

Second Reading

The Hon. MICHAEL VEITCH (Parliamentary Secretary) [3.54 p.m.], on behalf of the Hon. Tony Kelly: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

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.

Pests such as grape vine Phylloxera and Fruit Fly in the Riverina district and diseases such as the Banana Bunchy Top Virus are regulated under the Act.

Before going through the amendments in detail, I wish to outline the significance of continuing to strengthen this State's ability to respond to biosecurity threats.

Biosecurity is about protecting the economy, human health and the environment from the threats posed by pests and diseases.

The enormous impact of the 2008 equine influenza outbreak clearly demonstrates that acting quickly and decisively is vital in responding effectively to biosecurity threats.

From a biosecurity perspective, Australia, like New Zealand is geographically isolated and has always maintained a strong focus on quarantine. This means that New South Wales like the rest of Australia is free of many problematic pests and diseases that adversely affect agricultural production in other countries.

Plant pests and diseases may be introduced into New South Wales from overseas or interstate or may spread from one region of the State to another.

Plant pest and disease outbreaks can devastate crops, plantations and orchards, depriving individuals and families of their livelihood. This can have a flow on effect.

It can lead to a decline in our regional and rural communities and increase food prices for consumers.

Pests and diseases can have a significant impact on the New South Wales economy.

For example, ensuring that the Riverina district is kept free of Queensland Fruit Fly is critical for this district's major fruit production industries.

Ongoing freedom from Fruit Fly means orange and grape farmers in the Riverina experience significantly reduced production costs and guaranteed access to major export markets in the United States and New Zealand.

Unfortunately, Fruit Fly incursions do occur from time to time. Last summer, there were several fruit fly incursions in the Riverina. All of which were successfully controlled and eradicated.

However, following this incursion fruit traded to 'fruit fly sensitive' domestic and export markets required additional treatment and certification. This resulted in higher costs for industry and Government.

For example, markets will accept fruit that has had cold treatment of one degree celsius for sixteen days. The cost of this cold treatment is approximately four dollars per carton. This results in a significant loss in profits for producers and can impact on fruit quality.

It is vital that we have the most effective biosecurity management systems and controls in place.

This 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 any thing 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 the pests or diseases and how best to fight it.

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 allow the Government to respond more quickly and with greater flexibility.

The amendment will give me, as Minister for Primary Industries, rather than the Governor, the power to make orders to regulate or prohibit, the importation or introduction of any thing 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 am able to delegate this power to senior officers in the Department of Industry and Investment.

If this was to occur a formal delegation would be required.

This power would only be delegated to experienced senior officers with the necessary technical expertise, such as the Director, Plant Biosecurity.

If I formally delegate 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.

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 may be published either in a newspaper, be announced on the radio or television in the area to which the order applies, or appear on the Department's website. Any such urgent order must be published the Gazette as soon as practicable after it is published in the mediums outlined above.

This will ensure that in these circumstances that the order can have effective more quickly.

These amendments will allow the Government to respond quickly and effectively to outbreaks of plant pests and diseases occurring either within or outside of 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 which has come into contact with an infected plant or fruit or anything, which in the inspector's

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 which do not fall within the terms of a Ministerial order.

For example, if a property is infected by a pest or disease, the property 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 everyone's interest for the impacts to be minimised.

I commend the bill to the House.