



STATE DEVELOPMENT AND REGIONAL INDUSTRIES COMMITTEE

Members present:

Mr CG Whiting MP—Chair
Mr MJ Hart MP
Mr RI Katter MP
Mr JE Madden MP
Mr JJ McDonald MP
Mr TJ Smith MP

Staff present:

Ms S Galbraith—Committee Secretary
Ms M Freiberg—Committee Support Officer

PUBLIC BRIEFING—DEPARTMENT OF AGRICULTURE AND FISHERIES

TRANSCRIPT OF PROCEEDINGS

MONDAY, 25 OCTOBER 2021

Brisbane

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The committee met at 10.34 am.

CHAIR: I declare this public briefing open. I begin by acknowledging the traditional owners of the land on which we meet today. I am Chris Whiting, the member for Bancroft and chair of the committee. The other committee members with us today are: Mr Jim McDonald, the deputy chair and member for Lockyer; Mr Michael Hart, the member for Burleigh; Mr Robbie Katter, the member for Traeger; Mr Jim Madden, the member for Ipswich West; and Mr Tom Smith, the member for Bundaberg.

The purpose of today's briefing is to hear from officials from the Department of Agriculture and Fisheries on matters relating to seasonal and overseas workers in the agriculture sector. I remind members that officers are here today to provide factual or technical information. The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. Media may be present and will be subject to my direction in accordance with the media rules endorsed by the committee. Those present today should note it is possible you might be filmed or photographed during the proceedings. Finally, I remind everyone to turn their mobile phones and computers to silent mode.

BEATTIE, Mr Kerrod, Director, Pacific Labour Scheme and Seasonal Worker Program, Department of Agriculture and Fisheries

DONAGHY, Mr Peter, General Manager, Pacific Labour Scheme and Seasonal Worker Program, Department of Agriculture and Fisheries

MILLER, Mr Elton, Executive Director, Agribusiness and Policy, Department of Agriculture and Fisheries

CHAIR: I welcome representatives from the department. Thank you for appearing today. I invite you to make an opening statement, after which committee members will have questions for you.

Mr Donaghy: I would like to thank the committee for the opportunity to provide an update on the Pacific Labour Scheme and Seasonal Worker Program. The Department of Agriculture and Fisheries is the lead agency and has the administrative responsibility in Queensland for facilitating the federal government's Pacific Labour Scheme and Seasonal Worker Program. I can report that to date the department has made possible the entry of over 4,200 Pacific nation workers from mainly Tonga, the Solomon Islands, Samoa, Vanuatu and Kiribati to undertake work in the agriculture sector. This is the highest number of worker recruits of any Australian jurisdiction.

The process of enabling entry involves very strong working relationships and a collaborative approach with several key Queensland government agencies. These agencies include the Department of the Premier and Cabinet, Queensland Health, the Queensland Police Service, the Office of Industrial Relations, the Department of Transport and Main Roads, and Queensland Fire and Emergency Services. The Queensland program is governed by a committee that acts as the lead decision-making body and consists of representatives of the agencies just outlined.

During the application process, the department works closely with several federal government agencies which have responsibility for the entry requirements of all international arrivals. The federal agencies include the Department of Foreign Affairs and Trade; the Department of Education, Skills and Employment; Border Force; the Department of Infrastructure, Transport, Regional Development and Communications; and the Pacific Labour Mobility Unit in Brisbane.

The newly formed Pacific Australia Labour Mobility scheme now aligns the Pacific Labour Scheme and Seasonal Worker Program to ensure a more streamlined approach. The Pacific Australia Labour Mobility scheme benefits both employers and workers, where it helps to address workforce shortages and provides Australian employers with access to a pool of reliable, productive workers to meet their labour needs. In turn, this provides Pacific nation workers with jobs, income and upskilling, and it supports the economic growth in Australia's neighbouring Pacific nation countries.

The Department of Agriculture and Fisheries Pacific Labour Scheme and Seasonal Worker Program team has administrative oversight of all applications lodged by approved employers and works closely with Queensland Health to ensure that the Queensland Chief Health Officer's requirements are met for each international quarantine plan. It is the international quarantine plan which authorises the quarantine arrangements at the designated quarantine sites. The application process is ultimately an approved employer's responsibility. An approval is contingent on the proposal meeting a series of mandatory requirements and the quality of the information supplied by the approved employer.

