

**GENETICALLY MODIFIED CROPS FREE AREAS REPEAL BILL 2015**

*Third Reading*

**MR J.M. FRANCIS (Jandakot — Minister for Emergency Services)** [8.47 pm]: I move —

That the bill be now read a third time.

**MR M.P. MURRAY (Collie–Preston)** [8.47 pm]: Mr Acting Speaker, you may be surprised, but I wish to move a motion if that is okay by you, along the lines that we now break for 30 minutes to give staff a short break away from what they have been doing now for six and a half hours. I move that motion.

**The ACTING SPEAKER (Mr P. Abetz)**: Member for Collie–Preston, that is out of order. I cannot accept that motion. The question is that the bill be read a third time.

**Mr M.P. MURRAY**: No, it is different altogether.

Several members interjected.

**The ACTING SPEAKER**: Order, members. We are on to the third reading of the bill, so the member for Collie–Preston has the call.

**Mr M.P. MURRAY**: Even the farming industry gives workers a break after six and a half hours; no matter whether they are ploughing fields or digging post holes, people are entitled to a break. I think that shows where we sit.

**Mr S.K. L’Estrange**: Sit down and give them a break!

**Mr M.P. MURRAY**: I did not even think that was funny.

**The ACTING SPEAKER**: Member for Churchlands, please desist. Member for Collie–Preston, you have the call. Please proceed.

**Mr M.P. MURRAY**: As we know, to put in a crop, whether it be genetically modified or non-genetically modified takes a very long time on some farms. I was alerted to the fact that people should have a break when I went and had a look at GM seed being put into the ground. There was a Kiwi guy who had flown over especially to do the job, a specialised job, and the seeder was 30 metres wide. But guess what? After six and a half hours, he stopped and he had his lunch. He had a toilet break. He was allowed to get out of the tractor and walk around regardless of what seed was in the seeder. He was allowed a toilet break. The unfortunate part was —

**The ACTING SPEAKER (Mr P. Abetz)**: You are on a third reading debate and you must refer to the clauses of the bill and the content of the bill. This is not a wide-ranging debate about when someone should take a break when they are sitting on a header; that is just not relevant.

**Mr M.P. MURRAY**: In clause 2 “Commencement”, under part 1 “Preliminary”, the commencement of a break before the seed is sown is always a contentious issue.

**The ACTING SPEAKER**: Member for member for Collie–Preston, I will sit you down if you persist in that direction. What you are giving us here is not a third reading debate.

**Mr M.P. MURRAY**: How do I refer to the clauses if you will not allow me, sir?

**The ACTING SPEAKER**: It has got to be relevant to the clause. I will give you a few more minutes. If you keep heading in that direction, I will sit you down.

**Mr M.P. MURRAY**: A lot of people will be happy about that.

**The ACTING SPEAKER**: I appreciate your humour, member for Collie–Preston.

**Mr M.P. MURRAY**: This bill is being forced through the house, gagged and pushed through for the benefit of a minority of farmers. We know who backs up the Liberal Party. Genetically modified crops are under discussion worldwide. What concerns me immensely about this bill and its clauses is that it provides no protection for the farmer who does not want GM crops on his property. The issue has always been: it is my right to grow what I want on my property, and what I am entitled to grow. On the other side of that is the entitlement not to be contaminated by a GM crop, but the Genetically Modified Crops Free Areas Act 2003 does not provide penalties for that. That is a shortfall. This bill repeals the Genetically Modified Crops Free Areas Act 2003, leaving the federal government and the Gene Technology Regulator to have their say. There are shortfalls in every part of this bill, ranging from the short title, commencement, Genetically Modified Crops Free Areas Act 2003 repealed, and Biosecurity and Agriculture Management Act 2007 amended.

The shortfalls in this bill do not give anyone the confidence to plant non-GM crops next to a field that has GM crops. I am very serious about this. I believe there should have been penalties of up to \$100 000 for contaminating someone’s crop. If that had been done, we would not have seen these issues being fought out in

the courts costing one person something to the tune of \$800 000. If this had been a proper bill and not just a bill to withdraw an act and replace it with a federal government regulator, it would have given people confidence that their property could remain GMO free. At the moment that does not happen. The bill is very short and it repeals an act introduced in this place by the Liberal–National government under the Minister for Agriculture and Food at the time, Mr Redman. We debated those shortcomings in this place on many occasions and for many hours previously. It was a shortfall in the act not to give non-GM growers any confidence in their GM-free status. A group in the midwest comprising 115 farmers asked me to represent them and to oppose this bill. Problems will come out of this bill, because GM crops will have open slather. It will allow people to say, “I am sorry about that, mate, but they are the rules. The bill that gave you some protection before has been withdrawn, and now there is no protection.” The contamination issue will go on and I have no doubt there will be further court cases.

