
c2019-201H
SFF--Shooters, Fishers and Farmers Party

LEGISLATIVE COUNCIL

Right to Farm Bill 2019

Second print

Proposed amendments

No. 1 **Meaning of commercial agricultural activity**

Page 2, proposed section 3(1), line 11. Omit “an agricultural activity”. Insert instead “an activity”.

No. 2 **Protection of activities associated with commercial agricultural activity**

Page 2, proposed section 4, lines 17–28. Omit all words on those lines. Insert instead—

4 Commercial agricultural activities do not constitute nuisance

No action lies in respect of nuisance by reason only of the carrying out of any of the following activities if the activity is carried out lawfully and not negligently and that type of activity has been carried out on the land for at least 12 months—

- (a) a commercial agricultural activity,
- (b) an activity carried out for the purposes of any of the following—
 - (i) any business or undertaking in which cattle, poultry, pigs, goats, horses, sheep or other livestock are kept or bred for commercial purposes (for example, a dairy, saleyard or feedlot),
 - (ii) a business or undertaking for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, including abattoirs, knackeries, tanneries, woollscours and rendering plants,
 - (iii) a business or undertaking for forestry (including timber mills) or aquaculture,
 - (iv) a show or competition involving livestock (including a rodeo).

No. 3 **Commissioning aggravated unlawful entry**

Page 5, Schedule 2[4], line 38. Omit “or induce”. Insert instead “, commission or induce”.

No. 4 **Commissioning aggravated unlawful entry**

Page 5, Schedule 2[4], line 39. Omit “or induce”. Insert instead “, commission or induce”.

No. 5 **Industrial organisations and associated activities**

Page 6, Schedule 2. Insert after line 15—

[6] Section 7A

Insert after section 7—

7A Act does not prevent permitted union activities or industrial action

- (1) Nothing in this Act makes it an offence for a person (including a representative of an industrial organisation) to enter or remain on inclosed land for the purposes of activities permitted under the *Industrial Relations Act 1996* or the *Fair Work Act 2009* of the Commonwealth.
- (2) In this section—
industrial organisation means—
 - (a) an industrial organisation of employees, or the State peak council for employees, within the meaning of the *Industrial Relations Act 1996*, or
 - (b) an employee organisation, or a peak council of employee organisations, within the meaning of the *Fair Work Act 2009* of the Commonwealth.