



Your strong and independent
voice for livestock producers

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20L178

24 November 2020

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Building a new Biosecurity Act for South Australia

The State Government is proposing to develop a new, consolidated Biosecurity Act for South Australia. It is stated that the purpose of the new Act will be to protect South Australia from pests and diseases that are economically significant, threaten South Australian land and aquatic environments or may affect public amenities, community activities and infrastructure.

As Livestock SA is the peak industry body representing sheep, beef cattle and goat producers in South Australia, we are pleased at being asked to contribute.

Because of the importance of livestock biosecurity, in the November 2020 issue of Livestock SA NEWS, we encouraged members to provide comment on the new Biosecurity Act:

The public consultation on the proposed approach to the development of the new Biosecurity Act will continue to be a major priority for Livestock SA this month.

The new act is being developed to ensure the SA biosecurity system remains effective and sustainable into the future.

It will enable industry to self-regulate and certify products free of pests, reduce costs for industry and bolster market access.

There are several significant legislative changes suggested which will impact producers throughout the whole of the state and in the pastoral country.

It is important for SA producers to have their say to ensure the Act is suitable to manage and protect the SA livestock industry.

General comments

At the moment in South Australia the Livestock Act 1997 safeguards livestock biosecurity in this State. While noting that it is proposed that this Act will be a fundamental component of a new Biosecurity Act, there is concern that the Livestock Act should not be repealed until after any new Act is developed. And in developing an all-encompassing new Act, that the features in the current Livestock Act are not lost.

From a livestock perspective, it is noted that it is also proposed that the Dog Fence Act 1946 and the Impounding Act 1920 will be consolidated into the new Act. Livestock SA welcomes the opportunity for this to happen to the Impounding Act as much of this Act is obsolete, and this is an opportunity to discuss and clarify those provisions that are still relevant, and in particular how to handle stray livestock.

Livestock SA is not fully convinced that the Dog Fence Act 1946 should be integrated into the proposed Biosecurity Act but appreciate that this is an opportunity to thoroughly review the current Act.

From a livestock biosecurity perspective, it is a pity that the part of the new Landscape South Australia Act 2019 dealing with the management of pest animals is not to be incorporated in the proposed Act. In particular, there are a number of feral and native animals in South Australia that are potentially a significant biosecurity threat to the livestock industry.

Similarly, there are parts of the Animal Welfare Act 1985 that should be considered. It is an anomaly that the current livestock welfare standards and guidelines which are very much part of ensuring good livestock biosecurity practices are not currently incorporated in the Livestock Act.

There are also the recent changes on farm trespass that need to be considered in the new Act. While the changes that were made earlier this year are an improvement, for biosecurity reasons these need further strengthening and could be incorporated in the new Act. For example, the proposal from the South Australian Dairyfarmers' Association for there to be banning notices which can be issued by farmers against trespassers. It is envisaged that where a farmer is able to identify an individual who is trespassing, or a person in company of such an individual, the owner can issue a simple notice in writing advising that person that in the opinion of the land owner the individual has trespassed and that they are restricted from doing so for a period up to two years in duration.

As many livestock biosecurity issues are common across the whole nation, it is also necessary to ensure with a new Act that there is consistency with the other livestock biosecurity legislation nationally and in other States. For example, in NSW and Queensland there is an aspect of their Acts that include the necessity for every livestock producer to have a biosecurity plan in place if they are to receive any compensation under the Emergency Animal Disease Response Agreement (EADRA) managed by Animal Health Australia. Should this be required in our legislation?

In examining the Technical Directions Paper that provides the supporting information for developing a new Biosecurity Act, it continually raises the issue of what would be in the new Act that is not already covered in the Livestock Act? For example, South Australia has a well-defined and well-respected Chief Veterinary Officer (or CVO as it is commonly referred to) position. Property identification codes and the National Livestock Identification System similarly are well-understood by most livestock producers as well as by much of the supply chain. And emergency provisions are already in place if for example these provisions were to be required in the case of a Foot and Mouth Outbreak (heaven forbid).

Compliance

One part of the current Livestock Act which is currently not done well is compliance and enforcement. But there is no guarantee that this will be done any better under any new Act. At the moment the authorised livestock inspectors have sufficient powers, but it often appears that these are rarely used. Why have a new Act with increased penalties if there remains a lack of compliance and enforcement?

Funding

In the documents prepared in relation to a new Biosecurity Act, there is silence about possible funding requirements. Industry is immediately suspicious. After floating the idea of a livestock biosecurity levy, the 2012 South Australian State Budget included a proposal to impose a livestock biosecurity levy. Intensive lobbying by the then SAFF Livestock Committee (this later morphed into

the Livestock SA Board) and other livestock groups, including the SA Dairyfarmers' Association, convinced the Liberal Opposition and every other MLC (except the ALP Government MP's) to vote against this even though it meant blocking part of the State Budget.

If there is any suggestion of a biosecurity levy as part of the new Biosecurity Act, this will need to be well argued to give a convincing case.

In summary

So far, the proposal for a new Biosecurity Act, while well-presented, is no more than well-meaning words. This makes it difficult to make more than few general comments.

Until there is a draft Act that can be compared against the current Livestock Act, Livestock SA is questioning why South Australia needs to lose its Livestock Act?

We have sought a briefing so that this question can be discussed. Until then it is difficult to provide more meaningful input, and with many questions unanswered.

The Livestock SA Board will be briefed at its next meeting on December 17. For this reason, we request an extension of time until after that date before making further comment.

Your Sincerely,



Andrew Curtis.