Only last week a major people’s tribunal in The Hague considered this issue. Based on reports from that tribunal, I understand there will be a lot more talk about GM foods and crops in the future. The International Monsanto Tribunal is a powerful people’s court and people from all over Australia and the world attended those hearings. Mr Marsh from the Marsh v Baxter case was even called as a witness. When we look at the matter from that point of view, we see that there is a lot more work to be done, although it is probably lost at this moment because of what is happening here. It looks as though the government has been lazy and did not want to draw up another bill with the safeguards that are needed.

Along those lines, we see the wishy-washy movements of government. In saying that, I mean wishy-washy people who say “Support GM halt call”. Who is featured in that article that states —

Consumers are right to be suspicious about claims from GM companies that the foods are safe to eat.

Guess who said that? It was State President of the Nationals WA, Wendy Duncan.

**The ACTING SPEAKER (Mr P. Abetz):** Member for Collie–Preston, please remember that this is the third reading.

**Mr M.P. MURRAY:** That is what I am trying to say. Even members in this house have changed their opinion about this matter because they are not sure exactly what will happen after the act has been repealed. I would like to show that article to members, especially National Party members. I am sure they would be happy to see it. If anyone wants a copy of it, I have some more if they want them.

This matter is a bit like the fracking issue down south. There are many different opinions, but again the government of the day does not have a position. That is what we are saying here. All we have done is take away some of the safeguards on what can be grown and what cannot be grown under the Genetically Modified Crops Free Areas Act 2003, which is now about to be repealed. When we look at it from that point of view, it is not about canola or cotton, which are the only two GM crops grown in Western Australia; it is about what can be grown in the future.

If the Australian government allows a plant, vegetable or seed crop to come into Australia under the GM technology rules, Western Australia has lost its ability to say no. That will cost us dearly in the future. Our green, clean image has now been tarnished. I have spoken to the Premier about this. I heard the Premier make a speech on this in which he said be wary of this because it will impact on the Japanese market. That is what the Premier said. It is of course very hard to back up. As he said, he does not release a written speech or his speech notes, but that is what he said to the people assembled from WA Farmers. Now we have gone down the line of doing something that even the Premier had doubts about. Although the rights and wrongs of this bill will be argued for many years, it is our actions that we will be judged on in the future—actions that I am sure will play out in many varied ways because safeguards have been removed by this bill. With the repeal of the act through the Genetically Modified Crops Free Areas Repeal Bill 2015, we need to also remember farmers’ rights. It has been argued that seeds should be allowed to be 0.9 per cent genetically modified and still be called organic. Those arguments are ongoing. The Organic Association of Western Australia has said no to that, yet many other countries allow 0.9 per cent contamination. Already there are problems such as roadside verges being sprayed with herbicides and the only plant that has stood up on the verges is GM canola. We have the problem of how to control those plants in the future. I note, Mr Acting Speaker, that at one stage, your opinion on this bill was quite different. I remember discussions in earlier times when you voiced concerns about that. The member for South Perth was another one and there are probably four or five others in this room, who, if they had not been constrained by party politics, would have come across to our side of the chamber to vote. I give the member for South Perth his due because he sat out of the vote and sat at the top of the table so that his vote was not counted, thereby making a very clear statement of his position. We can see that probably the majority of people in this chamber are not comfortable with this bill.

As I was saying, the problems along roadside verges and in other people's properties will continue. How do we rid weeds that are tolerant to sprays? We cannot, so then there is cross breeding between wild radish, one of the curses of the farming industry—little yellow and white flowers with very long stalks. They are very weedy and block all the machines when they go to harvest. It can be crossbred with canola and whatever the crossbreed is it will end up being GM contaminated, so it cannot be sprayed.