It takes a minimum of 12 weeks for federal agencies to arrange the recruitment of workers. During this period the department works concurrently with the approved employer to prepare an international quarantine plan ready for assessment by referral agencies, including Queensland Health. Typically, this will be finalised within a week. However, this time frame depends on the approved employer's responsiveness. Queensland Health works to a time frame of approximately six weeks to review and seek Chief Health Officer approval. This process includes comprehensive consultation with local agencies to ensure all aspects are considered.

Once Chief Health Officer endorsement is granted, the department allows approximately 48 hours to finalise the approval and inform the federal agencies and the approved employer to proceed with the recruitment. A minimum of five weeks from Chief Health Officer approval is required from Pacific Labour Mobility and the Department of Education, Skills and Employment for in-country processing, including recruitments, visas and health screenings. This time frame is not negotiable, even if there is a readily available pool of workers. This is mandated by the federal government.

The department assists in the coordination of the arrival of the workers, including transport arrangements once they have landed and then any travel required to reach their quarantine destination site. The department also has responsibility for the compliance arrangements while the workers undertake their quarantine over the 14 days. The compliance program ensures communities are being kept safe whilst agricultural workers enter Queensland. This includes ensuring that the approved employer meets all requirements, including mandatory COVID-19 testing in accordance with their approved international quarantine plan.

In conclusion, I would like to thank the committee for the opportunity to speak today and would welcome any questions the committee may have.

CHAIR: Thank you. One of the reasons we have this before us today is that committee members are keen to know the reason for any delays in this. After going through the information provided, it is clear there are a range of agencies that have input into these decisions and each one has to be very timely, and that includes the employer at the end. We have had some questions about Queensland Health. Can you tell us how you have worked with Queensland Health? You said it is six weeks before there is a decision from the Chief Health Officer. Can you characterise how this relationship has been going and what has been involved?

Mr Donaghy: The relationship has always been very robust. All of the agencies work together as a team, including Health. We have been refining the process as we have been going through bringing workers in, and we started with our first cohort in October last year. Since then all of us have got a lot more informed around how the process would work, as have our approved employers. The quality of the applications that are landing on our desk in the first instance is a lot more thorough than in the early days. We have also put a lot of effort into having an engagement hub on the department's website where approved employers get a ready feed of information around how to improve their applications. If we see recurring problems, we update that on that site.

In terms of the engagement with Queensland Health as team members, it has been first rate. We have regular meetings weekly with the COVID compliance team in Queensland Health and with my team, which Kerrod leads. That process is to go through applications and make sure that nothing is getting lost and that everybody is aware of the priorities in terms of the applications before them. If there are any questions that can be easily answered by departmental staff, there is an opportunity to do that before an application is sent back. That is probably all I could offer on that, unless there are other specific questions.

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CHAIR: No, that is fine, thank you. We will go to the deputy chair for questions.

Mr McDONALD: Thank you, gentlemen, for being here today. As you would know from my representative role in Lockyer, I have a great deal of interest in this area. Mr Donaghy, I appreciate the work you have done with our community in being able to get a couple of cohorts into Lockyer to assist us with the 1,300 shortage that Ernst & Young identified. Even taking into consideration the time frames that you outlined of the three weeks and the five weeks in-country and the six weeks in Brisbane

with Health and the Chief Health Officer, if applications were made in October—and I am aware of others in November and December—surely even with those delays the first cohort could have been approved in late January and then on a rolling basis through every three weeks—two weeks in quarantine, a week to clean up—potentially we could have had nine or 10 cohorts but we have only seen three in Lockyer and there is a fourth one coming. Even with those delays, and I understand the need for those delays and a robust decision, have the delays been brought about through a lack of confidence by Health that our farmers will actually complete the quarantine planning in line with their expectations? Is it a lack of confidence or can you explain to us why those delays have occurred?

