despite anything to the contrary in the *Poisons Act 1964*.

I do not quite understand how it can say "despite anything to the contrary in the *Poisons Act 1964*". I believe that the *Poisons Act* should be the overriding legislation and if the director general can bypass the *Poisons Act*, I think we are in for a lot of bother in the future. Every time I think about poisons I think about those people who have passed on because they were spraying something that they were not educated about. Many of the public were not educated about the dangers at that time—we could mention the case of Agent Orange and the Monsanto

group again, for example. People certainly were not educated; some have still not been compensated and some of them passed on before they were compensated. The areas in the bill dealing with poison need to be looked at and tightened up if possible. I do not want to go into consideration in detail and start moving a heap of amendments, but the minister could give me some comfort and tell me that that is not the way that things could happen. However, it certainly says “despite anything to the contrary in the Poisons Act”. That is a clause that the minister may want to have a very close look at.

Moving on further, the explanatory memorandum in relation to clause 26 states —

Section 59 provides that the provisions of section 58 are in addition to any other provisions conferring power to control declared plants and animals. The reference to the Protection Board is no longer appropriate and the reference to an inspector or authorised person is unnecessary.

I would think that if we are going to refer on to someone then that person should be identified and I believe that that ability has been dropped as well. I understand that some areas of the bill do provide reference to the identified person, but to have it completely deleted in this clause is a further concern that I have.

I will also briefly mention clause 31, “Section 64 amended”, as stated in the explanatory memorandum —

Again, reference to section 61 deleted from the provision for postponement of payment of rates payable by pensioners.

This does not directly refer to the ability to pay fines or anything like that, but again if people are not able to pay something because of their financial state as pensioners, the clause may cause them some problems. It would probably affect only very few people, but these days people can be thrown into jail or have their drivers’ licences suspended for not paying fines.

I have quite a list of other issues here, but I will not go into them, I will listen to the minister’s speech. As I said previously, the bill was introduced by Hon Kim Chance. I would have liked some of it to come through our party in a little tighter shape and to have been sorted out there. The Minister for Agriculture and Food will be happy to have this bill passed, but he will be the one, if something is missing or does not work, who will be on the rack in some of the country areas affected by this bill, more so, because none his colleagues in this house have spoken in part or at length on this bill. Again, that is a huge disappointment. There are members, in both parties, who represent country areas, but live in the city. It is too easy for them to slip home on a Thursday afternoon. I am sure that is where some of them have gone, out to Cottesloe or City Beach. They have their feet up and are lying around rather than doing the right thing by being in this house and representing their constituents who have little contact these days with their member. It concerns me that the conservative side of politics in this place has not worked hard enough to have a look at this bill.

Mrs L.M. Harvey: You’ve got good support over there with two members!

Mr C.J. Tallentire: Many of us have spoken on this bill.

Several members interjected.

Mr M.P. MURRAY: I am not talking about members who are in this house at the moment, but about members who spoke to this bill. How many members who represent country areas have spoken on this bill? One! Members should have a look. Where is the member for Geraldton? Where is the member for Murray–Wellington? Come on! Members opposite need to be a bit fair about what I am saying here. The member for Jandakot would not know, living at the end of the freeway, cape tulip from Patterson’s curse. One is purple and one is orange. He should try to get it right. There are only two and he would probably get them wrong. I do not think he has the right to butt in on country issues and why country members have not spoken on them in this house. I would have thought that even the Minister for Regional Development, who probably lives in the Wheatbelt heartland, would have taken the time to say that he supports the bill. He has not done that. The Minister for Agriculture and Food sits by himself and will properly die by himself because the others say, “I never said anything, I didn’t know that and I didn’t read the bill at all.” On that note I will sit and listen with interest to the minister address some of the issues that I have brought forward. I ask the minister to be man enough, if the bill does not work, to add amendments, because if they are good amendments we will support them.

