



Speech by

HOWARD HOBBS

MEMBER FOR WARREGO

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PRIMARY INDUSTRIES AND OTHER LEGISLATION AMENDMENT BILL

Mr HOBBS (Warrego—NPA) (8.30 p.m.): I am pleased tonight to speak to the Primary Industries and Other Legislation Amendment Bill 2003 and, on behalf of the shadow minister for primary industries, to move an amendment. There are a number of issues covered by the legislation. Overall, it is good legislation. We believe that there will be some positive outcomes from it. It crosses a number of issues that needed to be fixed and I commend the department for doing that.

There are a few issues that I want to raise. The first part of the bill that I will speak to relates to fisheries. Broadly speaking, the bill aims to streamline some of the fisheries planning and development processes. I would not say that that is overdue, but certainly it is welcome.

The four main areas that currently require approvals for the Fisheries Act are aquaculture, works within declared fishing habitat areas, the construction of waterway barrier works, which is dams and barrages, including the associated construction of fishways or fish ladders, and permits to remove, destroy or damage marine plants. The bill removes the development related approval processes from the Fisheries Act and replaces them with provisions requiring all of those approvals to be processed according to the Integrated Planning Act requirements. This should streamline the process to make it easier for those people who want to develop and improve their fishing operations. That will tend to reduce some of the red tape involved and, hopefully, will be of benefit across-the-board.

It also provides for appeals against development related decisions to be made through the Planning and Environment Court. In some ways, that will be fine. Frankly, I think that, in a lot of ways, the Planning and Environment Court has a long way to go in relation to understanding a lot of rural orientated issues. While in this case it is the appropriate court, there is still a way to go before it is really able to get its mind around some of the matters that were traditionally dealt with by the Land Court. The Planning and Environment Court tends to be doing a few of those things these days.

While development approvals will be dealt with under the Integrated Planning Act, the resource allocation process will remain under the Fisheries Act. Resource allocation deals with the allocation of state owned resources and access to designated reserves or unallocated state land.

The bill provides for self-assessment codes for low impact forms of development. This means that smaller developments, including the maintenance of existing developments, will no longer require assessment and approval by the Queensland Fisheries Service. Self-assessment is one of the things that we have been doing for quite some time. Obviously, it does mean a bit less red tape. Provided the people involved are responsible—and we hope they are—and they play the game, it will certainly be of great benefit to all within that industry.

The bill also provides the framework to implement amendments agreed to by both the Queensland and the federal governments to address discrepancies between Queensland and Commonwealth law in relation to land-based aquaculture development. This effectively means that the federal government approval process can be avoided as it is being incorporated as part of the state process. This is always a very difficult area and we have numerous examples of state and federal legislation clashing. Even if the legislation does not clash, it is the general principle, the philosophies, the governments or just the politics that do. It becomes a total nightmare in many instances. Let us hope that this will have some long-term benefit for us as well.

The amendments to this bill will also provide the means for allowing the waiving of fees to surrender provisions when transferring or amending fishing licences as a result of unforeseen circumstances such as divorce, bankruptcy or a death in the family. That will be a benefit and, hopefully, will reduce some of the red tape involved in that process.

The opposition certainly supports the amendments to fisheries processes. The amendments in relation to aquaculture are particularly important as, in a sense, these changes create almost a one-stop shop for aquaculture approvals. In his address the shadow minister covered in detail a lot of the issues relating to aquaculture, and I will not go over those issues again. Those amendments should certainly improve that process.

Aquaculture has enormous potential for future employment and economic growth in Queensland. We have come a long way from years ago when one could say that the bones of failed aquaculture enterprises were spread up and down the coast. The technology and understanding of aquaculture is very specialised. A lot of overseas expertise was brought in to that field and they did a great job. The Taiwanese and the Japanese did particularly well. They really have a lot of knowledge of this industry.

We are improving dramatically. We have come a long way in the last 10 years, and certainly in the last five years there has been a huge influx of expertise into Queensland. A number of years ago in Tasmania I looked at aquaculture involving Atlantic salmon. They were very advanced in those days. In coastal Queensland there is certainly a lot to learn, particularly about general management, the environment, water quality and general promotion.

The value of Australia's aquaculture production in 2001-02 was about \$733 million, accounting for 30 per cent of the total gross value of Australia's fisheries production in that period. It is a substantial industry and we are going to make sure it is right, but we do not want to stifle it. We want to ensure that it has the ability to move ahead with some confidence. We do not want people to come over here and start a business, only to find that they are really bogged down in red tape with departmental people giving them a hard time.