Mr Donaghy: Thank you, Jim. I will not speak to the confidence Queensland Health has in the system. I will leave that to them. What I can say is that as the process has matured the timeliness of those approvals has sped up. I did check in with Health last week and, in terms of their six-week period, just shy of 90 per cent have been approved within that six-week period. There will always be exceptions where something gets changed and we need to go back and change things, and I think the delta variant being on our doorstep was a good example where there was a need to tighten up processes and slow down and review those quarantine plans to ensure they are still doing what they were setting out to do, but in essence I think it would be fair to describe it as a fairly well oiled machine at the moment and I am confident that we are getting the approvals out well and truly ahead of the Commonwealth government being ready to run those recruitments and waiting for final approvals. We are ahead of the ball now.

Mr Miller: Also, a key consideration throughout all of this has been the key aspect that we need to keep the Queensland community safe, so we have always put it through that lens to ensure that everything has been done appropriately and risks are being managed.

Mr McDONALD: I appreciate that. There is an expected further shortage for the next season. The Lockyer season tends to finish in December/January. Is there work occurring, given the changing circumstances of the different variants, so that when applications start being made in October/November next year for further cohorts there is an improved level of confidence and decision-making to see those cohorts come through on a more regular basis?

Mr Donaghy: That is a great question. You would be aware of the original programs or industry round tables we have been running around Queensland. The first of those was held in Bowen and we have since had one in Grantham and one in Bundaberg, and there are two for the Wet Tropics that are planned before the end of this month. Those workshops were designed to inform people of the processes, to link up people who had not been involved in the program yet and who wanted to start to use it with people in my team who would act as case managers for them and to ensure that our Commonwealth agency partners had their case managers there so that everyone was in the room to try to improve that process going forward. Out of those workshops we do have the case management team working with people right now for applications for next year. We are quite conscious that this will be a moving feast in 2022 in terms of what is required and what is not. Our view is that we will continue on doing what we are doing as long as we need the program and as long as we need to quarantine, and if we need to pivot and change any of those arrangements as we go through we will do that but in consultation, obviously, with everyone and taking the lead from government.

Mr MADDEN: Thank you very much for coming in today, gentlemen. My questions relate to the Wellcamp quarantine facility and how this will fit in. I note that it is anticipated that it will be open in just a few months—a couple of months, really: in December. It is anticipated from day one that the Pacific Island Labour Mobility Scheme workers will be using the facility; is that the case?

Mr Donaghy: At the moment Wellcamp is being designed to target specifically repatriating Australians and economic cohorts. One of those economic cohorts that has been identified remains agricultural workers for Queensland. We are certainly in conversations with other tiers of government to see how we can bring Pacific nation workers through the Wellcamp facility and we will continue to do that. I just have to clarify that at the moment we have not had a definitive decision on that, but conversations are very advanced.

Mr MADDEN: As the member for Lockyer was saying, they are in the middle of their season, but the Granite Belt will be starting not too far away with stone fruit season, so this is a critical period of time when we require these workers.

Mr Donaghy: Yes, it is.

Mr MADDEN: Is it anticipated there will be an announcement as to whether this facility will be used for those workers?

Mr Donaghy: I expect the government will make announcements once clarity on those economic cohorts is there. It will not just be agriculture. I am sure that there will be other groups that the government would be wanting to announce. As I said, we are in advanced conversations with ag workers coming through the Wellcamp facility.

Mr Miller: Also we will continue to operate on-farm quarantine, the industry-led regional quarantine facilities and hotel quarantine when there is capacity. We will keep running those processes as well.

Mr MADDEN: I was very pleased to hear about the workshops. Are there any further workshops planned for South-East Queensland?

Mr Donaghy: At this stage there is not, but we are very open to that. If there is an area that believes there is a need for it, as long as I can coordinate with our Commonwealth agency partners to run another workshop we will. As I said, we have two more proposed before Christmas.

Mr MADDEN: Where are they?

Mr Donaghy: They will be in Innisfail and Mareeba.

Mr MADDEN: Not Southern Downs?

Mr Donaghy: Not Southern Downs, but if there is a need for one in Southern Downs we would be more than happy to help you with that.

