




Speech By
Stephen Bennett

MEMBER FOR BURNETT

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EXHIBITED ANIMALS BILL

 **Mr BENNETT** (Burnett—LNP) (4.39 pm): I rise to speak in support of the Exhibited Animals Bill 2015, which will enable the exhibition of animals to continue in Queensland while, importantly, minimising risks to animal welfare, biosecurity and safety. Importantly, it will reduce red tape, ensure new opportunities for the industry and deal with community expectations of risk. Queensland needed a consistent approach to the laws applying to the management of exhibited animals. It is noted that most of the industry support the bill and the committee has continued the work done in 2014. The bill has evolved from significant consultation with the department and key industry stakeholders. I would also like to acknowledge the departmental representatives present here this evening for their assistance throughout the process as well as the previous agricultural minister sitting beside me, who introduced the bill in 2014. I also thank the current minister for progressing this legislation.

It is important to identify those involved. Animal exhibitors in Queensland include zoos, circuses and mobile animal demonstrators. As we know, zoos and circuses have operated in Australia since the mid-19th century and they remain popular today. Queensland's current legislation is fragmented, inefficient and disjointed. There are currently six licensing schemes and regulations across four acts: the Land Protection (Pest and Stock Route Management) Act 2002, the Fisheries Act 1994, the Nature Conservation Act 1992 and the Animal Care and Protection Act 2001.

Some exhibitors need multiple licences, each with fees, charges and regulation and, as a result, are being regulated under more than one act. All governments should be looking at reducing the regulatory burden and providing Queenslanders with opportunity. We want to see innovation and adaption by business in what should be an evolving industry. As a result, we have some animals that are not able to be exhibited at all. Of course, Queensland needs this opportunity and we need to be able to manage the risks that are involved. In the past, safety and animal welfare risks posed by exhibiting animals have not been appropriately regulated.

The bill will simplify how government authorises the exhibition of animals that generally cannot be kept in Queensland without a licence. Only those exhibitors who need a licence under the current legislation will need a licence under this new legislation. The Exhibited Animals Bill 2015 will consolidate the regulatory burden and licensing schemes for the successful exhibition of native and exotic animals into a best practice legislative framework by requiring exhibitors, the best people, to take a more active role in identifying and managing animal welfare and important biosecurity and safety risks that impact when exhibiting these important species.

To further reduce red tape, this legislation will provide that licences can be granted for up to three years, with those involved in exhibition and dealing with exhibited animals required to prevent or minimise the risk. The issue surrounding the use of management plans, which has been alluded to in several speeches already, was certainly a consistent and regular part of the negotiations in the examination of the proposed legislation. The management plans will allow exhibitors to propose the activities they wish to conduct under their licence and explain, using the management plan, how they

will prevent and minimise risk. Importantly, this will give industry the opportunity to utilise expert knowledge to manage risk in what can be unique circumstances where the current legislation prohibits exhibition of the species by their activity.

Changes in the bill will mean that licensing decisions will now be risk based. In practice, a licence could be granted to keep almost any animal for any type of exhibit if it can be demonstrated that risks were prevented or minimised, achieving the result of allowing a greater range of species to be exhibited if the industry so desired. It has been stated that, under the current legislation, some species cannot be exhibited in Queensland at all. This new flexibility of a risk based approach will be complemented by a monitoring regime by the department of licensed exhibitors. Minimum exhibition requirements are now defined to ensure that animals kept under licence are actually exhibited. This issue became really important because the species to which they apply cannot be kept in private situations in Queensland.

The issue of fixed exhibits was raised on a regular basis in the committee. The high pest potential animals listed as prohibited matter under the Biosecurity Act 2014 now need to be in a fixed exhibit that is open to the public. Most other species will need to be exhibited on a regular basis. This removes the unintended consequence of issues of some private collectors in our community. The industry looks forward to the frequency of assessment visits based on compliance.

I would also like to thank those who participated in providing comment and feedback during the process in 2014 and again in 2015 of getting on with the job of providing a single industry-specific act. This bill has undergone an extensive consultation process. We need to acknowledge their involvement that allowed us to present a framework for successful exhibition of animals in Queensland. The bill provides an opportunity for business expansion while cutting red tape, remembering the core function of this bill is minimising the risks to welfare, biosecurity and safety.

I acknowledge the work of my fellow committee members and the staff—Rob, Megan and Rhia—as well as the Technical Scrutiny Secretariat. In referencing the bill, it was noted that it has been broadly supported by the industry throughout its development. It was also noted that the proposed restrictions on category C animals was an area of some concern. When the issues of incidents being scrutinised was raised, it was a difficult and sensitive area in which to propose the requirement for category C animals to be based in a fixed exhibit. I highlight the committee's recommendation 4, which recommends that the bill be amended at subclauses 76(2) and (3) to reduce the minimum annual hours to at least 50 hours in each calendar month or 600 hours in a year.

During our deliberations, there was some assertion that the department had an agenda of bias against some sectors of the industry. I was satisfied with the department's advice and assurances that managing risks associated with category C animals is based on internationally accepted control principles.

The bill will apply the same risk management criteria to assessing licence applications. The only exemption is category C animals, which are required to be based in a fixed exhibit. This highlights the importance of management plans, which will not preclude the mobile exhibit of category C animals. The process will allow this under a special exemption approval which would be reviewed on a regular basis by the department.

As stated, management plans were raised regularly. The bill is structured so that the utilisation of a management plan is important in deciding whether applicants can manage the relevant risks. This was acknowledged in the minister's response. I record my thanks that the committee's recommendations were listened to and agreed to, and I thank the minister for that. There was recommendation 1, but I think we do need to acknowledge that the risks to biosecurity and safety appear to be rare in Queensland. Recommendation 4—we do acknowledge that. I thank the minister for taking that up. I mentioned this before; it is around those private collector issues in Queensland. I acknowledge the examples and the two amendments in recommendation 5. The example given was a good one, and I thank the minister for that. Of course, recommendation 6 did address the management plans.

The committee generally accepts that category C animals, which include exotic species that are prohibited matter under the Biosecurity Act, present greater risk. That is why the way this current legislation has been framed is important. In closing, I acknowledge the points of clarification, and I thank the minister for his response in addressing those concerns.