



**ENVIRONMENT, AGRICULTURE, RESOURCES
AND ENERGY COMMITTEE**

INQUIRY INTO THE BIOSECURITY BILL 2011

**SUMMARY OF SUBMISSIONS 1-7
PREPARED BY EAREC SECRETARIAT 22.12.11**

This Summary is designed to be read in conjunction with the submissions.

Comments in clause order

(3, 4, 6, 7, 11, 13-16, 22-46, 64, 68, 69, 76, 100, 106, 114, 115, 118, 120, 121, 123, 125-130, 131, 143, 144, 166, 171, 173, 180, 181, 196-200, 207, 219-231, 236, 322, 330, 381, 449, 460-497, 515, Sch.1 and other issues)

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Cl.	Section/initiative	Submitter	Key Points
3	Purposes of Act	Submission No. 3 Queensland Murray Darling Committee Inc	QMDC submits that section 3 (at p.32) of the Act needs to be strengthened to reflect the need to primarily prevent impact caused by biosecurity risks and not merely reflect a minimisation objective. Although the action to prevent the impacts of biosecurity risks is clearly indicated in section 4 (at p.33) of the Act, QMDC suggests that this action needs to be mirrored in section 3 . (Sub 3, p.2)
		Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	The Gold Coast City Council's Waste and Resource Management Branch (W&RMB) Supports the purpose of the proposed Biosecurity Bill (Sub 2, p.2)
4	How purposes are primarily achieved	Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	W&RMB is concerned that there is no clear indication that biosecurity is a core function of the State and not Local Government. They suggest modification of S.4(h) to read: <i>..providing for a framework that improves the capacity of Local Government, industry and the community generally to support the State's response to biosecurity risks.</i> (Sub 2, p.2).
6	Act binds all persons	Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	Commend the inclusion of a clear requirement on the State and Commonwealth to fulfill the requirements of the proposed bill. There is a concern however with the ability of Local Government to ensure the provisions of Biosecurity Plans for invasive Biosecurity Matter (S.52) are met by the State and Commonwealth Departments. W&RMB look forward to the existing arrangements within the Memorandum Of Understanding between Local Government Association of Queensland, Commonwealth, State and NRM groups and the State Land Pest Management Committee being confirmed under S.76 of this legislation. (Sub 2, p.2)
		Submission No. 3 Queensland Murray Darling Committee Inc	QMDC supports regulation as a necessary support mechanism to ensure compliance and participation, especially when a voluntary and proactive approach is not capable of achieving full participation. The Act therefore must clearly enforce not only the responsibility of local governments but also the State and Commonwealth's responsibilities, as important functions in supporting the adoption and delivery of both mandatory and voluntary implementation of biosecurity activities. Although past legislation has supported regulatory roles which have promoted compliant participation in pest management; it has generally not been sufficiently fulfilled to act as a disincentive to non-compliance and participation in coordinated pest management activities. The decision to withdraw State Land Protection Officers, for example, from Warwick compromised successful biosecurity delivery. In QMDC's opinion such Officers and State commitment are clearly needed to support landholders dealing with pests such as rabbits. QMDC recognises the key role of the State to enforce a fair and equitable participation of all people and sectors. Non participation is a risk which needs specific management and enforcement to achieve a complementary and successful biosecurity system.

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			Biosecurity Queensland through its legislative processes is in a strong position to ensure that priorities are reflected through 'incentives' and 'disincentives' within the biosecurity framework. A range of measures to assist with establishing ownership of risk within the various legislations should clearly identify roles with regard to investment. (Sub 3, p.3)
		Submission No. 3 Queensland Murray Darling Committee Inc	QMDC does not support the immunity for the State and Commonwealth from prosecution afforded by section 6(2) at (p.35) of the Act. QMDC is also concerned that section 6(2) may interfere with compensation allowed in section 322 (at p.264) of the Act. (Sub 3, p.3)
7	General application of Act to ships	Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	Re 7(2) W&RMB is concerned with the general application of the Bill to ships in Queensland waters and other waters. Local Government will be unable to meet the considerable resourcing implications of managing invasive biosecurity matter on ships. W&RMB suggest providing exemption/clarification regarding the management of "invasive biosecurity matter" by Local Government on ships. This role should be fulfilled by the Queensland Government Department of Transport and Main Roads — Maritime Safety, Queensland Customs and Australian Quarantine Service. These departments will be responsible for identifying biosecurity matter that is outside the responsibility of Local Government (marine pests) and should retain responsibility for invasive biosecurity matter under the proposed Bill. ((sub 2, p.2)
11	Community involvement in administration of Act	Submission No. 3 Queensland Murray Darling Committee Inc	QMDC seeks clarification of the resources that the Queensland Government will provide community organisations like the QMDC to ensure the community involvement is meaningful and relevant in accordance with the Act (Sub 3, p.3)
13	What is a <i>biosecurity event</i>	Submission No. 1 Zoo and Aquarium Association Queensland Branch	This is exceptionally broad (seemingly limitless) definition. It would seem to provide infinite opportunity to the department to implement things such as biosecurity programs and prevention and control programs; even in relation to things that "may happen". This could include anything to do with zoo animals. This is not consistent with the <i>Legislative Standards Act 1992</i> Part 2, Legislative standards 4 (3)(a) which requires that legislation does not affect rights and liberties of individuals by not sufficiently defining administrative power under the legislation. It further fails in that it is not 'unambiguous' and 'sufficiently clear' as it appears to have no defined limit at all. How will the exhibited animals industry be able to confidently operate when virtually anything to do with core business (in the past, present and future) may be deemed, at any time, to be a <i>biosecurity event</i> and subsequently subject to a range of actions that can follow such a declaration? (Sub 1, p.3)

