

**PLANT PESTS AND DISEASES (ERADICATION FUNDS) AMENDMENT BILL 2003**

*Second Reading*

Resumed from 16 October.

**HON BRUCE DONALDSON** (Agricultural) [10.31 am]: The Opposition supports the Bill. Its purpose is to repeal section 18 of the Plant Pests and Diseases (Eradication Funds) Act 1974, which has an expiry date of 31 October 2003. I understand that the Government has given a commitment to industry that new legislation will be drafted and that that legislation is being drafted. The 1974 Act will also be repealed. The expiry date was previously extended when we were in government. A provision in the Act compels grain and seed growers to contribute to a fund for the eradication, prevention and spread of skeleton weed and certain plant diseases and the eradication of resistant grain insects. The fund has principally been used to prevent the spread of skeleton weed. Where applicable, the Act also provides that the fund can be used when steps have been taken to eradicate or prevent the spread of skeleton weed and relevant plant diseases and when crops have to be destroyed and compensation provided for any loss that is occurred.

This year's harvest has already started. Last year's harvest was very poor. This year the harvest is expected to yield large tonnages in Western Australia - it might even be a record yield. Needless to say, His Excellency the Governor sets those contribution levels each year on the advice of the Minister for Agriculture and the Agriculture Protection Board. Those contributions are not collected over and above what is necessary for the programs that have been put into place. As I said earlier, currently the principal use of the fund is to eradicate and prevent the spread of skeleton weed. Under the Act, no more funds can be accumulated than are necessary for that purpose.

The Act refers to the destruction of bags of grain. Admittedly, some bags of grain are sold in boutique industries; however, the industry has moved to bulk handling. Western Australia enjoys some of the best bulk handling facilities in the world, which is a great credit to the growers and to the vision of their representatives who have overseen that. Debate occurs within the industry about the type of programs to be used to eradicate and prevent the spread of skeleton weed. One would hope that the growers do not want us to throw up our hands in the air and say, "She'll be right." Some of the programs in place might need to be changed. I am sure that the industry, the Department of Agriculture and the APB are looking closely at whether we are getting the best value for our money.

This is a simple Bill. I expect it to be expedited through this House. Frankly, if it is not passed today, the fund will collapse on 31 October and the contributions from growers will not be forthcoming. One cannot criticise the Government because during the time I have been a member of Parliament bits and pieces of legislation have needed to be rushed through because of expiry dates. I welcome the Government's announcement that it is drafting new legislation. When that new legislation comes into effect, the 1974 Act will be repealed. We will not have to go through this process again when section 18 of the Act has been repealed. I hope that will not make the Government complacent about introducing new legislation. We look forward to dealing with the new legislation in the autumn session next year. The Opposition supports the Bill.

**HON MURRAY CRIDDLE** (Agricultural) [10.36 am]: I cannot resist speaking on this Bill, having chaired the skeleton weed review committee some years ago. The Government has moved away from some of the recommendations it made and I am concerned about some issues. This legislation is very simple. It will allow a levy to be raised for the continuation of research into skeleton weed and it will allow the funds to be used for other purposes as they arise. I understand that under this mechanism funds could be provided for the eradication or prevention of bedstraw.

Hon Peter Foss: Did you say bedstraw?

Hon MURRAY CRIDDLE: That is a weed that grows in the south. One property is significantly infested with bedstraw. That is a worrying issue for the local community. There is some discussion about who should pay to clean up that weed. Perhaps the minister can touch on that. He answered a question about it the other day and it is a topical issue.

Hon Kim Chance: Hon Peter Foss would know it better as *Galium triflorum*.

Hon Peter Foss: Of course!

Hon MURRAY CRIDDLE: Of course he would know it. People in the farming community cannot speak that language so I must use the simpler term. This is a serious issue. I understand that the person whose property is infested has carried out some contract work. We do not want the weed to spread from that property by any

means, let alone by a contracting machine. This issue is an example of how the funding can be spent on something other than on skeleton weed.

I understand that 35c a tonne will be raised for the fund. If the harvest is half as good as people say it is, it will raise an enormous amount of money. I am not as optimistic as other people that the yield will be 15 million tonnes. Indications are that some of the grain grown in the north is small, although the yields are reasonably good. If 12 million tonnes are harvested and 35c a tonne is raised for the fund, more than \$4 million would be collected.

