

AGRICULTURE AND RELATED RESOURCES PROTECTION AMENDMENT BILL 2010

Second Reading

Resumed from 19 May.

MR M.P. MURRAY (Collie–Preston) [2.47 pm]: I rise to speak on the Agriculture and Related Resources Protection Amendment Bill 2010. The opposition supports the bill, and although it is not new and, in fact, was instigated by the former Minister for Agriculture and Food —

The SPEAKER: I have given the call to the member for Collie–Preston. There are several conversations going on in this place. I for one want to hear the member, as I am sure the minister does, and I am sure other members in this place are interested in this. If members have conversations unrelated to what the member is addressing, I ask them to take them outside, otherwise listen to the member.

Mr M.P. MURRAY: The opposition supports the bill. It is certainly not a new bill; in fact, it was instigated by the former Minister for Agriculture and Food, Hon Kim Chance. In saying that, members on this side will ask questions when we go into consideration in detail of the bill, and I hope the minister will be able to respond. It is hoped that this minister has listened to and consulted with the industry. That is something that the minister did not do in the genetically modified crops debate. I hope that the minister will agree with the position that will be put forward by the opposition, and that the minister will support an amendment. I believe this is necessary due to the minister's past history in the GM debate, when he indicated that he would provide information and produce maps for the farming community and general public, but he reneged on that. That certainly left a sour taste among many people on both sides of the house about promises that were given and not followed through. The opposition will be asking for amendments, if we are not sure what will happen.

Further, I have doubts about the minister's intentions after he asked me for extra time to table answers to questions on notice, to which I agreed. Today I found that some of those questions related to this bill. So I have some concerns about the minister's intentions along the way. Again, it breaks a bit of the trust that goes with parliamentary procedure. I certainly hope that I am wrong in my assumptions, minister. However, it does start to look as if the minister is becoming very familiar with not tabling papers, not asking questions and not answering questions, and failing to deliver on agreements with both his Liberal and other colleagues in this house.

In saying that, the bill contains many straightforward amendments such as increases to fines; however, we will pursue some of the proposed changes to ensure that Western Australia is looked after in the area of biosecurity. To me, it appears that there are some biosecurity gaps, and we do not want to compromise the state's clean, green image into the future. We will explore those issues. We will look at some of the other clauses, such as the hardship clauses that allow people to be pursued through the court system for the payment of fines, when they may not be able to pay and may lose their farm accordingly.

With that brief statement, I will finish by mentioning that we also want to know about the direction from the department through the system and when the minister becomes responsible for that direction. In summary, there are a few areas that the opposition wishes to look at.

MR C.J. TALLENTIRE (Gosnells) [2.51 pm]: I rise to speak to the Agriculture and Related Resources Protection Amendment Bill 2010. The opposition has some serious concerns about this legislation. In his second reading speech, the Minister for Agriculture and Food talked about removing or deleting the Biosecurity Council, a body that came into effect in 2008 under the former Minister for Agriculture and Food, Hon Kim Chance. The former minister fully understood the importance of biosecurity to Western Australia. To outline how important it is, we heard in the house only yesterday the current Minister for Agriculture and Food saying how valuable the agriculture sector is to Western Australia. The sector is worth about \$8 billion a year in a good year, yet there are many biosecurity threats to our agriculture. Indeed, to take the example of the impact of weeds on agriculture, the estimate is that weeds pose a threat to agriculture of some \$4 billion a year. That \$4 billion a year can be broken into two main components: about \$1.5 billion a year is the cost to Australian farmers of weed control, and a further \$2.5 billion is the cost in agricultural production that is lost. Those figures are for the whole nation. We could use the usual formula to work out the Western Australian component and say that we are perhaps vulnerable to 10 per cent of that, which is some \$400 million of potential loss due to weeds, or we could use another formula and say that, given that Western Australia comprises about one-third of the landmass, we are vulnerable to the amount of \$1.3 billion. Either way, weeds are an enormous biosecurity threat. We need the very best biosecurity services available to this state, yet the minister proposes to eliminate the Biosecurity Council.

I will remind members of the Biosecurity Council's purpose and how Hon Kim Chance, when minister, envisaged that the council would operate. In March 2008, the then minister pointed out that the Biosecurity

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Council would replace the Agriculture Protection Board as the principal advisory body on biosecurity issues to the minister and the Department of Agriculture and Food. He went on to point out that it is an essential body for the effective biosecurity management of Western Australia. We contrast that with the statements made by the minister in his second reading speech that, although the Agriculture Protection Board had done a good job and the Biosecurity Council had been in operation since early 2008 —

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.

