

~~industries. The bill introduces requirements for the board to develop and implement strategic and operational business plans for the entire organisation. The residential colleges—Emerald Agricultural College and Longreach Pastoral College—are being restructured so that they become more viable. It is imperative that these colleges have the ability to realign their services to the requirements of their students and to the agricultural and pastoral sectors that they serve.~~

~~The legislation will also formalise the local college board arrangements I put in place earlier this year at Emerald and Longreach. These boards will have a critical role in assisting the corporation to identify and address the training needs of those industry sectors. They will also be tasked with improving the decision making and performance of each residential college with the oversight, of course, of the governing board. The college directors appointed this year will also have formalised roles under the act to manage the day-to-day activities of their college.~~

~~Skilling the future generations of rural and regional Queensland is an essential component of the government's commitment to agriculture as one of the four pillars of the Queensland economy and, of course, for our plan to double food production by 2040. The passage of this bill in early 2014 is therefore essential if our agricultural colleges are to have the management and financial standing to be part of the vocational education and training sector into the future.~~

~~I place on record my appreciation to the member for Gregory for his guidance both now and into the future, no doubt, for those two residential colleges in particular. I commend the bill to the House.~~

First Reading

~~**Hon. JJ McVEIGH** (Toowoomba South—LNP) (Minister for Agriculture, Fisheries and Forestry) (12.20 pm): I move—~~

~~That the bill be now read a first time.~~

~~Question put—That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

Referral to the Agriculture, Resources and Environment Committee

~~**Mr DEPUTY SPEAKER** (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Agriculture, Resources and Environment Committee.~~

018

BIOSECURITY BILL

Message from Governor

Hon. JJ McVEIGH (Toowoomba South—LNP) (Minister for Agriculture, Fisheries and Forestry) (12.20 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE

BIOSECURITY BILL 2013

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to provide for a comprehensive biosecurity framework to manage the impacts of animal and plant diseases and pests in a timely and effective way and ensure the safety and quality of animal feed, fertilisers and other agricultural inputs, to repeal the Agricultural Standards Act 1994, the Apiaries Act 1982, the Diseases in Timber Act 1975, the Exotic Diseases in Animals Act 1981, the Plant Protection Act 1989 and the Stock Act 1915, to amend the Chemical Usage (Agricultural and Veterinary) Control Act 1988, the Fisheries Act 1994 and the Land Protection (Pest and Stock Rout Management) Act 2002, and to make minor and consequential amendments of the Acts mentioned in schedule 4.

(Sgd)

GOVERNOR

Date: 19 NOV 2013

Tabled paper: Message, dated 19 November 2013, from Her Excellency the Governor, recommending the Biosecurity Bill 2013.

Introduction

Hon. JJ McVEIGH (Toowoomba South—LNP) (Minister for Agriculture, Fisheries and Forestry) (12.22 pm): I present a bill for an act to provide for a comprehensive biosecurity framework to manage the impacts of animal and plant diseases and pests in a timely and effective way and ensure the safety and quality of animal feed, fertilisers and other agricultural inputs, to repeal the Agricultural Standards Act 1994, the Apiaries Act 1982, the Diseases in Timber Act 1975, the Exotic Diseases in Animals Act 1981, the Plant Protection Act 1989 and the Stock Act 1915, to amend the Chemical Usage (Agricultural and Veterinary) Control Act 1988, the Fisheries Act 1994 and the Land Protection (Pest and Stock Route Management) Act 2002, and to make minor and consequential amendments of the acts mentioned in schedule 4. I table the bill and the explanatory notes. I nominate the Agriculture, Resources and Environment Committee to consider the bill.

Tabled paper: Biosecurity Bill 2013.

Tabled paper: Biosecurity Bill 2013, explanatory notes.

I am pleased to introduce the Biosecurity Bill 2013. Queensland's current disjointed biosecurity legislation was developed in response to specific events since the Stock Act was first introduced in 1915. As a result, it includes overlapping and inconsistent approaches as well as obscure and obsolete provisions. The legislation is difficult for stakeholders to navigate and results in inefficient administration. It is largely reactive and prescriptive and lacks the flexibility to enable efficient responses to Queensland's emerging biosecurity risks.