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14	What is <i>biosecurity matter</i>	Submission No. 1 Zoo and Aquarium Association Queensland Branch	This is [an] exceptionally broad (seemingly limitless) definition. (Sub 1, p.3)
15	What is a <i>biosecurity risk</i>	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Under this all-encompassing definition all core business of the exhibited animal industry can be determined to be a biosecurity risk. What protections are there for the exhibited animal industry to continue given the apparent biosecurity risk of core business? (Sub 1, p.3)
		Submission No. 3 Queensland Murray Darling Committee Inc	QMDC would like the definition of biosecurity risk broadened to include failing to respond to a known risk, and the absence of scientific knowledge about a potential risks. (Sub 3, pp.3-4, clarified with QMDC staff 22.12.11)
16	What is a <i>carrier</i>	Submission No. 1 Zoo and Aquarium Association Queensland Branch	This is [an] exceptionally broad (seemingly limitless) definition. What protections are there for the exhibited animal industry to continue given the apparent biosecurity risk of core business? (Sub 1, p.4)
22	What is a <i>general biosecurity obligation</i>	Submission No. 3 Queensland Murray Darling Committee Inc	QMDC recommends that “reasonable and practical measures” need to be further qualified in the Act to reflect the likelihood and degree of ecological and economic impact that could be caused by either the introduction or spread of a weed or pest. The seeds of rats tail grasses, for example, remain viable for 40 years and should it be deemed reasonable and practical for a landholder to manage to his/her best means ONLY some of the infested area the likely future risk is ongoing infestation or spread. QMDC in such a scenario would be concerned if the Act considered the landholders initial action as “reasonable”. QMDC suggests the Act needs to provide a mechanism which clearly outlines the parameters of a reasonable and practical measure relating those parameters to the nature of the biosecurity risk. (Sub 3, p.4)
22-46	Chapter 2 Significant obligations and offences	Submission No. 6 BSES Limited	The section in the Bill on general biosecurity obligations (Chapter 2) has good intents but we believe it would be difficult to enforce because of its general nature. Many biosecurity matters (diseases, pests or contaminants) are difficult to identify and if the person from an industry or the general public cannot identify the risk then they could not be expected to discharge their obligation. Once a biosecurity threat has been identified by suitable trained specialists, and a management plan or code of practice is developed, the specific obligations under the program or code of practice are defined and the general biosecurity obligation no longer applies. (Sub 5, p.1)
45	Designated animals feeding on animal matter	Submission No. 1 Zoo and Aquarium Association Queensland Branch	It would appear that feeding zoo animals that are by definition under the Act, designated animals (e.g. a corn snake, a wedge-tailed eagle, an alligator etc) animal matter (meat) would be illegal under this Part. This would seem to be an unintended consequence of this Part. How will these kinds of unintended consequences for the exhibited animals industry be

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			resolved? (Sub 1, p.4)
45	Designated animals feeding on animal matter	Submission No. 5 Local Government Association of Queensland Ltd	<p>The State made a commitment to limit local government functions in biosecurity matters to invasive plants and animals. The Bill's attempt to define this in S.45 however, is not definitive enough to avoid the potential for re-interpretation of these responsibilities through statements in other sections of the Bill.</p> <p><i>Recommendation:</i> Amend wording in Section 45 (S.45) to clearly limit local government functions to invasive plants and animals only. Review terminology in the remainder of the Bill to clearly reflect local government functions as defined in S.45. (Sub 5, p.2)</p>
64	Purpose and administration of fund	Submission No. 5 Local Government Association of Queensland Ltd	<p>While S.64 (1) states the Minister "may...require a local government to pay an amount for a financial year..." this has been a mandated requirement by the State for many decades and the LGAQ believes the State intends to continue to require these payments under the new legislation. To the author's knowledge, no other State government department incurs a general charge to provide non-negotiated services that are for broader public benefit and we would argue are a State responsibility. In a modern society, requiring payment from local governments to the State for largely unspecified works with undefined outcomes is difficult to justify. The Association notes the inclusion of S.66 and S.68 in the Bill which now provides for consultation with local government on what activities are to be funded by local government money collected through precept payments and that the state will report annually on the achievement of the activities it was funded to undertake. However, local government is concerned about the level of consultation that is likely to be undertaken and the detail to be included in the annual reporting.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> - That the State in consultation with the LGAQ, develop and include in the regulations for the Bill a fair, representative and transparent system for the consultation of local government in the activities to be funded by local government payments. - That the State in consultation with the LGAQ, develop and include in the regulations for the Bill a fair, and transparent system for the calculation of local government contributions to the activities to be funded by local government payments. - That the State, in consultation with the LGAQ, develop and include in the regulations for the Bill the detail that must be supplied in the annual report required under S.66. (Sub 5, p.3)
68	Minister must give local government report about activities	Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	<p>W&RMB state that reporting and prioritisation of expenditure by Biosecurity Queensland (BQ) requires greater detail and transparency. They request the inclusion of a clause formally requiring the State to provide an annual itemised report on the expenditure of funds. (Sub 2, p.4)</p>