This is a classic case of penny wise, pound foolish. That penny pinching will eliminate the Biosecurity Council, the body that will give us the very best type of advice on biosecurity issues, thereby putting at risk not only our agricultural sector industries, but also the other sectors covered by the Biosecurity Council, such as the fisheries or aquaculture sector, which I now turn to briefly. The WA Fishing Industry Council estimates that fisheries are worth \$700 million a year. That fishing industry activity is very valuable to the state, yet it is vulnerable to incursions by all kinds and any manner of biosecurity threats. Increased trade as a result of increased economic activity results in increased shipping, making us vulnerable to all sorts of marine pests that might be transported from other environments in other parts of the world via ballast in ships or organisms attached to the hulls of ships. The ornamental fish that people like for aesthetic purposes in their homes are also a threat as they could be released into the natural environment. A Biosecurity Council is exactly the sort of thing that we need to give advice to the government and to the minister so that sensible decisions can be made about the various defence mechanisms that should be in place and about the particular species that perhaps should not be allowed into Australia.

This country has seen some of the very worst examples of what has been called in the past policies of acclimatisation. More than 100 years ago bodies were set up with the very best of intentions to bring into Australia species that do not occur naturally in this country but occur elsewhere in the world. Acclimatisation was the idea of bringing to Australia the things we missed from the old country. This issue is very well documented in an excellent book by Tim Low known as *Feral Future: the untold story of Australia's exotic invaders*. Low documents many of the cases and mistakes that were made by these well-intentioned people with their acclimatisation ideas. A classic example was of course the introduction, with the best of intentions, of rabbits into the country, followed by a rudimentary biological control with the introduction of foxes, the rabbits' natural predator. Such things did not work and have had long-lasting and ongoing consequences for our nation. Australia is very vulnerable to all manner and many types of biosecurity threats. The threat is ever present.

The minister would probably respond to my concerns about the dismissal of the Biosecurity Council by saying that he can save a few dollars by getting rid of the council and that he has every confidence in the people working in the Department of Agriculture and Food to provide him with the necessary advice. I agree; the minister has some excellent people working in the Department of Agriculture and Food. I know that the now director general, Rob Delane, was instrumental to the work done on the Biosecurity and Agriculture Management Act. He helped draft the bill and was engaged in much of the public consultation that went into the drafting of that act. It was very valuable work. People of great credentials currently work in the Department of Agriculture and Food. Damian Collopy has an outstanding knowledge of the sorts of threats weeds pose to the viability of our agricultural sector. These are excellent people. I believe that they would be the first to say that their ability to use the framework of the Department of Agriculture and Food as our institutional defence against biosecurity threats is insufficient. We need to make use of the broader community knowledge so that people do not import animals and plants into the country that are a threat to us. It is not fair to leave the decision making on biosecurity matters in the hands of a few bureaucrats who will be underfunded and will, most likely, have to tackle matters beyond their technical expertise. That is why they need to reach further, and that is the sort of thing that would be delivered through the Biosecurity Council. That is what the former Minister for Agriculture and Food, Hon Kim Chance, had in mind when he set up the Biosecurity Council. He recognised how essential the biosecurity of Western Australia was and sought to put in place a body that could deliver on the issues surrounding biosecurity. Section 48 of the Biosecurity and Agriculture Management Act requires that the minister establish a Biosecurity Council. The act also sets out the expertise requirements of council members and requires the council to deliver an annual report by 30 November each year. The functions of the Biosecurity Council are also set out in the act. That is essential for the protection of our very valuable agricultural sectors.

It would be fairly easy to force public servants in the Department of Agriculture and Food to look at certain sectors in which there is a potential threat. If a new weed came into the country, they could deal with its eradication or they could deal with an invertebrate species that might pose a threat to some crops but not others. It is possible that the proposed changes could work for very specific industry-related matters. However, biosecurity is not just about narrow economic interests for particular sectors of the agricultural and horticultural

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industries; it is much broader than that. That was the whole point of setting up the Biosecurity Council. When members voted for the Biosecurity and Agriculture Management Bill, they voted to establish the Biosecurity Council that would have a whole-of-state interest at heart and go beyond sourcing revenue from some narrow areas specific to the interests of orchardists or wheat farmers, for example. That act was about making sure that biosecurity was a much broader issue.

I will touch on a number of other issues. A rather broad issue is the governance arrangements that we are contemplating and the minister's view that the Biosecurity Council should be abolished. I am informed that the Minister for Agriculture and Food met with the Biosecurity Council quite recently but did not mention that he was getting rid of the council. To meet with and host a meal for members of the Biosecurity Council and to not tell them that the council's days are numbered begs some questions. Maybe I have misread something. I sincerely hope that the minister will tell me that I did not read the minister's second reading speech properly and that I have misunderstood something and that the Biosecurity Council will be retained. I dearly hope that is what the Minister for Agriculture and Food will tell me because I believe that the issues at stake are so serious.

In our day-to-day lives, even if we are urban dwellers, we are faced with issues of biosecurity. How many people look at their lawns and realise that it has been invaded by bindii, that dreadful prickle that makes it impossible for people to walk across without getting nasty, sharp prickles in their feet? That is a biosecurity issue. That is an example of a species that has got out of control. We should get on top of these things before they infest our suburbs. Biosecurity issues must be tackled at the earliest possible stage, and scientific expertise is needed to enable us to work out an appropriate strategy to do that. That is the sort of service that the Biosecurity Council can deliver to all Western Australians.