When I released the agriculture strategy earlier this year I outlined the Newman government's vision and framework for growth for this sector and an action plan of 60 initiatives across government. Biosecurity is both one of the major challenges and one of the opportunities facing the sector. Improving Queensland's biosecurity preparedness, through implementing new systems to more effectively manage pest and disease threats and having significantly enhanced biosecurity legislation to support this, was a key initiative under the agriculture strategy.

As honourable members know, maintaining market access and developing new markets for our world-class, disease-free products is vital to both our pro-growth aspirations and the competitiveness of our agricultural industries. Queensland continues to be challenged by new and re-emerging pests and diseases—more so than any other state or territory. Our close proximity to Papua New Guinea and South-East Asia combined with the diversity of environment and climatic conditions provide ideal conditions for a vast number of exotic pests and diseases to potentially establish.

Pest and disease threats to Queensland are expected to become more frequent and diverse due to: increases in tourism and business travel; expansion in the trade of animals and animal products; an increased volume, range and geographic distribution of plant species traded; as well as entry of pests and diseases through natural routes. At the same time, analytical methods are constantly becoming more sophisticated, and overseas markets are demanding improved quality and timeliness of information to prove freedom from pests, diseases and contaminants. Without reform, current legislation will impede growth to this core pillar of our economy and delay achievement of our goal of doubling agricultural production at the farm gate by 2040.

This bill will deliver a single, cohesive legislative framework with proportionate powers and flexibility to respond in a timely and effective way to emergency events and ongoing animal and plant diseases and pests. This will help to reduce impacts on agricultural industries, companion and leisure animals, the natural and built environment, tourism and lifestyle industries and potential disease transfer between animals and humans. It will also manage risks of biological, chemical and physical contaminants associated with carriers such as livestock, plants, machinery, animal feed and fertilisers.

The bill demonstrates the government's commitment to cutting red tape by repealing six biosecurity related acts and amending a number of other acts. Excluding the 112 pages of repeals, savings, transitional clauses and clauses amending other acts, the bill is 425 pages in length—a more than 20 per cent page count reduction compared to the corresponding provisions in the current legislation.

In terms of reducing red tape, a new permits scheme will simplify, consolidate and remove some of the current permits required under existing biosecurity legislation. Other red-tape-reduction

proposals include generic rather than narrow biosecurity certificates, increasing the duration of authorisations to three years and rationalising the number of different fees by over 50 per cent.

The proposed legislation has a strong focus on requiring all stakeholders to take an active role in managing and responding to biosecurity risks. The general biosecurity obligation will result in more equitable sharing of the responsibility for prevention and response activities by those who contribute to the risk or benefit from its management. It is general because biosecurity has broadened from its historical focus on dealing with a narrow range of pests and diseases to a more diverse range of risks threatening industries, the environment, broad economic interests, human health and social amenity.

The bill establishes obligations for animal disease tracing purposes. These include registration of properties where animals are kept, the use of devices to identify specific animals, including cattle, sheep and goats, and recording the movement of animals. Owners of hobby farms and livestock pet owners will need to register their property, but they will be exempt from the fee where they meet taxation rulings of not carrying out a primary production business.

019 The bill also establishes obligations for dealing with prohibited and restricted biosecurity matter, including notification of incidents that may indicate the presence of a biosecurity threat. For example, owners would need to report issues such as mouth or feet blisters on designated animals, abnormally high mortality or morbidity rates, or a sudden, unexpected fall in production in plants and animals. To protect our industries, the bill also prohibits the feeding of animal matter to designated animals that might spread disease, such as mad cow disease, unless specific exemptions are met. The legislation also provides more scope to manage emergency biosecurity events where serious or irreversible damage is possible but the scientific knowledge may be incomplete. The bill adopts the precautionary principle that will allow swift but time limited action to be taken to manage these emergency events. This acknowledges that the costs of not taking action to minimise a risk, such as a highly infectious zoonotic disease which is a disease that can be transmitted between animals and humans, can be more significant than the cost of taking early and definitive action that subsequently proves to be unnecessary.