**Dr G.G. Jacobs** interjected.

**Mr M.P. MURRAY:** No it has not; not all of it. I can argue that because it is growing along the roadside verges now. I have my notes here but I will not talk to them because I probably will not get enough time. If the member for Eyre wants to argue that he can argue with many people on the east coast and groups of farmers in Western Australia who have taken samples of weeds from roadside verges through a very simple sampling procedure. Ninety per cent of GMC seeds alongside the road can be found where we know traffic with GM crops are going, although not mainstream roads. Certainly those areas have tested positive for GM seeds or GM plants.

As I was about to say before the wrong information came from behind me, in future there is a chance of crossbreeding.

A government member interjected.

**Mr M.P. MURRAY:** I am letting her have a spell. I do not want to rush the lady if she has a sore leg. I was going to show her a photo but I am a bit too early.

In saying that, when we consider what could happen—probably will—in the future, we have a very serious problem in front of us. It may be surprising to some in here but weeds very quickly adapt and become tolerant to sprays. Each year something that is quite unique in country areas are the different sprays advertised on television. When people come down from the city and see the TV ads on our country tellies for sprays, sheep and all that goes on, they ask why there are five or six different make-ups of sprays to knock out weeds. It is because weeds very quickly become tolerant to the various make-ups of the brands. Even now there is a major problem with rye-grass and farmers are trying to get a spray that has not been allowed in Western Australia—I do not think even Australia at this stage—to control it. We have those problems, but if the crops are genetically modified, as I said about the bill, and they are allowed in, and they have resistance to those sprays, it could end up anywhere.

The real issue here is also part 3 of the bill, which amends the Biosecurity and Agriculture Management Act 2007. Biosecurity is a huge problem in Western Australia because of what has happened to the Department of Agriculture and Food over time, where people have been removed from their jobs. Scientists who were doing a lot of work have been removed.

**The DEPUTY SPEAKER:** Member for Collie–Preston, can you confine yourself to the content of the bill please?

**Mr M.P. MURRAY:** Madam Deputy Speaker, I am talking, with all sincerity, about the Biosecurity and Agriculture Management Act 2007, as amended by this bill. I am wondering what part I was doing wrong.

**The DEPUTY SPEAKER:** I want you to focus on the GM bill that we are discussing here tonight.

*Point of Order*

**Mrs M.H. ROBERTS:** I have been listening quite intently to the member for Collie–Preston, and that is exactly what he has been doing. These are all issues that were raised during consideration in detail, and I do not think he is straying from the topic at hand at all.

*Debate Resumed*

**Mr M.P. MURRAY:** Thank you for that support, because I did not think I had strayed at all, because now we are talking about biosecurity, which is not necessarily GM. That was the point I was trying to make about biosecurity in Western Australia. We have had so many different problems, from cane toads through to weeds. Even in your area, Madam Deputy Speaker, there is the problem of buffel grass, which came into the country in saddles. It was used to pack the saddles out, and now it is in areas where we do not want buffel grass. I do not know whether it is genetically modified or not; I am not quite sure, but maybe with a test we could find out about that. We could go on forever about what those plants are, and about biosecurity, if there is a mutated plant that will not be able to be sprayed out, and whether that is a GM cross, or two GM crosses. We talk about the farming industry in a wider sense and how we breed naturally to get resistance to ticks on cattle. All those things happen over many years, and we did not need to change the Biosecurity and Agriculture Management Act 2007, as has been done in this repeal bill. We have to be very careful about that.

I talk again about your area, Madam Deputy Speaker, where we have only one person on the biosecurity check gate at any time, where 1 500 trucks come across with cattle in one year. I will get back to the biosecurity act.

I can see heads starting to nod. It is a true issue. We are now going to allow a change through this bill. I noticed, Madam Deputy Speaker, now that you are here, your photograph in this news article. I am sure it is one of your better ones—smiling in support for a GMO halt call. Under the biosecurity act, why did you not ask when you were asked for that call —

**The DEPUTY SPEAKER:** Do not draw the Chair into the debate, member for Collie–Preston.

**Mr M.P. MURRAY:** I wonder why the National Party did not ask for these things to be tidied up in the first round of the bill, not the second round.

I had better turn that photograph over, because you are smiling at me in that one, Madam Deputy Speaker, and you are not in the other one!

Through the Chair, I believe that it is a wrong move about biosecurity and the GM repeal bill itself, that has been pushed through for political purposes. That is always a dangerous issue, regardless on which side of politics one sits. A minority of farmers are getting their way against the majority. I will ask a question now: how many seed-growing farms are there in Western Australia? Does anyone know the answer?