Thinking in a more agricultural context, we have seen some dreadful invasive species take hold in this country. It is fair to say that every member would have his or her pet hate of an invasive species. Sticking with weeds, I can think of doublegee. What a dreadful species that is and what a terrible mistake it was to introduce it into Australia. How did that species come into the country? It was introduced because some people thought it might have some horticultural value, and so some seeds were imported and germinated. We are aware of the terrible impact that has had. Doublegee infests more than one million hectares of pasture land in Western Australia today and is in our rangelands. That species lives all over the place.

Mr M.J. Cowper: I think it was introduced by a bicycle shop owner.

Mr C.J. TALLENTIRE: There are many amusing and diverse stories on how doublegee was introduced. The information I have is that it was not introduced by a bike shop owner; it was present in the country long before cycling became a popular activity here.

Doublegee has a serious economic impact on the viability of our wool clip. It gets into fleeces and is spread that way. It diminishes the value of our wool clip. It is terrible stuff. There are so many species like that. Members who take a trip to the Swan Valley or Chittering Valley in the Avon will see vast fields of purple, which is Paterson's curse. That is dreadful stuff. If we had the information previously that we have now, we would have taken steps to control it at the earliest possible stage. The cost to industry of having to control Paterson's curse is absolutely enormous. I said earlier that that cost can be quite readily quantified. We need only find out how much our farmers spend on spraying the weed. Nationally, farmers spend about \$1.5 billion a year on weed eradication. There is also the cost of the lost production that goes with that. That is the enormous cost of not treating biosecurity seriously.

I said earlier that this legislation is about governance. It is about recognising that we have in place a public service that has a high degree of expertise. The public service is very capable and has some very dedicated people in it who will do their very best to ensure that biosecurity threats do not damage our wealth and quality of life.

[Member's time extended.]

Mr C.J. TALLENTIRE: However, as dedicated to its task as our public service is, it does not always have the capability, the network of contacts or the capacity to advocate, where necessary, that a certain course of action needs to be taken. That is why we need a body that is somewhat separate from the day-to-day activities of a minister. We need a body such as the Biosecurity Council to provide independent advice. The Biosecurity Council can, if the minister is of a mind, provide frank and fearless advice to the minister in a confidential setting. At times, such a body should be empowered to make public comment so that we can have a good public policy discussion on certain issues. It is absolutely essential to enhance our government agencies with the sort of information that the Biosecurity Council could provide.

When I go through the various clauses of the Agriculture and Related Resources Protection Amendment Bill 2010 and I read the explanatory memorandum, I am left wondering whereabouts the minister will bring about his

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stated desire, expressed in his second reading speech, to dismiss the Biosecurity Council. I have spent some time reading the explanatory memorandum and the bill, but I have yet to find the exact clause that the minister will use to repeal sections 48, 49, 50 and 51 of the Biosecurity and Agriculture Management Act. The minister said in his second reading speech that he would dismiss the council, but the explanatory memorandum is opaque as to how he will do so. That opacity comes about partly because substantial chunks of the Biosecurity and Agriculture Management Act still have not come into effect because regulations have not been drafted for certain areas. To my knowledge, that is not the case with the Biosecurity Council provisions. The Biosecurity Council has been in place since March 2008. It has been meeting regularly and people on the council have been doing good jobs. The minister has even sacked a few people who were on the council. He got rid of Dr Maggie Lilith because he did not like her views on genetic modification. A few other changes have been made, but overall the Biosecurity Council has been doing some excellent work. It prepared a strategy that went to cabinet, I understand, and I think that members of the council are probably waiting to hear about the status of the strategy, which would set up a system to enable us to capture all sorts of threats that could come into the country. Whether it is through the marine environment, the terrestrial environment, containers or air travellers, there are any manner of biosecurity threats that we need to know about and have a mechanism in place to deal with them. The Biosecurity Council was set up to do that, so we need to know how the minister intends to have a similar system in place. That has not been spelt out. I have already gone through how I hope that some of the bureaucrats in the Department of Agriculture and Food would be able to do a similar task. I think that I demonstrated that that would be an absolutely impossible task, given that they will be constrained by the responsibilities of their particular, fairly narrow, industry-specific areas of work. The fact is that the legislation before us is so knotty and entwined that I am not sure whether the minister will be able to tell us exactly which clause of the bill provides for the dismissal of the Biosecurity Council. The minister has said that he will dismiss the council, but it is unclear how he will do it.

There are many issues around biosecurity that members should acquaint themselves with. The potential cost to the state of Western Australia through any lapses in biosecurity control is enormous. I realise that we have made some enormous mistakes in the past. As we speak, people in the north of this state and just over the border in the Northern Territory are working literally day and night to stop the advance of the cane toad—another example of a past biosecurity mistake. At the time people thought that they were acting with some inspired, and that the introduction of cane toads would solve a particular problem about a bug eating the cane crop. It never worked as a solution and now we have the consequences of that action. If members travel across from Kununurra into the Northern Territory, they will start to meet cane toads. However, community people are now working very hard to capture cane toads in the early evenings. Different techniques and different groups are involved. There is the Stop the Toad Foundation—in passing, I acknowledge the excellent work that members of that foundation do—and also the Kimberley Toad Busters, and the two groups now work together very effectively. Government has at times funded both groups and, I think, continues to do so. That is commendable but we could have saved ourselves all this grief had we really been aware of the risk in allowing originally 120-odd cane toads, I think it was, into Australia a bit over 70 years ago. We introduced 120 cane toads and now we have literally millions. I think a female cane toad can lay some 30 000 eggs at a time. The potential for growth in the cane toad population is absolutely astronomic. That is just one example of how we got biosecurity management wrong; there are many others.