Aquaculture has recently become Queensland's fastest growing primary industry sector, with growth in value averaging 10 per cent per annum in the last decade. During 2001-02, production was 4,603 tonnes, valued at \$71.65 million. The proposed changes will help this industry to flourish by streamlining myriad approval processes that aquaculture proponents must contend with.

Exotic diseases are also covered in the legislation. The bill contains amendments that address issues identified during the foot-and-mouth disease simulation exercise conducted in September 2002. That is particularly important. I had one of these undertaken on my own property a number of years ago, and there was a lot of work involved in that. It showed even in those days—and this was probably 15 years ago or even longer—the distance that stock travelled from a sale. They went from Blackall, for instance, to Victoria within a couple of days. There is an enormous distance over which stock can move quickly, and if an outbreak occurs there has to be a very concerted effort and a lot of work put in to managing animal resources, particularly wild animals and wild pigs, and also to be able to track down where all the stock has gone from the saleyards.

The act will be amended to remove unnecessary licensing requirements relating to a restricted area declared for an exotic disease. It was considered too restrictive. Now movements that pose a low risk of spreading the disease will be exempt from requiring a licence. The act will also be amended to provide top-up compensation calculated at a time when the property is eligible to restock, rather than the date when the quarantine ends. That is particularly important because we must have that flexibility to be able to move when the time is right. In many instances, the red tape and the bureaucracy that stands in front of you can be absolutely enormous. We might find that blockages are still there, but let us hope that this legislation will help.

An important part of this bill concerns the dairy industry. Undoubtedly, the changes that will be made to the Food Production (Safety) Act 2000 are the most controversial elements of this bill. A number of operators have developed schemes to sell raw milk for human consumption but to package the product as a bath milk or body butter and the like. These products are being labelled 'not for human consumption' but in reality are being consumed.

This bill is aimed at preventing these schemes by strengthening the laws surrounding the sale of unpasteurised dairy milk. The bill paves the way for the Queensland government to introduce regulations under the Food Production (Safety) Act 2000 to prevent the sale of bath milk and other such products. The bill also cracks down on the 'share a cow' scheme, where consumers could enter into a lease agreement with a farmer to legally consume the milk unpasteurised. The government's decision to introduce these amendments has drawn a considerable amount of criticism in some sections of the community. The main criticism is that the government is not allowing consumers to choose whether or not to drink raw milk.

Raw milk proponents have argued that unpasteurised milk products could carry warning labels similar to those on cigarettes packets. They also claim that, if high standards were set for how raw milk

was handled, produced and packaged, consumers should be free to choose whether or not to drink raw milk. It will be interesting to hear the minister's comments and views on warning labels in relation to this particular issue.

Mr Palaszcuk interjected.

Mr HOBBS: I guess that is more the point of the minister's view. I think that the QDO is coming from a certain position and we understand where it is—

Mr Palaszcuk: Don't you listen to the industry?

Mr HOBBS: Yes, we do. Absolutely. Industry is very important.

Mr Palaszcuk: You have the letter from QDO, you have the letter from ADA. Why don't you listen to what the industry says?

Mr HOBBS: Yes, we do, and it is very important to look at that. At the end of the day, we have to balance it across-the-board to see whether they are right.

Mr Palaszcuk: They are not right.

Mr HOBBS: What I am saying to the minister is that there may be some options we need to explore, and tonight I am hoping to talk them through with him. Being the conciliatory person that he is, I am sure that he will see reason.

Mr Cummins: The farmer's friend.

Mr HOBBS: The farmer's friend; that is quite right.

Mr Palaszcuk: Would you drink unpasteurised milk?

Mr HOBBS: I was reared on unpasteurised milk.

Mr Cummins: And look what that has done!

Mr HOBBS: That is very unkind. I would have no problem in drinking unpasteurised milk because we all drank it. Most kids who grew up on farms and properties all drank unpasteurised milk.

While I acknowledge the arguments of raw milk proponents, I also recognise that governments have the responsibility to protect the public health and safety of the community as a whole. It is Food Standards Australia New Zealand, a binational independent statutory authority, that develops the standard that applies to all food produced or imported for sale in Australia and New Zealand, and I support that process. We need to have that. Under the joint Australia New Zealand food standards code, milk is required to be processed. FSANZ states that the requirement for pasteurised milk is a public health measure. Pasteurisation destroys harmful bacteria which may be present in raw or unpasteurised milk. The pasteurisation of milk goes back some 80 years. This is the issue, Minister. I do not think we have progressed beyond that stage.