**Mr J.M. Francis:** Fewer than 4 000.

**Mr M.P. MURRAY:** No, it is 4 100. So wrong again!

**Mr J.M. Francis:** That was an old estimate.

**Mr M.P. MURRAY:** Four thousand is a lot of farms. I would agree that with that number of farms, we will not get total agreement. It does not matter what we do. Whether it is genetically modified crops, this bill or any other thing that pertains to farming, we will never get total consensus. When only 30 per cent of farmers grow GM canola, it begs the question why the other 70 per cent have been left behind. Their opinions have been discarded or not canvassed.

A question was asked during consideration in detail about how we will notify people that this bill has been repealed. It is very important. Whether it be the Biodiversity and Agriculture Management Act 2007 as amended or the Genetically Modified Crops Free Areas Repeal Bill 2015, people will not be told that it has been repealed. The government would have to put news flashes on TV or publish it in journals such as the *Countryman* or *Farm Weekly* and many others, but the government itself will not put out a spread to say that the bill has been repealed. That is my understanding. That in itself is a letdown. If I post a letter today, if this bill passes tonight, there is no guarantee that Australia Post will get it there. Now we have to pay \$1 and say it only goes there —

**The DEPUTY SPEAKER:** Order, member for Collie–Preston. This bill is not about Australia Post!

**Mr M.P. MURRAY:** If this bill was posted using Australia Post, there is no guarantee anyone would get it.

**Mr J.H.D. Day:** Are you going to use carrier pigeons?

**Mr M.P. MURRAY:** Only your side uses carrier pigeons! The old mail truck postie sat on the back and threw it out from there.

We understand the government has won this debate, but if it thinks it is finished, it has got a long, long way to go. It will be fought farmer against farmer and brothers against sisters on adjoining farms, which has already happened. Sally Wylie from Margaret River wrote to me and said, “Please don’t let this bill go through.” Kelly Newton-Wordsworth also wrote to me. She holds a great position in the breeding of cattle. I think her dad might have been a member of Parliament at one stage. They have certainly been in to see me to say “please don’t” because it will jeopardise their niche market in what they sell off their farm. They will be able to get more than the going rate because there is no GM contamination on their property. They are very worried about that. I could go on. I have quite a few here, including one from Graham Wearne, an old soldier of the farming community, if he does not mind me calling him that. The member for Wagin would know Graham Wearne. The member is not allowed to speak because he is not in his seat. Graham has been out on the steps of this Parliament to protest loudly and strongly about this issue. People who are not young and who farm in a traditional way are concerned that they will lose that. The reason they are concerned is because this bill, which has been introduced and will go through Parliament, will give them no control. I am sure those people would have loved to have a bill brought in that was not a repeal bill, or that was a bill that would amend the existing bill that we are going to repeal, to reflect what the issue really is. That is control—control of what comes into farming communities in Australia and Western Australia. That control will now be lost. I have three minutes. I am not sure if there are any other speakers on this bill.

**Mr D.A. Templeman:** There could be.

**Mr M.P. MURRAY:** There could be. We might get a couple more minutes in.

If this bill goes through, that control will be lost. That control was ever so flimsy, to say the least, because of what happened under the former Minister for Agriculture and Food. I think we need to go back four ministers. How many Ministers for Agriculture have we had in the last couple of years? Was it four, five or six? I am not quite sure. I think it might have been the first of four Ministers for Agriculture. It certainly was some time ago. When this act came in, the promises that were made were not honoured. If they had been honoured, there would be some control of things like where GM crops can be grown, and whether we can have GM-free areas, which the Shire of Williams was talking about at one stage but changed its mind. Now it does not have to worry about that because this bill will override that anyway. We would have had some sort of control over our destiny in Western Australia. That will now be lost. Anything from here on in will be played out in the courts. We need to remember that if we have a white bull on one side of the paddock and black cows on the other side of the paddock, and we put a black bull in with the black cows, but when the calves are born they are white, it is obvious that someone has jumped the fence. That is the sort of thing that will happen under this gene technology bill.

*Question to be Put*

**MR J.H.D. DAY (Kalamunda — Leader of the House)** [9.17 pm]: I move —

That the question be now put.

Question thus passed.

*Third Reading Resumed*

Question put and passed.

Bill read a third time and passed.