However, the minister sees fit to get rid of one of our best institutional mechanisms for protecting our borders in terms of biosecurity. A lot is said about border control. I think that the threat to our quality of life from biosecurity threats is far more serious than the media hype that goes around people escaping different political regimes who come to our country via boat. The fact is that biosecurity is a much riskier issue than the sorts of issues that involve people who are asylum seekers. If only there was an equivalent level of concern about threats to our biosecurity as there is about the so-called threats to our borders from asylum seekers—if only. I think all the justification is there to show that our economic and quality of life interests are much more vulnerable to the threats posed by the arrival of weeds and invertebrate species that we have not properly assessed as suitable for this country. The dangers that they pose are enormous and they do impact upon our quality of life and economic wellbeing.

I conclude my remarks by saying that I seek to amend this bill. I have the permission of the shadow minister to amend the legislation in such a way that the Biosecurity Council is retained in its current form as set out in sections 48, 49, 50 and 51 of the Biosecurity and Agriculture Management Act.

MR D.A. TEMPLEMAN (Mandurah) [3.18 pm]: I will make a small contribution to the debate this afternoon on the Agriculture and Related Resources Protection Amendment Bill. I commend the shadow spokesperson, the member for Collie–Wellington —

Mr M.P. Murray: Preston!

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Mr D.T. Redman: He's on your team!

Mr D.A. TEMPLEMAN: The member for Collie–Preston is a great team member! I tell the house that he is a very good team member and that I have not seen a team member like that for a long time.

I acknowledge the contributions made by the shadow spokesperson and the member for Gosnells. I think that the minister needs to really consider the amendment foreshadowed by the member for Gosnells, which he will present at the consideration in detail stage. That amendment, of course, relates to the retention of the Biosecurity Council. I think that the member for Gosnells and the shadow minister highlighted very good reasons to maintain that important part of our ongoing response to biosecurity concerns and matters.

The member for Gosnells gave a potted history of only some of the introduced noxious species that cause considerable havoc to agricultural land and natural landscapes and threaten our national parks and conservation areas. He gave a potted history particularly of the cane toad phenomenon. While I was Minister for the Environment, cane toads were an issue, and they remain a very grave concern for Western Australia. The member for Gosnells mentioned the efforts of community organisations to fight the invasion of cane toads. As former environment minister, I remember going out late one hot, humid evening with the Kimberley Toad Busters, speeding through the night towards the border of the Northern Territory. I was a bit concerned about the driver of the bus—I will not say who it was—because as we were driving, birds kept flying out in front of the bus. I hoped they were not endangered species. I was terrified we might hit some of them and kill them and find that in our quest to save Western Australia from the cane toad, we would see the destruction of some endangered species. But luckily we did not. Members who have been out toad busting will know that the *Bufo marinus* species is insidious. It was very interesting to learn that, from my recollection, females are the scouts, if we like, and go out in front of the wave of following toads. Being creatures that do not like to overexert themselves, as the toads make their way across borders they find the easiest and quickest route. That is why, particularly during the wet season, they like to travel along the roadside. That night, as we crossed the border a few kilometres into the Northern Territory, we saw the toads appearing on the road and along the roadside. The females would move ahead of the advancing wave of toads and call the males. When we stopped the bus a couple of times, we would hear the female toads make their call.

Mr M. McGowan: Can you do it?

Mr D.A. TEMPLEMAN: I would love to do it, but I do not think Hansard would be able to translate my interpretation. It sounded sort of like boork!

The ACTING SPEAKER (Mr J.M. Francis): Maybe, member, you should try to spell it for Hansard!

Mr R.F. Johnson: I think he should be put down humanely!

Mr P.C. Tinley interjected.

Mr D.A. TEMPLEMAN: That was not in season. In season it was much more a boork, boork, boork! It was very much more amorous in its approach!

This is a very serious matter. I did not intend this afternoon to be giving members a lecture on the mating habits of the *Bufo marinus*. It is amazing because some of these toads can reach considerable size. Interestingly enough —

Ms J.M. Freeman: Just ask Julie Bishop —

Mr D.A. TEMPLEMAN: Yes, I suppose so. She was the one wearing the hat!

We saw the toads making their way along the roads. Invariably, the Kimberley Toad Busters, who do a fantastic job, and have done for a number of years, jump out, scoop up the toad and whack it into the bag. Later in the evening they were humanely despatched. I love that word “despatched”. How? The Toad Busters would gas them.

Ms J.M. Freeman interjected.

Mr D.A. TEMPLEMAN: I can tell which one is the federal member in the picture that the member is showing me.