Mr KATTER: You have answered one of my questions about whether there was any effort still going into Bowen, Gumlu, Mareeba and the Atherton Tablelands. You have workshops there and that is very helpful. A question remains in my head, though, that is probably not as concentrated an issue. Where there are pastoral activities—sheep and cattle grazing, rarely much farming—and they, I guess like most businesses, critically rely on overseas workers coming, which is mostly seasonal—it is probably a bit more permanent than the fruit and veggie picking—has there been any request from that sector or is there effort or any crossover with that sector?

Mr Donaghy: It does a little bit—extensive grazing probably less so than meat processing and intensive animal industries. I think about 25 per cent of the numbers we have brought in have gone to intensive animal industry and meat processing—so poultry, piggeries, feedlots and Teys and Swift, the major abattoirs. Having said that, there is nothing stopping pastoral companies or families that are chasing workers coming to have a chat with us to talk about the simplest way to bring them in. For small numbers it would probably be through a facility like Wellcamp or hotel quarantine. For larger numbers I would be encouraging them, if they have the facilities on a property that is suitable, to do on-farm quarantining, which allows the workers to work from the moment they arrive and it makes their quarantine period a lot more enjoyable.

Mr Miller: While the two programs have joined together to become the Pacific Australia Labour Mobility Scheme, the seasonal worker component are the workers who can come in for up to nine months and the Pacific labour scheme component can come in for up to three years at a time. There are different demands for those different cohorts.

Mr KATTER: I have a follow-up question. This may trip over into the federal realm, but as I understand it it has become a real problem. There were requirements on the rural visa that you have to spend three months in a rural activity but they expanded that to include tourism. The fruit growers in Bowen and Gumlu said, 'How can we compete?' People would typically come for three months and then go to Airlie Beach, but they are going straight to Airlie Beach and not even dipping their toes in the water through rural work now, which is a huge problem for them. Do you have any response to that? That seems to be a pretty big challenge.

Mr Miller: We are aware of that issue and we have raised it with our federal colleagues, but that is essentially a federal matter.

Mr Donaghy: I would say, though, that what we are doing—hence the regional workshops—is making sure anybody who is chasing workers knows that there is another process to get Pacific nation workers if the other workforce they traditionally relied on is no longer going to be there. We are more than happy to work with any ag sector that is chasing workers.

CHAIR: That is good to note on the federal level.

Mr SMITH: I know that some of this might be more clarification of federal policies, but any assistance you could give would be great. In Bundaberg we have a huge reliance on itinerant workers, especially out on the farms but also in our pubs, our clubs and our hotels. We have this real imbalance at the moment where tourism is absolutely booming but we obviously have a lack of itinerant workers

coming through. Under the SWP there is the nine months where you can do that as accommodation or hospitality in a regional or rural area, but is the understanding that through the PALM scheme it is only for agricultural work at this moment during COVID?

Mr Donaghy: In Queensland it is my understanding that that was the decision of cabinet. I do know that there are active conversations around what other economic cohorts may need to come in, but yes.

Mr SMITH: If you have an approved employer and they dabble in agriculture but then they also have a hospitality portion or a labour hire company that holds contracts, the worker coming over can only go into that agricultural element and cannot go and pour some beers on a Saturday night or anything like that?

Mr Donaghy: What I would suggest in response to that is that we would be more than open to talk through any scenario that approved employers have and we can ensure that if there are challenges with what they are proposing we can find a way to make something work for them. If they are predominantly ag workers and there are opportunities for them to do something else, we are more than happy to have the conversation to see how we could make that work. Sometimes that will be a yes and sometimes it may be a no, but we would need to see the detail and have some conversations with the approved employer and our agency partners, but we are more than happy to try to make it work.

Mr SMITH: Are there any nations a part of the scheme that we are not accepting at the moment?

Mr Donaghy: Yes. We paused taking workers from Papua New Guinea when COVID, and delta in particular, took off in PNG. We also paused Timor-Leste and Fiji. We were taking from Fiji and then we paused. We were hopeful Fiji would get on top of that outbreak early, but it did not seem to occur. Having said that, there is certainly not a shortage of workers in available worker pools right now. We are working with the Commonwealth to identify workers who have been double vaccinated now and also verification of what that looks like. We are still waiting for guidance from the Commonwealth.