It is necessary for the Act to be reviewed. I understand that the minister has given back the responsibility for that to the industry and that a committee will be formed. I recommend that the committee be organised as a one-stop-shop for people around the State. I know that groups have already been set up around the State. I attended a meeting at Yuna recently. A local person will control the search for plant pest and diseases throughout the Shires of Mullewa, Greenough, Northampton and Chapman Valley. That will be an enormous task for that person. I understand a vehicle with outrigger machinery on it will be hired, so that it is available in that area at any time if there is an outbreak or if people want to search their properties. Fortunately, not a lot of skeleton weed is in the north of the State. The last thing we want is for skeleton weed to get into the light country where lupins are grown, because it would have an enormous impact. However, because of the diligence of the farmers there, it has been controlled.

The search teams, including the people from the prison, have been absolutely outstanding over the years. They have done a marvellous job and should be commended for the work they have done. In that area, they have contributed without any problem whatsoever. It has been an excellent opportunity for those prisoners to do some meaningful work. I certainly recommend the continuation of that. However, I know that it may not happen. It is a program that has been of great benefit to the community. Having been on searches, I have spoken to those people on quite a few occasions. They were quite happy to do the work and were relieved to get away from the prison environment. From that point of view, it was very good for them.

The other issue that I will touch on is the process for the upcoming legislation. I have been asked by some organisations whether the minister could give an indication of when that legislation will come through. I know that consultations have been taking place. I believe the second draft has been prepared, and the process is going ahead. It would be good to have a reassurance that the Bill is progressing, that consultations are taking place, that people will have a say, and that the legislation will have a smooth passage when it comes into the Parliament. The last thing I want is to have to deal with some amendments in the House, when those issues could have been cleared up beforehand.

Having said that and having endorsed the idea of this amendment, I ask the minister to look to getting that other Bill in place so that the industry will know where it stands well into the future. Technology issues and the like could be advanced if the program were controlled by the committee. Growers' money would then be distributed by growers. I believe they would be quite happy to have control of it. Obviously, I have some concerns about skeleton weed across the State. However, provided there is a mechanism to control it, it will be in the best interests of the industry in the long term.

**HON KIM CHANCE** (Agricultural - Minister for Agriculture, Forestry and Fisheries) [10.42 am]: As honourable members have indicated, this is a very simple Bill. However, with a Bill dealing with a subject matter that is so important, it is not unusual for speakers to raise issues that go to the core function of the legislation, rather than the amendment with which we are dealing. Just to refresh other members' recollections of the purpose of this Bill, it is simply to remove the sunset provisions. Both Hon Bruce Donaldson and Hon Murray Criddle have noted that every year in October we seem to come back to the House and add another year to the sunset clause. What we are doing on this occasion is different from what we have done in the past. On this occasion we are removing the sunset provisions altogether, which perhaps, in hindsight, would have been better to do seven or eight years ago, or whenever we first started to amend them.

What I will say now goes directly to the last question asked by Hon Murray Criddle. It is my intention that, under the current legislation, this is the last year that we will be in this position. The Government is putting in place two parallel systems. One is a new legislative empowerment in the way in which the skeleton weed fund is managed and decisions are made in respect of that fund. Parallel with that, we now have new skeleton weed operational management provisions, which, as Hon Murray Criddle has indicated, put much more of the decision-making process back in the hands of farmers. We will have an opportunity to discuss this in more detail this afternoon, because I note that the second item under committee reports and ministerial statements is, in fact, the ministerial statement from 10 September on the program. Short of answering one or two direct questions, I will not go into that matter, because we will have that opportunity this afternoon.

When I addressed a public meeting at Narembeen on this precise question, I gave my undertaking that this is the last year in the transitional stage, if one likes, of conversion from a bureaucratically driven system to a farmer-

driven system. The logic that I have worked on is that the vast bulk of the skeleton weed eradication fund is farmer contributed. In my view, only about half a million dollars annually comes from consolidated revenue. The balance of the skeleton weed campaign is driven by farmer levies. It seems to be a reasonable proposition that if farmers are contributing the money, they should be making the policy decisions about how that money is spent. As I said, we are now in transition, with both the Agriculture Protection Board and the skeleton weed committee working side by side. Although I have put myself in as the meat in the sandwich whenever there are difficulties between the two - they sometimes see things differently - it has worked reasonably well, I believe.