When we were in the Kimberley, some wonderful young Aboriginal boys who were with us on the trip would go into some of the billabongs and pick up the toads while we shone the torches. They were not scared of jumping into the water. We sent them into the water and stayed on the shore like good generals! We could see in the water literally thousands of cane toad tadpoles.

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I must admit we wondered how we could ever prevent these toads from making their way not only into Western Australia but also through some of the landscapes throughout the Kimberley region. As we know, much of the Kimberley landscape is very difficult to traverse, so fighting this advancing wave of cane toads will be difficult.

The cane toad is one example. We have a number of feral animal and noxious weed infestations in the state of Western Australia. Apart from camels and wild horses, wildebeests have been spotted in some places—at least, I heard they were.

I must tell a very quick story.

Mr D.T. Redman: As long as it's relevant.

Mr D.A. TEMPLEMAN: It is very relevant. As I do when most members have gone to bed, one night I was driving the hour and a half it takes me to get home from Parliament —

Mr M. McGowan: That's because you are a country member.

Mr D.A. TEMPLEMAN: I am. This is a true story, but my wife still does not believe me! As I came around the corner, I saw two deer on the side of the road next to my house.

Mr M.P. Whitely: Two old deer?

Several members interjected.

Mr D.A. TEMPLEMAN: As I got into our bed that night, I said to my wife, "I've just seen two deer." She said, "You've been having too many drinks at the parliamentary bar." I had not because I had to drive home that night. Even down Mandurah way deer have escaped at some stage.

Mr M.J. Cowper: Haven't you seen them on the freeway?

Mr D.A. TEMPLEMAN: Yes; I have.

Mr M.J. Cowper: They escape from the deer park on Paganoni Road.

Mr D.A. TEMPLEMAN: Yes; they have even been found near Mandurah, Falcon and Dawesville.

Mr M.J. Cowper: The fence is there to keep the deer off the freeway.

Mr D.A. TEMPLEMAN: I found that sighting of deer to be remarkable. It highlights that we have to be vigilant with any species.

Mr M.J. Cowper: I saw a blind deer there once.

Ms J.M. Freeman: How do you know it was blind?

Mr M.J. Cowper: It had no eye deer!

Mr D.A. TEMPLEMAN: That was a very poor attempt by the member for Murray–Wellington. He had better go and have something to eat and drink next door!

We have a major problem in Australia. A number of attempts have been made to eradicate rabbits with the use of myxomatosis and the calicivirus. Foxes are everywhere. There are even foxes where I live, and they have taken my chickens. I started raising chickens and the first lot of chickens—gone. I blame the minister for that! I could censure him for that, but I will not go into it now.

It is a very serious situation for Western Australia and for Australia generally. When we contemplate that, through this bill, we may be taking away from our arsenal of approaches to this very important issue, the Biosecurity Council, I think the minister should reconsider the matter. I am sure that as a result of the Biosecurity Council's approach we have on-ground expertise and ongoing information provided to the minister and the agencies that have to respond to these particular problems. It seems that, through what the minister is proposing, we will see the demise of the Biosecurity Council. I hope that, as has been suggested by the member for Gosnells through his proposed amendment, the Minister for Agriculture and Food will, between now and the conclusion of debate at the third reading stage of this bill, reconsider supporting the member for Gosnells' proposed amendment. I will be strongly supporting the amendment and I will speak forcefully on it. I will research it a little more, but I will be speaking on it with great passion.

With that, I hope the minister will reconsider the proposed amendment that has been put forward by the member for Gosnells. If we in Western Australia in particular are to maintain our clean, green image—despite the fact that the minister is taking us down the genetically modified organism journey—the last thing he should do is take away mechanisms that have been set up to protect the state from current and future biodiversity or biosecurity threats. I therefore look forward to the minister's response and hope that he will listen to the debate

during the remaining stages of the bill, particularly when the proposed amendment comes up for debate during the consideration in detail stage, and that he will respond to our concerns. They are legitimate, they are valid, they are genuine, and I hope he will listen to them.

MR M. McGOWAN (Rockingham) [3.31 pm]: I want to make a short contribution to the Agriculture and Related Resources Protection Amendment Bill, having listened to the member for Mandurah, who had experience as environment minister dealing with invasive species, as I did. In the year or so before he was environment minister, I had very similar experiences. Considering that this legislation concerns the subject of invasive plant and animal species that are a danger to agriculture, it is appropriate that I put on the record some of my thoughts on exactly the same matters.

Some years ago a study was conducted by an academic on the most tragic events in the history of Australia. Australia's European history stretches back about 220 years. The study indicated the most tragic things that happened in that period. The top three that he rated were: the part destruction of Aboriginal people and the impact of European settlement on them; the shocking and tragic impact of the First World War on our country; and the invasive species that were introduced into this country by European settlers. I must say that I thought that analysis was pretty accurate. In the case of invasive species, I believe what we have done to the natural plant and animal life in this country in the past 220 years is the biggest, most important but most difficult problem to solve in Australia. What has occurred is absolutely tragic and shocking. The amazing thing is that, compared with many countries, we are far better off in terms of the impact on our native animal and plant species.