Mr Miller: It is fair to say that Queensland's focus has been on facilitating the workers coming from those low-risk nations.

Mr Donaghy: And that certainly remains the case at the moment.

Mr McDONALD: I have a couple of questions in regard to the Back to Work in Agriculture Incentive Scheme in Queensland and the #pickqld bonus, particularly around how effective that has been in relation to the issue of Pacific island workers or any other workers and Queensland workers. There has been a real challenge in getting Queensland workers to the farm. They do their training, dozens of them, and you are lucky to keep one or two. Have these bonuses been effective? How much of the pool of money has been spent? I think it runs to 31 December. How effective has the incentive been and do you have any feedback from the farmers with regard to that?

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Mr Miller: It was originally launched as the Back to Work in Agriculture Incentive Scheme and then in July it was transferred across to the #pickqld bonus and the range of workers who could access it was broadened. Initially it was aimed at predominantly Queenslanders and then it was broadened to include all Australians and backpackers as well. I believe there have been over 2,000 applications to date. We have made recommendations to approve 885 workers for the first \$500 payment and 228 workers for second and final \$1,000 payment. We believe that it is making a difference and is helping producers. It is just one element linked with the Pacific island workers. There is the #pickqld bonus and the Queensland Agriculture Workforce Network, which is a range of officers embedded with industry. Across those three things we feel that we are making a substantial difference and benefiting producers. We are aware that producers have been accessing those workers.

Mr McDONALD: Were those approved numbers that you talked about under the #pickqld bonus or the old scheme?

Mr Miller: A combination of both.

Mr McDONALD: Do you have an idea about how effective the second has been versus the first one?

Mr Miller: Because we broadened the eligibility criteria, you could then conclude that a lot more people could apply for it. There have been more people applying under the broadened criteria than there were applying under the initial criteria.

Mr McDONALD: The other issue we have had from the broader community perspective is the fair treatment of workers, whether they be Queensland, Australian or Pacific island workers. I know from talking to my farmers that the standard they pay these workers is certainly at award or above. Could you enlighten the committee as to the standard that these workers can face and is there anybody in these schemes being mistreated?

Mr Donaghy: I will answer on behalf of the Pacific nation workers. When the workers come to Queensland to work, part of the arrangement with the Commonwealth agencies is that they are assigned welfare officers and it is their job to ensure the conditions of their visas are being met. There are some significant conditions around the treatment of workers and workers having access to culturally significant practices. For the Pacific nation workers in particular, that is access to religious places of worship and being given the freedom to participate in those activities. Obviously they are subject to the same laws that any other Queenslanders would be subject to when it comes to pay rates and conditions.

I am not aware, at least since I have been in this chair, of any reports of people who have been doing the wrong thing being substantiated. When we get reports of something that seems out of kilter, the first port of call is generally the Office of Industrial Relations. They will go out and they will do an investigation and report back. Sometimes that will be referred to another agency. So far for the referrals that I have made there has been nothing of significance that has come out of those referrals. In short, I think their welfare is very well maintained and approved employers who are employing them take that seriously. They take that seriously because the productivity uplift they are getting out of these workers is significant. It does cost them a lot of money but they want to keep them.

Mr McDONALD: Absolutely.

Mr Miller: Organisations like Growcom run their Fair Farms initiative. It takes a broader view of things. We are certainly hoping that through these programs there is a general uplift in standards of accommodation and treatment of workers and that would always be the case.

CHAIR: Are there any further questions?

Mr HART: Chair, before we finish our public meeting today, I move—

That the State Development and Regional Industries Committee inquire into the role, functions and oversight of the Office of the Independent Assessor.

CHAIR: How do you want to deal with this? You want to do this publicly and in the middle of a briefing?

Mr HART: Yes.

CHAIR: I do not think you can do that.

Mr HART: I have moved a motion.

CHAIR: What do you want to move a motion about?

Mr HART: It is an urgent matter due to the media that has been conducted about the Independent Assessor. Our briefing last week raised a number of questions and I think we need to deal with this now.

CHAIR: No. We have to discuss this in private.