As to the way in which the program has worked operationally - we are now getting to the questions that will be discussed this afternoon - I am encouraged by what has happened so far. Many more hectares are being searched for skeleton weed. Obviously, the more hectares searched for skeleton weed, the more will be found. Looked at objectively, the figures are quite serious, in that there is an increasing number of finds. The important point is that skeleton weed can be killed, but it can be killed only if it is found first and its presence is acknowledged. If people turn their backs on it, it will grow away happily behind them, and they will not know about it. It is important that we know where this stuff is, because there are now numerous sites where skeleton weed had been growing but has been totally eradicated. It is a weed that can be beaten. The reason that we must hold that line is very important, and I will go into that this afternoon.

As to the timing, I have given a promise that this will be the last year under the existing arrangement. I am undertaking to have the new legislation in place in time for next season's campaign period. I add that it would certainly be convenient to have the agriculture management Bill in place before then. I had a meeting this morning with the departmental officials. It is now my intention to introduce the agriculture management Bill in this session, so that people can look at it over summer. It is also my intention to table with the Bill the drafting instructions for the regulations. Those members who are familiar with the construction of the agriculture management Bill - this spans two Governments - will be aware that it is a regulation-driven legislative instrument, and by far the most important part of the functioning of the agriculture management Bill will be the regulations, rather than the legislation itself. Although I will not have the regulations ready - the drafting cannot start in Parliamentary Counsel's Office until the legislation has been introduced - I can table the drafting instructions for the regulations. I intend to do that, and also discuss with the Chairman of the Standing Committee on Public Administration and Finance the prospects of referring the drafting instructions to the chairman so that in the event there are issues about the regulations that people want to discuss on the record, the opportunity will be available for that to occur. I hope that both those events will take place this year so that the House and industry will have an opportunity to work through those issues throughout summer and we can debate them at a convenient time early next year. The new legislation dealing with the use and regulation of the skeleton weed eradication fund will provide an important opportunity to work through the issues. I thank Hon Murray Criddle for mentioning the new direction that has been taken in the operational side of the skeleton weed program. Apart from the handover to industry of control of the program, we are also seeking to draw to farmers' attention more clearly their responsibility for searching for this weed. We recognise that, in a good year like this, farmers do not have time to carry out adequate searching and there is a place for contract searching, which members will see continued this year. It is very important that farmers outside the code 1 area - in the lower code areas - conduct the searching. The skeleton weed fund could provide that service for them, but to adequately do that we would need to raise a levy of around \$2.50 a tonne, not 35c a tonne. That is why the farmers' contribution is important. All farmers must realise - I am sure the vast majority do - that if they occupy an area in which there is even a low-level risk of the presence of skeleton weed, they need to search for it. No-one can do it better than they can on their own farms. If an average of 1.5 million hectares of that class of country is searched every year, we will be well on the way to preventing outbreaks in new areas. That is part of the education campaign. I will be happy to discuss that later today.

Hon Murray Criddle also asked me to comment briefly on the bedstraw issue. I am somewhat restricted in my ability to advise the House in any great detail on how we intend to handle bedstraw. I am aware of the problems, and they are very serious for one person. Bedstraw is a mid-level threat to agriculture generally. Industry met the Department of Agriculture this week and will meet again on Monday. Once I have a reasonably clear picture from industry on its preferred direction, I will be able to respond. However, it is very important that industry is onside and working in a common direction before we determine a particular way forward. A range of opportunities is available, some of which involve the use of the skeleton weed eradication fund. Members who are familiar with the agricultural scene will understand that something of a dichotomy exists with farmers' views on how the fund can be accessed and its purpose. I do not want to go too deeply into that but I will be more than happy to speak to members about that next week when the position is clearer.

I thank honourable members for their support for this very simple Bill. For obvious reasons, I will seek to proceed directly to the third reading today because the legislation will fall over if I do not do that. The good news is that this is the last time we will have to do that. I hope that by this time next year we will be comfortably able to discuss the legislation that will take its place.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate, and passed.