MR D.T. REDMAN (Blackwood–Stirling — Minister for Agriculture and Food) [4.29 pm] — in reply: I thank members in the first instance for their contribution and I highlight that the member for Collie–Preston in his closing remarks has made a number of accusations about the people on the conservative side of politics and their contribution to this bill. I might add it is a bill that has been through two respective party rooms. It is a bill that has clearly been through cabinet. It is a bill for transitional arrangements for two quite basic principles and

Extract from Hansard

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Ms Rita Saffioti; Acting Speaker; Mr Terry Redman; Mr Chris Tallentire; Mr David Templeman; Mr Mick Murray

supporting the shift that was the basis of a bill that was put up by the Labor Party when it was in government in 2007, and supported by the opposition at the time. The transitional arrangements are basically to shut down the Agricultural Protection Board, understanding that the Biosecurity Council is still in place. This is so that we do not have two boards or committees that are being funded and resourced and hence duplication that is simply not needed.

Let us go back to see what has happened. When the member for member for Collie–Preston did his research, he read the second reading speech. That was the extent of his research. He read a line in it that suggested that the two boards were going to be abolished; hence, the basis of his argument was the fact that the Biosecurity Council was going to be abolished. That was the whole tenet of what he put forward. The member for Gosnells looked over his shoulder, saw his notes and made the same argument. The member for Mandurah picked up the same notes from commentary that had already been made in the house and made the same argument. The member for Rockingham pursued it. It went right through the opposition members' speeches. Clearly, they had not fully researched this bill. Clearly, they did not get a briefing on the matter. What has happened now? I made the point in my closing remarks on the second reading debate. We bypassed consideration in detail and then the shadow Minister for Agriculture and Food came into this place, blamed the members on this side for not talking and then asked questions about clauses in the bill. He has said that he wants answers to this, and that he would like to make statements. He clearly did not take the opportunity of pursuing it through consideration in detail. Instead, he got on his high horse and blamed this side for his lack of research and the fact that he did not take up the issues that he was putting forward. In third reading debate he has asked me a whole stream of questions that relate to the bill in a certain amount of detail, which is not consistent with what a third reading debate should be. That sort of detail should be raised during consideration in detail. I therefore find a little unusual the way in which the member has taken up the cudgels for the opposition on this bill. He has not done his research, which has clearly showed through in the remarks that he has made.

A number of points were raised. I do not have my advisers here. There is a level of detail here that has some complexity. We still have the Agriculture and Related Resources Protection Amendment Act and we also have the Biosecurity and Agriculture Management Act, so there are two acts in play. There are also certain processes that fall out of those two acts. All this amendment bill is seeking to do is to shift the responsibility of declaring plants and animals from the Agriculture Protection Board to the minister, consistent with the new bill, and to put in some other penalties that are consistent with the Biosecurity and Agriculture Management Act, which was put up by the opposition when it was in government. I therefore find it very hard to accept that opposition members are choosing to pursue another line of argument here, arguing in many cases against the bill and the act that they put in place when they were in government, because they came down to the point of talking about penalties and so on. The penalties that will be put in place under this amendment bill are consistent with the Biosecurity and Agriculture Management Act. Indeed, the member is choosing to raise in the third reading debate a number of questions that relate to matters that sit outside this bill. They are issues around genetically modified contamination and issues around shires and cleanup—I assume of GM—that do not fall within the bounds of this particular amendment bill. Likewise, there is the issue of compensation for people who worked for the Agriculture Protection Board and were exposed to 2,4,5-T. We are all aware of those issues through consecutive governments and the challenges of dealing with them, and certainly very tragic circumstances that many people have found themselves in as a result of that exposure and the outcomes from that.

I do not think I need to say any more. The government stands very strongly on its biosecurity record. These are some transitional arrangements, to support the shift, to the Biosecurity and Agriculture Management Act. I think the line of debate from the opposition members has shown their lack of understanding of what is happening here and that they have not taken up the opportunities, as they should have done when representing their constituencies in the process in Parliament, to raise that level of detail at the appropriate time. That said, I do recognise and make the point that I think the opposition has supported the bill because it would be very hard to challenge. Clearly, I am very appreciative of that support. I look forward to this bill proceeding to the upper house.

Question put and passed.

Bill read a third time and transmitted to the Council.