In Western Australia we have been impacted on in similar ways to the eastern states, but in some ways we have been immune to the impact of some plant and animal species that were introduced in the east, simply because we are separated by such a long distance. A lot of the area that separates us is desert; therefore, it was very difficult for species to cross the desert to get here and we were immune from some invasive species. Of course, that was not always the case. Rabbits, as we know, headed over here. Construction of the rabbit-proof fence commenced, but, of course, rabbits got through the fence before the fence was completed. Building of the fence continued, as contracts had been signed, which was an interesting way to deal with rabbits.

People are very aware of the impact of species such as foxes, domestic cats gone feral and the like; it has been devastating. The impact of foxes and feral cats on native birds, marsupials and the like has been absolutely shocking, although I do not think it has been catastrophic, as they almost certainly have the capacity to survive. A native marsupial or bird species generally has the capacity to survive those sorts of feral animals.

However, the most difficult species is the one identified by the member for Mandurah: the cane toad. I recall as environment minister the cooperation between the Department of Environment and Conservation and the Department of Agriculture and Food in dealing with starlings coming across the Nullarbor. We had shooting programs to try to keep them out. Of course WA had not previously had to deal with starlings, but I think that program was successful. Certainly it had been successful up to 2006.

In the case of cane toads, people might laugh about the issue and in a way it does promote amusement. I did my university study in Brisbane, and it promoted amusement there, essentially because cane toads had been there since 1934, when they were imported to eat cane beetles, and went wild. When I was a university student in the 1980s, no-one could remember the natural environment before cane toads arrived. No-one remembers what it was like. It is therefore the subject of some amusement because they are slow-moving and sit around. There were expeditions of university students going out at night with golf clubs and whacking them around the university ovals and so forth. Back then cane toads had extended all the way from far north Queensland to Brisbane and were heading further south. As I understand it now they can even be found as far south as Sydney.

Over the period from the 1990s onwards cane toads started to move west. No-one really knows why they started to move west but they went at a high rate of knots. Female cane toads are capable of producing 30 000 eggs every six months, and I think they reach breeding age within six months or so. If one does the mathematics, it literally means that there can be billions of them in a short period—30 000 by 30 000 by 30 000 ad infinitum. It would not take very long for there to be billions of the creatures out there.

Why are cane toads more devastating than other forms of feral creatures? It is because they kill everything that is a predator—everything. A five-metre saltwater crocodile can eat a cane toad and the crocodile will die; a goanna will eat a cane toad and the goanna will die; an ant can eat part of a cane toad and the ant will die. It kills everything that is a predator. As cane toads head west, they will devastate populations of predators in the north of the state. It is therefore one of the worst feral creatures. It is worse than others we have had to deal with in this state because it kills everything. As I said, people in Queensland do not remember what the natural environment was like before cane toads. The people who were responsible for bringing in cane toads in the 1930s did a shocking job for the future of the country. That is why it is considered one of the great tragedies of our time.

I went to Kununurra and had a similar experience to that of the member for Mandurah going out cane toad busting. I drove about 100 to 150 kilometres east from Kununurra over the border to a roadhouse. I went out in the bush and checked the traps that had been set and found cane toads in the traps. The Department of Environment and Conservation had officers out there cane toad busting. Then of course there are the Kimberley Toad Busters and the Stop the Toad Foundation. We were the only state that went to some effort to protect ourselves from this invasive species. I learnt all about the species. The mating process is actually called amplexing. Amplexing, as I said, results in 30 000 eggs. Amplexing, therefore, is a very successful process for cane toads. They are very, very fecund and they can produce many offspring. When they arrive, they arrive.

I went out into the bush 150 kilometres or so east of Kununurra and found the cane toads in the traps. On the way back, we went into the bush again for a look. They were there on the ground. I remember saying to the staff, "If they were in the traps back there and they are on the ground here, what about five kilometres that way?" They said that they could be out there. We investigated all sorts of things, including fences, like the rabbit-proof fence, to keep them out. There are cyclonic conditions up there so fences do not work; they will be gone after the first cyclone comes through. The most relevant thing is the great waterways—the rivers. Cane toads lay their eggs in rivers. The rivers rush them through and they come out beyond the fence. Fencing is a complete waste of time.

The collection process involving teams of people is a worthwhile conservation initiative. It makes people feel like they are doing something constructive about the cane toads. They bring in thousands of them, but, ultimately, it will not work. It has absolutely no prospect of working. We tried. I am pleased that we tried. The public would be happy that we tried, but there is no way that it has been in any way successful. That is not to denigrate the contribution of the people who do this work. I went out there when it was extremely hot. It is quite dangerous because there are snakes, crocodiles and the like around. It is hard work. The people involved are well committed and do their best but it will not work.

What are the only solutions? The only solutions are threefold. Firstly, creatures that are endangered as a consequence of the cane toads need to be moved to islands off the Kimberley coast and similar areas. Some of those processes between the state and the commonwealth have worked. We need to create colonies of endangered species such as the northern quoll on these islands where they can survive; otherwise, wherever the cane toads are, there is a 100 per cent extinction rate of that beautiful creature. We need to catch them and create colonies off the coast.