The Newman government is focused on customer service and supporting an efficient, resilient and profitable agriculture sector by fostering innovation and flexibility. Revitalising front-line services to deliver on-ground solutions and outcomes for our producers in key areas such as wild dog management, tick control and crop protection are all key initiatives under the agriculture strategy. The bill provides comprehensive regulatory powers and tools, including emergency powers, emergency biosecurity orders, emergency prohibited matter declarations, movement control orders, biosecurity zones and biosecurity programs. These powers can be tailored, and therefore proportionate, to the unique nature and tactical challenges of addressing individual biosecurity threats. This will enhance capabilities and flexibility for front-line staff, provide for more cost-effective responses and reduce burdens for stakeholders while ensuring the rights and liberties of individuals are safeguarded. For example, biosecurity zones will be used to manage, reduce or eradicate pests or diseases such as fire ants, cattle ticks and banana diseases across the whole or part of the state. A biosecurity zone will establish how biosecurity matter must be managed, including details for eradication, movement of biosecurity matter into or out of or within a biosecurity zone, as well as outlining how inspection, testing and records are undertaken and kept.

Under the proposed changes, a surveillance program can be authorised to determine the extent of the presence of a biosecurity threat, monitor the effects of responses to a biosecurity risk, confirm the absence of a biosecurity threat or monitor compliance with the bill. A prevention and control program may be authorised to prevent the entry, establishment or spread of a biosecurity threat in an area or to manage, control or eradicate such a biosecurity threat. Enhanced transparency and sound management of biosecurity risks will be achieved through the bill by requiring decision-making processes to consider evidence of the likelihood and consequences of risks.

The bill also provides for the minister or chief executive to enter into government-industry agreements similar to current national agreements such as the Emergency Animal Disease Response Agreement, Emergency Plant Pest Response Deed or National Environmental Biosecurity Response Agreement. These agreements between the state and any one or more other jurisdictions, local governments, industry bodies or natural resource management bodies will allow for a more coordinated response and equitable cost sharing related to managing a biosecurity event. Aligning responses with national and international market access obligations will provide confidence that the requirements of our customers are being met. Contestability and flexibility for the private sector will also be fostered as part of the changes through compliance agreements and industry accreditation

schemes which leverage industry knowledge about best practice risk management for its particular circumstances.

Compliance agreements will enable a person to self-manage risks associated with their business activities. For example, a business moving animals or plants from a pest or disease affected area to a 'clean' area could voluntarily enter into a compliance agreement if they did not want to transport them via, or unload them for treatment at, a quarantine point. Under the agreement, they would address the biosecurity risks before consignment, minimising business disruption, transport costs and delays in getting the animals or plants to market. A business could self-certify that live plants such as banana tissue culture planting material was produced and transported in a manner that minimised the spread of regulated pests. A cattle producer could issue a certificate at their own premises to demonstrate compliance with cattle tick requirements without treatment at a cattle tick clearing facility. The bill provides for the state to enter into interstate certification assurance agreements with another state to recognise biosecurity certificates. These certificates would enable businesses, where appropriate, to self-certify that the relevant quarantine requirements for its destination have been met. Approved auditors, including suitably qualified individuals in the private sector, will audit businesses that operate under a compliance agreement or an accreditation scheme at regular intervals.

The bill continues to highlight the key role that local governments play in managing invasive plants and invasive animals in their area, as they did under the Land Protection (Pest and Stock Route Management) Act 2002. Local governments will be required to undertake pest management planning in consultation with key stakeholders, including relevant state agencies. The ability for local governments to implement concurrent biosecurity management plans will provide greater flexibility and the current requirement for departmental or ministerial approval of the plan will be removed to reduce unnecessary red tape. The introduction of an enhanced set of regulatory tools, including prevention and control or surveillance programs for invasive plants and animals, will provide local government with flexibility and improved capacity to address local pest management issues. Additional regulatory tools such as codes of practice, guidelines and biosecurity zones will also support local government compliance activities.

Another key issue addressed under this legislation is compensation. The compensation provisions in the bill will provide a standard, equitable and transparent approach across all parties taking into account the types of loss that can result from compulsory acquisition, damage or destruction of a person's property from a biosecurity response. The bill seeks to balance the rights of the individual against potential state liability for compensation claims and adopts the principle that parties should bear their proportionate responsibility for the mitigation of biosecurity risks and share of the cost of biosecurity responses. Compensation arrangements provided in the bill include scheme compensation, which covers responses taken under the national cost-sharing arrangements between governments and industry. State based statutory compensation is not payable where reimbursement arrangements under government and industry agreements are triggered. A third type of compensation for loss arising from an accidental, negligent or unlawful act or omission may be claimed and ordered in a court.

