BIOSECURITY BILL 2024

The Hon. A. PICCOLO (Light) (17:05): I rise to speak in support of the Biosecurity Bill 2024. At the outset, I would like to thank the members for Hammond, Chaffey, Playford and Waite for their contributions. Over the past few years, we have seen many challenges on the biosecurity front, which has required a response to protect South Australia's agricultural commodity groups. We have seen fruit fly outbreaks in both the Riverland and metropolitan Adelaide, heightened awareness of foot-and-mouth and lumpy skin disease from neighbouring countries, along with the ongoing response to the tomato brown rugose fruit virus in South Australia. Indeed, we continue to see a close monitoring of Australia's National Priority Plant Pest List. Identification of national priority pests enables governments to develop national action plans for key incursion risks to:

- better allocate limited resources on a national basis to focus safeguarding efforts on pest or pest groups that are most likely to cause a significant negative impact to Australian primary industries and/or the environment and/or the social amenity and community;
- enable governments to also identify gaps in systems and processes to manage a risk;
- allow better targeting and monitoring of the most significant pests;
- focus research, diagnostics, surveillance, risk reduction and preparedness efforts;
- importantly, support market access and trade based on consideration of the public good through development of standards, protocols and accreditation processes; and
- also work with trading partners to highlight pest threats of mutual concern and harmonise regional approaches.

In 2023, South Australian primary industries and agribusiness revenue increased by 7 per cent to reach a record $18.5 billion. As we can see, these are important industries to the South Australian economy and our general wellbeing. Overseas exports of agriculture,

food, wine and forestry products increased by 18 per cent and totalled $8.8 billion, accounting for 51 per cent of Australia's total overseas merchandise exports.

The primary industries sector, along with the associated processing sectors, also supported 78,000 FTE jobs in 2023. This was an increase of 10 per cent from the previous financial year. Overall results for the full food and wine industry supply chain were up. Combined gross food and wine revenue increased by 10.7 per cent to reach $26.65 billion, with increases in food commodities (grain exports) with grain exports as the main driver.

The strong results achieved over recent years, despite global challenges and extreme weather events, illustrate the importance of a robust and resilient primary industries sector to our state. A strong biosecurity system is critical to underpinning the productivity and profitability of our primary industries. Without an effective biosecurity system, our whole industry could be at risk. There are also vital environmental and social benefits in protecting our unique flora and fauna, natural environments, culture and public amenity from a wide range of biosecurity threats.

Biosecurity is the management of risks to the economy, the environment and the community of pests and diseases entering, emerging, establishing or spreading in an area. We are facing increasing biosecurity pressures. The National Biosecurity Strategy describes how various pressures at the national and global level are driving increased and changing biosecurity risks. Some of these risks include climate change enabling pests and diseases to invade new areas. Climate change also affects the resilience of primary production and natural systems to pest and disease invasions, particularly in the face of more extreme weather events and natural disasters.

Change in land use and increased migration to regional areas are bringing people, primary production and wildlife closer together. This brings more pathways for pest and disease spread. It does not mean we should not be doing it, it just means we need to do it smartly.

Global trade continues to increase. Coupled with more complex global supply chains, there is more pressure on border screening and increased freight within Australia. More shipping vessel movements raise the risks of introducing new marine pests and diseases. Tourism and migration also continue to increase post COVID-19. This brings associated biosecurity risks where people unintentionally or deliberately transport biosecurity matter. Invasive species are a major cause of global decline in biodiversity, including Australia's threatened flora and fauna.

Ecommerce is enabling greater volumes of trade, including the illegal trade in declared pest species both into and within Australia. Increasing biosecurity risks overseas are geographically closer to Australia and/or occurring in locations frequented by travellers. For example, foot and mouth disease, rabies, lumpy skin disease and African swine fever are present in South-East Asia.

Increasing resistance to agricultural and veterinary chemicals can limit what effective controls are available to prevent and manage biosecurity pests and diseases, but even the uses of chemicals have their own challenges. To effectively manage the increase in risk, there is need for South Australia to introduce more contemporary, flexible, consistent biosecurity legislation and, as the member for Chaffey mentioned, a more nimble approach to biosecurity.

