

Agreement in Principle

Mr STEVE WHAN (Monaro—Minister for Primary Industries, Minister for Emergency Services, and Minister for Rural Affairs) [5.23 p.m.]: I move:

That this bill be now agreed to in principle.

The Plant Diseases Amendment Bill 2010 proposes minor but important amendments to the Plant Diseases Act 1924. The amendments will improve the Government's ability to respond more quickly and with greater flexibility to biosecurity threats to plants and fruit in the State. The Plant Diseases Act 1924 aims to prevent the introduction and spread of diseases and pests affecting plants or fruit in New South Wales. It also establishes important tools to eradicate diseases and pests affecting plants or fruit in this State.

The bill makes three main amendments to the Plant Diseases Act 1924, which will improve the effectiveness of our biosecurity management systems and controls. The first amendment is designed to enable New South Wales to put in place effective controls more quickly. Time is of the essence in managing biosecurity threats. The more quickly we can respond to a biosecurity threat, the greater our chance of preventing a pest or disease entering the State or part of the State. If there is a pest or disease outbreak, being able to respond quickly increases the prospect of eradicating that disease or pest quickly.

Currently, the power to regulate or prohibit the importation or introduction of anything that is likely to introduce plant diseases or pests into the State or any part of the State resides with the Governor. Given this power resides with the Governor there are limitations with the timeframe in which the power can be exercised. While the New South Wales Government has a terrific record in responding to outbreaks of plant diseases and pests, the amendments proposed in this bill will give the Government even greater flexibility in responding to these outbreaks.

In addition, the Act requires the conditions that apply to the movement or treatment of the items that pose a risk of introducing the pests or diseases to be detailed in the Governor's proclamation. The requirements for movement conditions are often detailed and complex. In addition, having to specify the conditions in the proclamation is inflexible because they cannot be changed quickly. This restricts the Government's ability to respond to an emergency or to changes in circumstances, or our understanding of pests or diseases and how best to fight them.

The first amendment will modernise the Plant Diseases Act and bring it into line with similar legislation such as the Animal Disease (Emergency Outbreaks) Act 1991. Recent incursions of the serious pest red imported fire ant and the disease citrus canker in Queensland highlight just how this legislation will enable the Government to respond more quickly and with greater flexibility. The amendment will give the Minister for Primary Industries, rather than the Governor, the power to make orders to regulate or prohibit the importation or introduction of anything likely to introduce plant diseases or pests into New South Wales or any part of the State.

An important implication of this change is that under the Act I, as the Minister, am able to delegate this power to senior officers in Industry and Investment NSW. If this were to occur, a formal delegation would be required. This power would be delegated only to experienced senior officers with the necessary technical expertise such as the Director of Plant Biosecurity. If the Minister formally delegates this power, the senior officer with the delegation will also be able to make orders. This will enable the Government to respond more quickly to biosecurity threats to our agricultural products from plant pests and diseases. Orders, as with the Governor's proclamation, will still need to be published in the gazette, with further notice of the order to be published on Industry and Investment NSW's website. Alternatively, the further notice of the order can appear in a newspaper, or broadcast on radio or television in the area to which the order applies.

The second amendment in the bill establishes a mechanism for the State to react in extreme circumstances. As Minister, if I consider the order needs to be made urgently it can first appear in the newspapers, be announced on radio or television in the area to which the order applies, or appear on the department's website prior to publication in the gazette. This will ensure that in these circumstances the order can have effect more quickly. These amendments will enable the Government to respond quickly and effectively to outbreaks of plant pests and diseases occurring either within or outside the State.

The third main amendment in the bill relates to the powers of inspectors to issue permits to a person or a particular group of people. The permits will allow the movement of infected plants and fruit, or anything that has come into contact with an infected plant or fruit or anything that, in the inspector's opinion, is likely to cause or is capable of causing the introduction or spread of plant pests or diseases. A permit may also be issued for the movement of plants, fruit and other things into or out of a quarantine area. These permits will provide additional flexibility for specific circumstances that do not fall within the terms of a ministerial order. For example, if a pest or disease infects the property it may be quarantined, which would prohibit the movement of all things off the

property because of the risk of the disease spreading. In these circumstances, a permit could be issued to allow the movement of vehicles to and from the property subject, of course, to certain conditions to prevent the spread of pest or disease.

This amendment will bring the Act into line with other biosecurity legislation, such as the Stock Diseases Act 1923. The bill also provides for the making of regulations for permit applications and fees. As I said earlier, these are minor amendments to the Plant Diseases Act; however, they will significantly improve the Government's ability to respond quickly and effectively to a pest or disease outbreak, contributing to the integrity of our State's plant biosecurity systems. We would hope that such outbreaks could be avoided altogether. However, when they do occur, it is in everybody's interest for the impacts to be minimised. New South Wales, led by Industry and Investment NSW, its scientists and field officers right around the State, has a very proud record in biosecurity work. I acknowledge the work of veterinarians around the State in relation to animal diseases. These small amendments enhance our ability to better respond to pest and disease outbreaks in plants in New South Wales. I commend the bill to the House.