The second thing that we need to do is educate people about bringing the cane toads south of the Kimberley. There are large areas of desert between here, the more tropical or wetter parts of the state, and the Kimberley. We need to educate people that if they bring a hitchhiker with them, they can transport this vile pest south from areas that it cannot otherwise cross. It cannot cross desert unless it is given a lift. Stop the Toad, Toad Busters and so forth can play a constructive role in educating the public, which is incredibly important. The instant we give a lift to a female with 30 000 eggs, we are finished. The education process to stop hitchhiking is incredibly important.

The third thing we can do is biological research. I recall as environment minister providing some money for a genome mapping process. I am unsure what happened to that. I think it was with the University of Western Australia. If we can map a way of dealing with these creatures biologically, that gives us a good way forward. It is a long shot and it might be a considerable period—in fact, it may be decades—before we come up with a solution. The only two times that people have come up with a biological option is in eradicating myxomatosis and calicivirus. Even then, it did not eradicate the rabbits. It helped but it has not eradicated them. I am unaware of anything that has worked with any other feral animal. Calicivirus and myxomatosis were the two. They are the three things that I think will work. I encourage the state government and the commonwealth government to consider those three options to stop the cane toads. I encourage Kimberley Toad Busters to keep up its good work and particularly to use its position in that part of the world to make sure that people are not transporting those cane toads any further than they have already reached. As tragic as it is that they are in the beautiful Kimberley now, they cannot get any further without human help. We need to make sure that those good, honest, decent community organisations have that very important role into the future.

MS L.L. BAKER (Maylands) [3.45 pm]: I rise this afternoon to talk about the Agriculture and Related Resources Protection Amendment Bill 2010 for a number of reasons. I start off with the easy one, which relates to weeds and pests on my property and the experience that I have had in trying to eradicate just some of the Cape tulip, Paterson's curse, maidenhair fern and blackberry, which are the scourge of my existence! I remember being quite amazed when I first moved onto a 20-acre property in the hills and went to my first New Year's Eve party to find that the sole topic of conversation around the room was the destruction of watsonia and blackberry, which glyphosate mix would be used, and other conversations about chemical constituents for removing weeds. It was the start of a very fast learning curve. I now know more about the scourge of feral weeds than I probably

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ever dreamed I would. I can somewhat happily report that I have managed to get most of that under control. My ongoing challenge when equipment is transported on and off the property is that Cape tulip is transported quite easily. York-road poison comes and goes off the property as well, so I need to keep on top of that, and Paterson's curse is an ever-present problem that has to be dealt with.

The other issue that I wanted to talk about relates to how I became aware that this bill related to a subject that has been of increasing importance in my life. It was first raised with me about four months ago when I was contacted by a number of community groups.

[Quorum formed.]

Ms L.L. BAKER: I will read from a letter from the Aboriginal Lands Trust that was copied to me. It states —

On April 6 2010 the Agriculture Protection Board under the *Agriculture and Related Resources Protection Act 1976 (WA)* and the Pastoral Lands Board under the *Land Administration Act 1997 (WA)* issued a default notice pursuant to sections 107 and 108 of the *Land Administration Act 1997 (WA)*. The notice required all feral horses to be removed from Lake Gregory and failure to do so will result in a significant fine, lease forfeiture, or both. The ALT must comply within three months.

That paragraph was taken from a letter that was explaining that the Aboriginal Lands Trust had decided that the best course of action was to muster the 5 000 horses—these are wild horses, feral horses—and load them onto trucks and transport them on the back of trucks some 2 000 kilometres to South Australia, where they would be slaughtered for food and sent to France. Fortunately, I can tell the house that that was stopped through the intervention of a number of concerned people, some of whom are sitting in this house and listening today. That is one of the most horrific and indescribably stupid things I have heard proposed to deal with feral horses. It is simply not humane to load feral horses onto a truck—I am talking of stallions and mares; they do not come together. They should not be loaded up a ramp, put on a truck and transported 2 000 kilometres. Most of them would be lucky to make 100 kilometres before they killed each other! Thank goodness that was stopped.

I understand that a committee was convened at the request of the animal welfare unit in the Department of Local Government to look at ethics in this area of animal welfare, and it considered the issue of feral horses on Lake Gregory. Although the committee had not met for about 12 months, it came together specifically to talk about this issue. I want to give members some perspective on what has been happening and to explain how these horses came to my attention. I will take members through a description that I received from Wild Horses Kimberley about the first time these horses were noticed by the founder of that organisation. I hope the house will forgive me for reading some of this. The letter reads —

I first saw the Lake Gregory (LG) horses in a photo and noticed their Arab types but heard that they were being sent to the pet meat factory in SA. Research showed that the original ... Stallions were taken out there by Father John McQuire in the 1950s, one reputed to have been a Caulfield Cup runner. This priest took the horses from a stud in NSW to the Balgo mission near Lake Gregory. Previous to that horses from Lake Gregory had been 'walked' from the lake to Roebuck Plains station near Broome to be used as war horses. The Lake Gregory horses in the 1950s were known as 'The Best Horses in the Kimberley'.