South Australia's current biosecurity legislation has served us well; however, there is an opportunity to strengthen the regulatory tools to respond to current emerging risks effectively and consistently. As part of the national biosecurity system, a consolidated biosecurity act is needed for South Australia to enable a harmonised, flexible and risk and evidence-based approach to preventing, controlling and managing biosecurity risks to ensure that South Australia remains a strong link in the national system.

The current bill consolidates several existing acts to improve consistency across sectors, including the Plant Health Act 2009, Livestock Act 1997, Dog Fence Act 1946, Impounding Act 1920, and relevant provisions of the Fisheries Management Act 2007. This is a crucial bill for ensuring the future sustainability of our states, primary producers, environment and the wider community.

This bill brings consistency to the management of animal, plant, aquatic and environmental biosecurity across industries by keeping and improving the best of what has worked in the existing legislation and by adding new tools and concepts to embed these in a single, modern, flexible legislative framework. It draws on the experience and lessons of other jurisdictions in developing their biosecurity legislation to ensure the bill is cutting edge and tailored to meet the needs of our state.

Businesses commonly operate across state borders and interstate trade is fundamental to our economy. Consistency in regulatory approach and terminology brings efficiencies in business operations supporting voluntary compliance. Consistency is especially important in conducting biosecurity emergency responses when incursion of a new pest or disease poses a threat to multiple states and territories. South Australia needs to play its part in having appropriate emergency powers that align well with those in other jurisdictions.

The Biosecurity Bill 2024 introduces new concepts to the way biosecurity is managed and regulated in South Australia. Under current South Australian legislation, there are different ways in which pests, diseases and contaminants are prevented and managed. Additionally, there are concepts of biosecurity risk and impact.

The bill aims to build a culture of shared responsibility among government, industry and the community for protecting our state from the impacts of pests, diseases and contaminants. This is an extremely important point to make sure that we all understand that we all have a role to play in the

biosecurity of our state. It is not just an issue for primary producers; it is also an issue for government and also for consumers and what we do in our everyday lives.

A biosecurity breakout is not good for producers or their regions, nor for those communities they serve. The key new concept of 'general biosecurity duty' introduces a duty for everyone to prevent, eliminate, minimise, control and manage biosecurity risks when dealing with a biosecurity matter or a carrier, recognising that we all have a role to play. The general biosecurity duty requires a person to take reasonable practical measures in relation to the risk they know or reasonably ought to know exists.

The bill contains a suite of tools for implementation of responses to biosecurity risks and impacts. This includes tools to establish areas subject to certain measures necessary to regulate a biosecurity risk. These range from a short-term emergency order through to a medium-term control order or a long-term biosecurity zone.

Mr Speaker, as a former minister yourself in this area, you know that often tough decisions have to be made in terms of taking action. A decision has to be made for the greater or common good, and sometimes this does impact on individuals. Having said that, though, we need to make sure that those people who are actually impacted and for whom we make decisions about their capacity to produce are supported by us as a community and should not be left to shoulder the burden alone.

These tools are supported by individual and group directions that prohibit, regulate or control particular dealings and specify measures to be taken for the purposes of assessing, preventing or managing a biosecurity risk or impact. The range of tools and powers provided by this legislation enable reasonable and effective measures to be taken that are proportionate to the level of risk and have a proactive focus to protect our state by ensuring appropriate checks and balances are in place.

Importantly, the bill gives authorised officers the ability to act if they believe or reasonably believe the situation requires action to prevent, eliminate, minimise, control or manage a biosecurity risk or impact. Provisions such as these are central to supporting the bill's aims of risk-based decision-making and acting early to achieve the best security outcomes and minimising the risks to other primary producers, the environment and the community at large.

Biosecurity is a key enabler of market access, providing assurances for the supply of safe agricultural, fisheries and forestry products to local, interstate and overseas markets. One of our strengths as a state is that our primary industries have a very clean and green reputation, enabling us to sell products in other jurisdictions—and particularly overseas—when others are stopped from doing so. We need to protect the reputation we have or else our primary industry producers themselves will suffer.

