

Inquiry into the Animal Care and Protection Amendment Bill 2022

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State Development and Regional Industries Committee
Queensland Parliament

Via email: SDRIC@parliament.qld.gov.au

ANIMAL CARE AND PROTECTION AMENDMENT BILL 2022

I write on behalf of the Australian Livestock and Rural Transporters Association (ALRTA) to provide comments on the *Animal Care and Protection Amendment Bill 2022 (the Bill)*.

Our Association

The Australian Livestock and Rural Transporters Association (ALRTA) is the peak body representing around 700 road transport businesses servicing the agricultural supply chain. We are a federation of six state associations including:

- Livestock, Bulk and Rural Carriers Association of New South Wales
- Livestock and Rural Transporters Association of Victoria
- Livestock and Rural Transporters Association of South Australia
- Livestock and Rural Transport Association of Western Australia
- Livestock and Rural Transporters Association of Queensland
- Livestock Transporters Association of Tasmania.

Power of Directions

The Bill proposes amending:

- the provisions in chapter 6, part 2, division 5 which allow an inspector to give a written direction to a person to whom a compulsory code requirement applies, such as a direction to remove protrusions from truck crates, or containers that are used to transport livestock. An animal welfare direction can currently only be given to a person in charge of an animal, which is problematic because there are circumstances where a person who has an obligation to comply with a code of practice requirement is not the person in charge
- sections 158—160 to provide inspectors with the power to give an animal welfare direction to a person for non-compliance with a compulsory code requirement. These provisions allow an inspector to give a direction to a person who may not be in charge of an animal but has obligations under a compulsory code of practice. For example, a direction to remove protrusions, injury risks or faulty equipment from vehicles that are used for transporting livestock.

ALRTA is generally supportive of these proposals. We believe that is the intention of the *Australian Standards and Guidelines for the Welfare of Animals - Land Transport of Livestock (Land Transport Standards)* is that a 'person in charge' of livestock would ordinarily include a person transporting livestock (given that they have actual physical custody or control of the animal).

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Ensuring Queensland Laws Remain Contemporary

Since the development of the Land Transport Standards and codification into Queensland law (including animal welfare codes of practice), a new Australian Standard for livestock loading ramps and forcing yards has been published by Standards Australia. The standard is known as: AS 5340:2020 *Livestock loading/unloading ramps and forcing pens*. The standard was developed in consultation with the entire livestock supply chain and is now recognised best practice when it comes to animal welfare and worker safety.

AS 5340:2020 is available [here](#) or ALRTA can supply a hard copy to the Committee on request.

Within the Land Transport Standards, there are several out-dated references to livestock facility construction, maintenance and operation, including those listed below:

SA3.1 A person in charge must ensure that the vehicles and livestock handling facilities are constructed, maintained and operated in a way that minimises risk to the welfare of livestock.

Vehicles and facilities must:

- i) be appropriate to contain the species; and
- ii) have effective airflow; and
- iii) have flooring that minimises the likelihood of injury or of livestock slipping or falling; and
- iv) be free from internal protrusions and other objects that could cause injury; and
- v) have sufficient vertical clearance for livestock to minimise the risk of injury.

GA3.13 Solid yard extensions should be used to cover any gaps between the loading ramp floor and the floor of the vehicle through which an animal or part of an animal might go down

GA3.14 Railings on ramps and raceways should be of appropriate height, with the gaps sufficiently narrow at the bottom to prevent livestock being caught, slipping through or becoming injured.

GA3.15 Ramps need to be wide enough to ensure easy movement and should be of an appropriate slope for the species and class of livestock.

GA3.16 Avoidable visual or noise distractions to livestock should be removed or reduced.

GA5.49 At night, lighting should be positioned to give even illumination over ramps, races, yards and inside the transport vehicle, and should not shine into the eyes of livestock moving in the desired direction.

Given the publication of AS 5340:2020 and obvious need for regulatory consistency (as well as best practice when it comes to animal welfare and worker safety), ALRTA recommends that within all Queensland legislation intended to codify the Land Transport Standards:

- references to livestock loading ramps or forcing yards be replaced by, or complemented with, a reference to AS 5340:2020.
- inspectors be empowered to give animal welfare directions to a person for non-compliance with a compulsory code requirement, including failure to conform with AS 5340:2020.

The *Animal Care and Protection Amendment Bill 2022* represents an opportunity to bring Queensland law into line with contemporary Australian Standards and to empower inspectors to issue directions to persons in charge of livestock handling facilities to meet AS 5340:2020.

If you would like to discuss our recommendations in more detail please do not hesitate to contact the ALRTA Executive Director, Mathew Munro, [REDACTED]

Yours sincerely

Graeme Hoare

Chair

ALRTA National Driver and Animal Welfare Committee

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