In September 2006 I went to LG with Dr Sheila Greenwell, Equine Vet from Margaret River and Arron Hinks, horse breeder from NSW and Tom Harley (horticulturalist). We met with 7 of the boys at Mulan community at LG and discussed the horses how we could help to muster, geld stallions and re-home them. They were keen and we drove out among the horses —

Point of Order

Mr D.T. REDMAN: I refer to standing order 94 around relevance. This bill relates to the Agriculture and Related Resources Protection Amendment Bill 2010. Whilst I can fully understand the member's passion about the issue that she describes, which is really centred around animal welfare, I ask you, Mr Acting Speaker, to draw the member back to the relevance of the bill at hand.

The ACTING SPEAKER (Mr J.M. Francis): I ask the member to rapidly turn back to the bill.

Debate Resumed

Ms L.L. BAKER: Certainly, Mr Acting Speaker. This is about the control of feral animals in the Kimberley, and I am sure the Minister for Agriculture and Food is very sympathetic to do that in as humane a fashion as possible. I would like to continue reading a little more of this letter, because it is pertinent to how this process might happen under the act. It reads —

Extract from Hansard

[ASSEMBLY - Wednesday, 15 September 2010]

p6688c-6698a

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The horses were very quiet and curious ... We then applied to the National Heritage Trust ... for funding to buy fencing and improve yards, motorbikes for mustering ... so the boys could begin bringing some of the horses in for sale and gelding stallions. We also suggested that the lake be fenced off with watering points left for the horses and ... The boys also added that they needed fencing and bores to draw horses away from the lake and begin to manage them. This application was refused.

That was back in 2006 —

In 2008 Sheik Mohammed bin Rashid al Maktoum saw the website ...

This was for The Wild Horses in the Kimberley group —

sent his vet ... to see me. After viewing the photos and video he ... took 13 horses back to Dubai for endurance racing and breeding. Recognition for the worth of the horses had come from one of the top horsemen of the world.

These are feral horses, which is why I am talking about them —

Late in 2008 I received a call from a girl at the Bidadanga community south of Broome saying she had saved one tiny foal from a slaughter —

It was an aerial cull slaughter —

of all 660 of their horses on Frazier Downs. These horses were quiet and walked voluntarily into yards ... A sniper in a helicopter hired by the Dept. of Agriculture had shot all the horses in the neck, stomach, legs and left them to die agonizing deaths, aborting their foals and scrabbling on the ground ... Dr Sheila Greenwell took the photos to the Ethics Committee Unit of the Dept. of Agriculture. Their representative in Derby promised me that the LG horses would not be shot and asked for our input for a management plan for the ... Pastoral Co. which is made up of Lake Gregory and Bililuna stations and Aboriginal Communities. The horses were to be passively trapped and sold to new owners and we offered to help with the marketing of the horses to good owners.

Last year she heard that the plan for an aerial cull was back on. I do apologise to the house, but I find this matter incredibly upsetting, particularly when it seems to me that, when we have this kind of problem with feral animals on pastoral leases, there are perfectly good ways of resolving the situation that should have been put in place probably 20 years ago. It should have been done 20 years ago! The fact is that there have been three or four funding proposals turned down; most of which was for royalties for regions funding; that is, to geld the stallions and to use porcine zona pellucida contraceptives on the mares and to reduce the numbers in a more humane way. It is quite abhorrent to me that these requests for help have been neglected.

I know that many members in the house are aware of this situation and that they also feel great distress about this. The issue has had international coverage, and I believe that attention is only growing. I am also extremely concerned that there has been no consideration given to a long-term plan to manage these feral animals effectively. Of course, in the Kimberley, it is not just horses; there are donkeys, camels and other animals. There are many people who are waiting and watching what the government intends to do on this issue. I was greatly concerned this week to hear that, in fact, it may be possible that the cull has been done already. I do not know; I cannot confirm that. I had hoped I might be able to put questions to the ministers concerned to get to the bottom of that. I certainly urge members of this house who have the capacity to impact on how feral animals are dealt with to push for a concerted effort by the current government to come up with a far more humane way of managing this situation. Quite frankly, I do not care who did or did not do anything in the past; what I care about is that the government in power does something to resolve this situation. It is this government's responsibility, and no amount of arguments otherwise will change that responsibility.

MS R. SAFFIOTI (West Swan) [4.00 pm]: I want to share some of the concerns that have been outlined by my colleagues about some of the aspects of the Agriculture and Related Resources Protection Amendment Bill, in particular the abolition of the Biosecurity Council. I am a bit concerned about the reason given in the second reading speech for why it is now being abolished. The speech said that it was because of the current budgetary situation. As I see it, the government has billions of dollars in royalties coming through the door. It has \$2.8 billion in royalties for regions. For the government to say that it is reducing its effort on biosecurity because of the current budgetary situation —

Debate adjourned, pursuant to standing orders.