The bill contains a number of provisions to support access to domestic and international markets for South Australia's produce, enabling it to be certified as pest

and disease free and traced through the supply chain, meeting entry conditions of the receiving jurisdiction. These include registration of people engaged in the regulated dealings, and provisions to enable allocation of identification codes, such as the existing Property Identification Code for livestock producers. Such identification schemes are increasingly important in supporting market access and are also critical in tracing movement of pests and diseases in an emergency. These sorts of systems support both producers and also the markets at large.

Industry codes of practice, standards and market assurance schemes can be legally recognised under the bill, and so the bill itself and the new scheme also have a very educative role. It is not just about compliance; it is about educating our producers and the community at large on what their roles and responsibilities are. Further, both government and non-government organisations can be accreditation authorities to accredit biosecurity certifiers who can certify that products meet required conditions for market purposes. This is an important addition because it enables a quicker response at times and also enables us to share information and educate people about their responsibilities.

Biosecurity programs are a new tool to prevent, eliminate, minimise, control or manage a particular biosecurity risk or impact. These can be proposed by an industry or community body or can be led by government. They will foster partnerships, shared responsibility and co-investment in tackling issues of interest to specific industry or community groups.

The bill provides for a modern, flexible compliance framework, bringing outdated penalties into line with the risk and impact of the offences involved. Hopefully, these measures will deter those from doing the wrong thing. Of these, release of a prescribed agent with intent to harm or infect/infest animals or plants and cause substantial harm to an industry or the state economy is the most serious and carries a maximum penalty of $1 million or ten years in prison or both.

Another important provision in the bill relates to extraterritorial application of the act to ensure that it may apply to the greatest extent it can. This could be used, for example, to take compliance action against online retailers sending prohibitive matter into South Australia from interstate. The bill also provides the required flexibility where a person or group of people need to undertake an activity that would otherwise be unlawful under the bill, and this can be done with certain prescribed conditions to manage the risk.

The bill provides for review of decisions through the minister (an internal review) or, where appropriate, externally through the South Australian Civil and Administrative Tribunal. This right of review I think is very important. When we give government officers more powers and duties, it is important they can be subject to review to make sure that they are accountable for the decisions they made because the cost of making the wrong decisions or

inappropriate decisions can be very high for primary producers.

The bill will also replace the Dog Fence Act 1946, continuing the Dog Fence Board in its important role of managing the dog fence to ensure wild dogs are prevented from entering pastoral and agricultural areas of the state. I recall the former minister and the former government had quite a bit to do with working to improve the Dog Fence Act.

The bill updates existing provisions while maintaining the essential functions related to the board and the dog fence. The 2,150-kilometre South Australian dog fence is fundamental to the security of the South Australian sheep industry. The fence prevents wild dogs from the northern two-thirds of the state from moving south into sheep production country. Wild dogs cost Australian agriculture about $90 million per year.

In 2018-19, wild dogs were estimated to have injured or killed approximately 20,000 sheep in South Australia, costing the livestock sector $4 million. The South Australian dog fence is undergoing a once-in-a-generation rebuild. The dog fence rebuild project has seen funds contributed by South Australian livestock industry amounting to $6 million, $13 million from the Government of South Australia, and the commonwealth government putting in $10 million to rebuild the highest priority 1,600 kilometres of the 2,150 kilometre-long fence. More than 1,030 kilometres of the fence has now been built, which represents about 64 per cent of the fence, with the remaining fence underway or contracted.

Management of wild dogs underpins the sustainability of South Australia's extensive livestock industries, particularly the sheep industry inside the dog fence. The pastoral cattle industry inside and outside the dog fence can also be seriously impacted by wild dogs.

The Biosecurity Bill is the result of a significant body of work to ensure that South Australia has fit-for-purpose modern legislation to manage biosecurity risks now and into the future. I also believe some of this work started with the previous government and has been continued and enhanced by this government. The bill has been presented to parliament following an in-depth review of existing biosecurity-related legislation, extensive consultation and consideration of the feedback received. I also note the bipartisan support for this bill, which augurs well for our industry, primary industry and also our state.

TIME EXPIRED