It is a widespread practice throughout the developed world because, as I said, it destroys a lot of this bacteria. Obviously no government wants outbreaks of food-borne illnesses which would place extra stress on already overworked health systems. A number of concerned Queenslanders have written to me arguing that raw milk is healthy and they have quoted from various scientific studies to support their arguments. They have also argued that there is a number of countries and several US states that allow raw milk sales, albeit generally under restricted conditions. In deciding whether or not milk should be pasteurised, we rely on Food Standards Australia New Zealand for its position as articulated in the food standards code, which is that milk should be pasteurised.

State governments have a say through the Australia New Zealand Food Regulation Ministerial Council, which includes health ministers from the Commonwealth, states, territories and New Zealand. The relevant food safety state legislation is subsequently based on the Australia New Zealand foods standards code. As such, no Australian state permits the general sale of unpasteurised cow's milk for drinking purposes or other unpasteurised dairy products.

FSANZ is constantly assessing information on food safety issues and monitoring developments, as part of its role is to protect the health and safety of people in Australia and New Zealand by maintaining a safe food supply. Individuals have the right to apply to have the food standards code amended, and I understand a number of raw milk supporters in Queensland have written to it requesting that the code be changed. I welcome that move. I believe that is the correct avenue to pursue changes to food safety, as it is the food safety code that forms the basis for food safety legislation.

Mr Terry Sullivan: And that was agreed across the states, wasn't it?

Mr HOBBS: Yes. The issue has enraged a significant portion of the community, particularly on the Sunshine Coast. A number of Queenslanders have voiced objections, with Maleny resident Liisa Archer starting an electronic petition opposing the legislation. The petition with 439 signatures was tabled.

Basically, proponents argue raw milk is available in some states in the US and the UK and in parts of Europe so why should it not be available in Australia. In California, Connecticut and New

Mexico raw milk can be sold in stores, and in many US states raw milk can be bought from farms. In Europe a lot of cheese is made using raw milk. FSANZ is considering an application to allow some imported parmesan cheese that is made using raw milk. I am not a great fan of parmesan cheese. I guess any self-respecting *E. coli* would not live in it. It could also be argued that standards at farms surrounding how milk is handled and distributed have improved significantly since pasteurisation was first introduced.

I want to move an amendment to this bill that will allow primary producers to sell unpasteurised milk provided they comply with scientific standards for the removal set by Food Standards Australia New Zealand. If, for instance, we have a situation whereby unpasteurised milk goes through the strictest standards that they possibly can, and supported by the safe foods arrangement, I do not see why we cannot have that for sale in Queensland. People smoke cigarettes and there are signs on the front of the packet stating what the consequences are. This is purely a matter of choice. I see no reason at all why we cannot have that.

I would like to quote from a letter which has been written to me. It says—

I write concerning the issue of the sale of raw fresh milk. My personal experience of nearly 40 years of health problems leads me to some research into processed foods including dairy products. My move from pasteurised/homogenised to raw milk has helped greatly in the healing of nearly 40 years of respiratory problems, which includes six months in hospital.

Perhaps of greater concern is the possibility of legislation denying many citizens the right to include this healthy product in their lifestyle. When cigarettes, alcohol and other processed products are deemed suitable for consumption, it seems inappropriate that raw fresh milk should be banned from sale.

My request is that the parliament legally enables any citizen the choice to purchase raw fresh milk.

The point is that it is a choice. It is a choice to purchase raw fresh milk. People do not have to drink it. It is like television—people do not have to watch television. There are people who want the choice. What is wrong with offering them the choice? If the minister does not want to drink the milk he does not have to, but if he does want to drink it he can. I do not see a problem provided we do have those safety mechanisms put in place so that the treatment of this unpasteurised milk is done at the highest standard possible. Generally speaking, homogenised milk is not going to be done away with as the main milk that is used, but I do not see why we cannot have some flexibility.

I believe that the raw milk proponents have lodged an injunction against cabinet in relation to this bill. I also do not accept the argument that Queensland is just ensuring that it complies with the FSANZ code. I point out that the state can do what it wants, which is true. The state can do it. The minister can do it. It does not mean that the minister cannot do it. If we wish to have, and we want to have, that choice for people to be able to make their own decisions, surely in this day and age we can allow that to happen.