Mr HART: Chair, I have no faith in the transparency of the committee process in the Queensland parliament when it comes to private meetings so I am doing this publicly.

CHAIR: I am ruling that out of order.

Mr McDONALD: Chair, it is a fairly straightforward question.

CHAIR: Can we deal with the public briefing first.

Mr McDONALD: We thought you were going to close the public briefing so we had to deal with that matter—

Mr HART: I apologise, gentlemen.

Mr MADDEN: Chair, I have a question. There has been some suggestion that there has been a lack of continuity or a lack of coordination between the federal body regulating the Pacific islander program and the Queensland government departments. How often do you meet with the federal body to discuss issues that arise? What is the program for that? Do you do it by letter or do you sit down with them? I want clarification on that.

Mr Donaghy: We meet with them weekly. Kerrod's team meets with a Brisbane based team weekly. That is generally via Teams. Irregularly—every month or so—they have face-to-face meetings. I meet with the director of that team face to face in Brisbane as required. We participate in national meetings with both DFAT and DESE and our equivalents in other states and territories monthly as well. The interaction is very frequent and the relationship across the federal agencies and ourselves is extremely constructive. It is oriented towards finding solutions when we hit a problem for the benefit of those Pacific nation workers and our agricultural industries that need those workers. Everyone approaches that with the right intent.

Mr MADDEN: Is it fair to say that the problems are getting fewer as we go along?

Mr Donaghy: I would certainly hope so.

Mr McDONALD: Can this committee help in education about or advancement of this process in terms of having further briefings or publishing material on the work that is happening? Can we assist in any way?

Mr Donaghy: I think that is a great suggestion. From our perspective, all elected members in Queensland have a critical role to play in guiding people who are having trouble with labour to solutions. This has proven to be one very useful solution. We are open to providing members with any advice they might need or material they can share with their constituents or even something as simple as links back to our websites where they can get specific information from us or the Commonwealth as needed. That is a great idea and we would be very open to that.

Mr McDONALD: It just came to mind—and I appreciate the briefing that has occurred with regard to the issues around bringing people in—that there has been a shortage of accommodation for workers who have completed their quarantine in the Lockyer, Southern Downs, Scenic Rim and Bundaberg areas. Can the department help with that in any way? Is there something else we can do in that space?

Mr Donaghy: That is a national problem, I am finding. It is coming up in every state and territory. I think it is because this is a structural adjustment challenge for agriculture. Traditionally they relied on a lot of people who were self-sufficient with labour. They would bring a van with them or they were willing to work in various locations for short periods of time that may not have been spot on. Going forward, that is no longer going to be the case. With those growing pains there is absolutely a challenge for suitable worker accommodation at the moment. I do not think the state government is able to resolve that problem in isolation. I think that will require partnerships with local councils, state agencies, industry groups and particularly the Commonwealth government.

CHAIR: There being no further questions—

Mr McDONALD: Chair, before you close, the motion that Michael moved—

CHAIR: I have ruled it out of order. I am looking at standing order 211. I think we would need some further advice. There is a possibility that that is in breach of standing order 211(2), (3) or (4). I direct members to do that.

Mr McDONALD: As Michael said, for your consideration, if it were a matter of urgency suddenly arising, this is a public inquiry and this is the first opportunity Michael has had to raise it in a public forum—

CHAIR: I understand why the member wants to do that. Can I point out that the committee has not resolved yet or may resolve to deal with that particular inquiry. I point out that we are going to have a private meeting in a couple of minutes.

Mr HART: And we are not transparent in private. That is the problem here, Chair.

CHAIR: Can I caution the member in terms of making these statements.

Mr HART: Go right ahead.

CHAIR: If the member keeps making these statements here he may rule himself out of being available to be part of that inquiry—if he is going to prejudice it in this way.

Mr HART: That sounds like a threat, Chair.

CHAIR: I am just warning the member to be careful. Thank you for your attendance at today's meeting. A transcript of these proceedings will be available on the committee's parliamentary webpage in due course. I declare the briefly closed.

Mr Miller: Thank you for the opportunity to present and answer questions today.

The committee adjourned at 11.10 am.