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AgForce Submission
Biosecurity Regulation – draft Regulatory Impact Statement (RIS)





AgForce Queensland Industrial Union of Employers

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BIOSECURITY ACT 2014

SUBMISSION

To

Biosecurity Regulation 2014 – draft Regulatory Impact Statement (RIS)

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Introduction

AgForce Queensland was established in 1999 as a peak industry group representing beef, sheep, wool and grain broadacre producers in Queensland, Australia. AgForce represents members who collectively manage over half of Queensland and exists to ensure the long term growth, viability, competitiveness and profitability of these industries. Queensland producers generate \$14 billion per annum in production with one in eight jobs in the Queensland workforce either partially or entirely supported by the agricultural supply chain.

Biosecurity, including the impact and costs of pest and weed management, are an ongoing major concern to primary producers. The risk of outbreaks of prohibited biosecurity matter such as foot and mouth disease would cripple our red meat industry. AgForce Queensland welcomes the opportunity to review the proposed regulations of the *Biosecurity Act 2014*, whilst also recognising the ongoing challenge of providing community-wide education to ensure everyone commits to their general biosecurity obligation (GBO); and ensuring sufficiently skilled resources are in place to prevent and respond to new high risk biosecurity incursions and effectively manage existing incursions within relevant biosecurity zones.

AgForce offers the following comments to sections of the Biosecurity Regulatory Impact Statement (RIS) that have direct relevance to the Queensland broadacre industries of beef cattle, grain, sheep meat and wool industries.

General Biosecurity Obligation (GBO)

AgForce recommends a greater level of education and awareness campaigns, including appropriate assistance to local government(s), to ensure all communities are completely aware of their responsibilities and obligations toward meeting the State's General Biosecurity requirements.

The Biosecurity RIS does not include any costing associated with implementing the education and awareness campaign associated with a GBO on the community. Changing Australian demographics and increasing international travel pose significant biosecurity risks. Weed seed spread by travelers, machinery and recreational vehicles is an increasing concern. Agriculture is no longer a component of the School National Curriculum; therefore it is difficult to instill a duty of "biosecurity" care in children and their families. It is unclear from the Biosecurity RIS how a perpetual awareness campaign about GBO will be maintained. GBO is essential for successful implementation of the *Biosecurity Act 2014*. It is important to review the efficacy of the GBO concept when the *Biosecurity*

Act 2014 is reviewed within three years (Chapter 18, Section 501). AgForce is concerned the incidence of biosecurity events will increase unless everyone in the community is aware and adheres to their GBO. The RIS did not include the consultation, impact and implementation of GBO to community as an issue for discussion.

Similarly, the requirement for local government to ensure compliance with the Act is a big onus on what is already considered an under-resourced sector supporting local communities. It is considered that meeting the obligations of the Act will require greater community awareness, surveillance and compliance measures across a wide range of land uses and commodities, transport corridors and include urban residents and tourists/ visitors to the each local government area. Many local government areas do not have a dedicated staff member for biosecurity matters.

PROPERTY REGISTRATION FEE

Agforce opposes the implementation of any property registration fee and regards Option 1 as the only feasible option for implementation in Queensland.

AgForce is committed to an effective and functional traceability system that delivers biosecurity outcomes to the production sector; and maintains and promotes access to markets domestically and internationally. Industry currently funds the majority of food safety, market access and traceability systems through programs such as Livestock Production Assurance (LPA) and National Livestock Identification Scheme (NLIS), with AgForce maintaining a firm view that these programs deliver consumers a high level of assurance in terms of public health and food safety at industry's expense. Therefore a level of financial contribution from government is also considered appropriate. Biosecurity is an all-of-community issue, and as such the cost must be shared by the whole of the community.

AgForce understands the RIS options for a property registration fee are as follows:

- Option 1 is to continue to provide property registration services without charging a fee (the fee would be set at \$0).
- Option 2 is to introduce a fee for property registration based on the full cost of providing the service (the fee would be based at \$357.55 for 3 years).
- Option 3 is to introduce a fee for property registration that recognises both public and private benefits are derived from property registration and, as such, a fee should be subsidised at 66 per cent (the fee would be \$119.20 for 3 years).

AgForce also understands that Options 2 and 3 will only apply to those who meet the Australian Taxation Office (ATO) ruling of carrying out the business of primary production. As previously stated, biosecurity is an-all-of community issue; it applies to both large commercial broadacre operations and those operations that fall under the ATO primary production business ruling. Any proposed fee should apply to all operations where a property is required to be registered.

Options 2 and 3 are rejected in their entirety.

AgForce is of the view that the proposed fee should be set at \$0 within the Regulations for the following reasons:

- Maintaining the property register is core business for Biosecurity Queensland and should not be funded by industry.
- The public at large benefit from Queensland's industry systems as they deliver on reducing risks to human health (zoonosis issues) but also play a large role in delivering safe food. The public should therefore be expected to contribute to these roles.
- Rearing and trading of livestock, even if it does not meet the primary production business ruling of the ATO, poses significant threats to biosecurity in Queensland, and therefore should not look to the 'commercial' production sector to fund the maintenance of the property register given that all livestock owners receive the benefit of biosecurity service.
- There could potentially be an unfair administrative impact on larger businesses where multiple properties (and therefore fees) would need to be registered.
- The Government has not displayed a demonstrable need for the significant amount of revenue they would stand to generate from the introduction of a fee.
- AgForce considers that any revenue derived from a Property Registration Fee should simply fund administration of the Property Register as opposed to compliance, extension or other industry good activities.
- AgForce is also of the view that the administration of the Property Register does not attract a significant administrative burden that is reflective of the proposed fee structures.
- The introduction of an additional fee is contrary to the Newman Government's commitment to reduce red tape and support the growth of agriculture as one of the four pillars of Queensland's economy.

