




Speech By
Patrick Weir

MEMBER FOR CONDAMINE

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AGRICULTURE AND OTHER LEGISLATION AMEMDMNT BILL

 **Mr WEIR** (Condamine—LNP) (6.14 pm): I rise to make my contribution to the debate on the Agriculture and Other Legislation Amendment Bill 2019 as a member of the State Development, Natural Resources and Agricultural Industry Development Committee. The Agriculture and Other Legislation Amendment Bill 2019 was introduced into the Legislative Assembly and referred to the committee on 22 August 2019. The committee was required to report back to the House by 8 October 2019. Once again, this is a large omnibus bill which amends 17 acts and four regulations and presents the usual associated problems for both the committee and submitters in trying to scrutinise properly and thoroughly all of the amendments in the limited time available. This was highlighted at the public hearing on 13 September by Mr Dunn from the Queensland Law Society, who stated—

In our submission today we have raised a number of issues but our analysis was somewhat limited due to the amount of time that was available between the tabling of the bill and the submissions to the committee, so there may well be issues in the bill that we have not located or identified. That does not mean necessarily that we do not see that there are other issues in the bill, but we just have not picked them up so far.

Given the range and complexity of the many amendments in this bill, time prevents me from speaking to them all. I will cover what I can in the time available. One of the main objectives of the bill is yet another attempt by this Palaszczuk government to address property invasions by animal activists to which farm owners and processors have been subjected. As we know, in May 2019 this Labor government increased fines for trespass to \$652.17 as its solution to this growing biosecurity threat.

At the time, LNP members in this House said that this paltry fine would be no deterrent to these protesters. This has been proven correct time and again. During the public hearing, AgForce stated that the changes which were introduced in April 2019 establishing on-the-spot fines did not provide a sufficiently strong deterrent to animal activist activity. The Queensland Farmers' Federation also submitted that current laws 'are no longer fit for purpose'.

Now we once again see this incompetent minister put together this hotchpotch of legislation in yet another attempt to be seen as trying to address the issue. These amendments include amendments to the Biosecurity Act that specify that carrying out an activity which prescribes a general biosecurity obligation applies to persons entering, being present at or leaving a place where a biosecurity matter or carrier is present, and such persons are therefore liable to the general biosecurity provision.

The Biosecurity Regulation 2016 is repealing chapter 2, part 10 of the regulatory provisions introduced in April 2019, inserting new provisions to allow that a registered biosecurity entity may make a biosecurity management plan which must be available to be inspected at the place, that that sign regarding compliance must be conspicuously displayed at the place in each area where there is a biosecurity management plan, and that a person entering, being present at or leaving a management area must comply with the biosecurity management plan.

The Summary Offences Act 2005 is replacing section 13, 'Unlawfully entering farming land', with a new section 13, 'Unlawfully entering or remaining on particular land', which extends the land type uses to include a holding facility, food production facility and land for exhibition of animals. It expands

the scope of section 10A to include specified risks, making a gathering of three or more persons on land unlawful if the conduct of them taken together would cause a person in the vicinity to believe on reasonable grounds that the conduct poses a risk to the health and safety of a person or a risk to the welfare of an animal or a biosecurity risk or is likely to cause an economic loss or a risk to the safety of food produced for human or animal consumption. The LNP will not be opposing these amendments but would call for more clarity from the minister regarding the last amendment. This was also a recommendation of the committee.

Whilst concerns were raised with the phrase 'likely to cause economic loss' being too broad and vague by the Queensland Law Society and Queensland Council for Civil Liberties, this is something that industries such as the livestock transport industry have been calling for. There have been incidents of protesters interfering with trucks, entering abattoirs, trying to remove pins from trailers and entering the cab of a moving vehicle. This is highly dangerous for the driver, the protester and the livestock. Can the minister give an assurance to industry that these reckless offenders will be prosecuted under this act?

There could be no greater example of the reckless actions of these activists than the illegal entry of a piggery at Pittsworth in the electorate of Condamine in November 2019, where biosecurity notices were ignored and six newborn piglets were stolen—'rescued', the activists called it. This was at a time of heightened biosecurity due to the swine disease not far from our borders. The complete lack of knowledge of animal husbandry by the perpetrators meant that five of the six stolen piglets died by the time the culprits were arrested and charged. The activist was issued with a \$300 fine.

This bill proposes amendments to authorise the use of body worn cameras by authorised officers and inspectors. The Council for Civil Liberties held some concerns about privacy issues regarding the data collected by the use of body worn cameras.

The bill also amends the Animal Care and Protection Act to include inappropriately confining or transporting an animal in a vehicle in a way that causes heat stress as an offence. This is a policy that the LNP announced in 2018, and it is nice to see that it will finally be adopted by the Palaszczuk government. A dog can die in as little as six minutes in a hot vehicle. Unfortunately, prosecutions are rare.

The amendment to the legislation regarding the movement of wild goats was opposed by AgForce in its submission. The Biosecurity Act currently allows for a 10-day exemption for the movement of wild goats from the property of capture to either a processing works or an approved depot without an approved National Livestock Identification System device. The bill amends section 180 of the Biosecurity Act to remove the exemption for the movement of wild goats in these circumstances so that moving goats without an approved device would require a travel approval. The Australian Meat Industry Council, the Goat Industry Council of Australia and AgForce strongly oppose the amendment of section 180(c) of the Biosecurity Act to remove the exemption for moving goats. The department stated that, because wild goats are very mobile and cross state borders, consultation had been undertaken at the national level. This may be so; however, the department and the minister need to engage with those affected by this change. If wild goats are to be NLIS tagged, this will result in injuries such as severe bruising, broken legs and possibly death in the process. These are wild animals not used to be handled like horses, cattle or sheep are.

The last part of the bill I will comment on is with regard to the amendments to the Forestry Act, in particular clause 114 which amends section 72. This amendment will alter the notification process for the mustering of stray stock in a forestry or timber reserve. The chief executive will no longer be required to insert two notices of the intended muster in a newspaper circulating in the district nor provide notices to the nearest forestry office, every Magistrates Court in the district and every inspector of stock within the district. Instead, the amendments require the chief executive to give each landowner adjoining the area where the stock are a notice advising of the muster. Instead of providing this notice 28 days prior, it will only need to be provided to relevant landholders and persons believed to be the owner five days prior to the muster. The notice must state that the owner may claim the stock within 14 days after the notice is given. I note there were concerns raised in the section of the committee reporting dealing with fundamental legislative principles regarding this amendment. It states—

There is also the potential that a landholder who is the owner of the stock will not receive any notice of the muster if their land is not adjoining the intended muster area and the chief executive is unaware that they might own the stock.

If stock is not claimed by the owner by the end of the 14 day claim period, the chief executive may sell, destroy or otherwise dispose of the mustered stock ...

The impact of a failure to notify is a very serious matter. AgForce suggested that the 14-day notice period to claim the stock should be from the date of the muster and that notice of the muster should be published on the department's website.

I note that the member for Bancroft made comment about the amendments that the member for Gympie 'dropped' into this House earlier. I think they pale into insignificance compared to what the minister dropped into this House regarding our agricultural colleges and the disposal of those assets. It is a disgrace to bring that in with no public scrutiny whatsoever.