To ensure this legislation continues to be relevant and effective, the proposed changes will require the bill to be reviewed within the first five years of commencement. The subordinate legislation to be developed will be extensive and must address industry-specific biosecurity needs. For example, it must include details of prohibited and restricted matter and permits for dealing with them; property registration; animal identification and tracing systems for livestock; biosecurity zones; various codes of practice; local government obligations, including payments for the Land Protection Fund; accreditation, auditors and auditing; and fees and charges. Stakeholders from peak industry bodies, production industries, natural resource management groups, local government and relevant Queensland and national government agencies will continue to be engaged extensively to develop these instruments and the regulatory impact statement for the subordinate legislation. This process is expected to take 12 months from the passage of the bill in the parliament.

The can-do Newman government recognises the importance of the agriculture sector and we will work hand in hand with producers across Queensland to maintain the confidence of our markets and to seize the unprecedented opportunities that the coming decade presents. This bill will deliver the framework that maintains that confidence through timely and effective responses across the full range of biosecurity risks, including emergency events and ongoing animal and pest diseases that would concern Queensland. I commend the bill to the House.

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First Reading

Hon. JJ McVEIGH (Toowoomba South—LNP) (Minister for Agriculture, Fisheries and Forestry) (12.39 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.


Referral to the Agriculture, Resources and Environment Committee

Mr DEPUTY SPEAKER (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Agriculture, Resources and Environment Committee.

~~**INDUSTRIAL RELATIONS (FAIR WORK ACT HARMONISATION NO. 2) AND
OTHER LEGISLATION AMENDMENT BILL**~~

~~Resumed from 17 October (see p. 3424).~~

~~**Second Reading**~~

~~ **Hon. JP BLEIJE** (Kawana—LNP) (Attorney-General and Minister for Justice) (12.40 pm): I move—~~

~~That the bill be now read a second time.~~

~~The purpose of the Industrial Relations (Fair Work Harmonisation No. 2) and Other Legislation Amendment Bill is to amend the Industrial Relations Act 1999 to create a reformed industrial relations framework for the Queensland jurisdiction. The bill also includes amendments to the Health and Hospital Boards Act 2011, the Superannuation (State Public Sector) Act 1990 and the Superannuation (State Public Sector) Regulation 2006. The bill reforms the industrial relations framework for Queensland and responds to the recommendations of the Queensland Commission of Audit and the needs of the Blueprint for Better Healthcare in Queensland. In particular, recommendation 130 of the Commission of Audit notes the importance of updating the Industrial Relations Act 1999 to ensure that it is modern, flexible and relevant to the public sector environment.~~

~~I thank the Legal Affairs and Community Safety Committee for its consideration of the Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill 2013. I note its recommendations and I now table the government's response to those recommendations.~~

~~Tabled paper: Legal Affairs and Community Safety Committee: Report No. 45—Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill, government response.~~

~~I note that the committee tabled its report on the bill on 14 November 2013 and has recommended that the bill be passed. The government accepts that recommendation. The committee has made a further two recommendations, both of which are accepted. Recommendation 2 proposes that proposed section 149(3) in clause 28 of the bill be amended so that the conciliating member is required to give a copy of the conciliation report to all parties as well as the vice-president within 14 days after the conciliation period for the matter ends. This recommendation is accepted. It is a sensible suggestion and will improve the operation of the bill.~~

~~Recommendation 3 proposes that consideration be given to specific matters affected by transitional provisions of the bill when the ministerial request to commence award modernisation is made to the Queensland Industrial Relation Commission under proposed section 140C in clause 16 of the bill. Key examples of such matters are the work undertaken on behalf of the auxiliary firefighters and the work undertaken by and on behalf of the Torres Strait Islander police support officers. In both cases a significant amount of work was undertaken by these parties on the relevant awards for these employees. The transitional provisions in the bill allow that all consideration of existing awards will be delayed and undertaken as part of the award modernisation process. These are important provisions as they will allow for a full and detailed examination of all awards to be conducted as part of a complete process. However, they mean that some matters that have been under consideration recently will be directly affected. Although these matters will be able to be brought forward and considered as part of the award modernisation process, I accept that these matters deserve special attention. As such, I accept the committee recommendation and~~