In addition to the above-mentioned arguments against a property registration fee, the Biosecurity RIS mainly discusses fee options associated with properties identified by a Property Identification

Code (PIC). However following the same logic, the *Biosecurity Act 2014* should theoretically also apply to a range of other registrable biosecurity entities such as:

- Government stock routes
- Local government reserves / Town Commons
- Pound or animal refuges
- Saleyards
- Live export holdings
- Holding facilities
- Showgrounds or sporting grounds

Options 2 and 3 of the RIS are considered unacceptable, whereby commercial primary producers would be expected to fund biosecurity risk mitigation through the proposed Property Registration Fee, when all the owners and/ or occupiers of the above-mentioned land parcels and non-primary producers with biosecurity entities would be exempt.

AgForce also highlights the need to ensure the registration process for multiple classes of designated animals and/ or multiple property description details are combined under the one application. Section 145 (4) of the Biosecurity Act 2014 states applications for all types of designated animals can be combined under the one application document for a PIC. Therefore any proposed fee calculation or process should be based on the one transaction for property registration and not subject to multiple PIC fees or registrars. For example, when a primary producer depastures more than one type of animal, that is cattle, sheep and horses, and/ or a property has multiple Lot and Plan property description details, the application must be combined to reduce any potential registration fee.

CATTLE TICKS

Agforce considers Option 2 would deliver the most appropriate, safe and effective risk based approach in the management of cattle ticks.

Cattle ticks represent a critical issue for producers and the broader supply chain (transporters, lot feeders, processors) regardless of their position in relation to the tick line. AgForce is firmly of the view that an effective, safe and appropriate tick management framework is achievable to mitigate the spread of ticks. AgForce recognises the cost of tick management is significant, especially for producers on the cattle tick line, and seeks to improve support for these producers who remain the frontline of biosecurity.

AgForce understands the RIS Options for cattle ticks are as follows:

- Option 1 is to maintain the status quo.
- Option 2 is to create two biosecurity zones (infested and free), with movement restrictions on host species travelling from the infested area to the free area based on risk of spread.
- Option 3 is to rely on general biosecurity obligation.

AgForce has considered the above options and is of the view that Option 2 would deliver the most appropriate, safe and effective risk managed scenario for the cattle production sector for tick management. AgForce does not see maintaining the status quo (Option 1); or a non-regulatory option (Option 3) as delivering overall improved biosecurity outcomes or creating a better business environment for the cattle production sector. A mix must be achieved that meets these two areas.

Cattle tick management is a complex issue as it affects a range of critically important areas for cattle producers, including animal health, product quality, transport costs and access to markets. Option 2 provides a scenario with a robust biosecurity system whilst impacts to businesses and communities are lessened through reduced input costs for road transport and improved community safety through reduction of wear and tear on roads.

AgForce is firmly of the view that the following aspects must accompany Option 2 to achieve success:

- Placement of Zones: Comprehensive consultation must occur with industry where tick zones are located.
- Support for Producers: Producers on the border of zones should be continuously supported by industry and government; and have options for moving livestock. This should include a suite of practical support included but not limited to financial assistance for biosecurity services delivered under a biosecurity management plan. It should also give government some remedial power to enforce producers on the zone border who are not fulfilling their biosecurity obligations and are failing to mitigate additional outbreaks.
- Ease of Movement: All processing facilities and feedlots should be able to apply for a permit to receive cattle (with on-farm clearance protocols developed) from the infested zone (to be cleared on consignment). These 'biosecurity access paths' would effectively be an extension of the Oakey scheme and must include:

- The processing sector must ensure appropriate Standard Operating Procedures are in place to meet movement protocols to access stock that require movement through the free zones.
- The initiative must remain on the processing sector to liaise directly with DAFF.
- This would attract a fee for the permit and the initiative would be on individual processing facilities to seek this permit class as an option for their supply footprint.
- Clean up and control: AgForce are “in principle”, supportive of a voluntary sinking fund that contributes towards an outbreak or incident. This could potentially be funded by a dollar per head style arrangement and could initially accompany the permitting process. AgForce is of the view that this would provide a ‘safety net’ mechanism to mitigate risk of cattle tick spread.
- Appropriate infrastructure: Maintenance of the major clearing dips on the tick line is a core part of an appropriate tick zoning system. The current online clearing dips should be maintained and supported.

Co-managing national and state biosecurity emergency zones

Consideration should also be given to how national and state biosecurity emergency zones will integrate, overlap or be managed concurrently or independently for biosecurity matters of national and state significance. For example, how would a national outbreak of FMD on a state border be managed alongside a nearby Queensland outbreak of equine influenza? Historically, Queensland has had the highest incidence of new biosecurity incursions of all Australian states and territories. It is realistic therefore to assume there could be more than one state and/ or national biosecurity emergency response in action at the same future point in time.

There needs to be harmonisation in time limits for movement control orders and biosecurity emergency orders between state and national biosecurity responses.

Further information

If you require to discuss any points raised in this submission, please contact AgForce President Ian Burnett or Senior Livestock Policy Officer Anna Campbell on phone 07 3236 3100 or email campbella@agforceqld.org.au.