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69	Making codes of practice	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Does this mean that the exhibited animal industry will likely be subject to another Code of Practice in addition to the National Standards being developed by DAFF? (Sub 1, p.5)
76	Entering into government and industry agreements	Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	W&RMB commends the inclusion of this provision to continue the State's capacity and commitment to protecting the lifestyle, health, environment and economy of Queenslanders from biosecurity matter. (Sub 2, p.4)
100	Matters for inclusion in biosecurity emergency order	Submission No. 7 Queensland Racehorse Owners' Association	<p>Industry believes that recognition of OHS, Animal safety and welfare and specifically the needs of horses and young stock has been poorly considered with the establishment of current biosecurity check points. Check point gates have been subject to serious issues as described above in this submission. We submit that the bill [should] include the wording as follows:</p> <p><i>b) include objective criteria to apply for the stopping and checking of vehicles at the biosecurity emergency checkpoints... criteria to include OH&S animal safety and welfare and handler and animal safety to the highest recognised industry standards.</i></p> <p>Horse deaths and injuries have and are occurring at biosecurity check points under the current legislation. Industry believes the DEEDI standards for expensive livestock are atrocious compared to the standards on our own properties. The issue is also relevant to clauses 103. The wording "OH&S, Animal Safety and Welfare and Handler Safety to the highest recognised industry standards" [should be] included where appropriate in the bill. (sub 7, p.7-8)</p>
106	Requirement to answer question or give information	Submission No. 7 Queensland Racehorse Owners' Association	Clause 106(6) the definition of <i>required document</i> , should provide for web based or electronic documents as well as paper documents. (Sub 7, p.4)
114	Regulation may include provisions for biosecurity zones	Submission No. 1 Zoo and Aquarium Association Queensland Branch	<p>For a number of years the exhibited animal industry in Queensland has been unable to maintain the same range of exotic species (non-indigenous) as almost all other state and territory jurisdictions. For a lesser number of years dialogue with senior Officers in DEEDI has indicated strong support from them for the schedules to be expanded to reflect the schedules of other jurisdictions this being largely supported due to the professional conduct of the Queensland exhibited animals industry in terms of managing animal collections and managing risk effectively. Despite such dialogue little practical progress on the schedules has occurred. Biosecurity zones clearly have the capacity to continue the practical effect of the schedules albeit under another instrument.</p> <p>How will biosecurity zones affect the exhibited animal industry and the oft promulgated by DEEDI schedule changes? Will policy settings in relation to biosecurity zones be such that the Queensland exhibited animal industry is able to both participate in Australia-wide animal management as well as</p>

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			financially compete more equally with businesses in other jurisdictions? Is clause 114(3) where the exhibited animal industry could reasonably expect to not be constrained by the <i>biosecurity zone</i> provisions? (Sub 1, pp.5-6)
115	Matters for inclusion in biosecurity zone regulatory provisions	Submission No. 1 Zoo and Aquarium Association Queensland Branch	How will the policy settings around these clauses affect the exhibited animal industry? (Sub 1, p.6)
118	Biosecurity instrument permit	Submission No. 1 Zoo and Aquarium Association Queensland Branch	The <i>Exhibited Animals Discussion Paper</i> released in 2009 stated the following; 'It is proposed that new legislation would build on established best practice in the industry and not create a significant additional burden for operators'. Should the exhibited animal industry be required to apply for and maintain a biosecurity instrument permit this would be in conflict with the <i>Exhibited Animals Discussion Paper</i> . In addition to the discussion paper it is also the intention of the Queensland Government to reduce red-tape (e.g. http://www.business.qld.gov.au/business-and-law/queensland-business-commissioner/reducing-red-tape-qld-businesses.html & www.deedi.qld.gov.au/documents/Corporate-Publications/Regulatory-Simplification-Plan-DEEDI-2009-2013.pdf) for industry to facilitate private sector business operations, productivity and continuance. Is it intended that exhibited animal industry be required to apply for and maintain a <i>biosecurity instrument permit</i> ? (Sub 1, pp.6-7)
120	What is a <i>designated animal</i>	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Given the definition of designated animals it is clear that many exhibited animal industry businesses will become biosecurity entities under the <i>Act</i> and therefore be required to be registered. The <i>Exhibited Animals Discussion Paper</i> released in 2009 stated the following; 'It is proposed that new legislation would build on established best practice in the industry and not create a significant additional burden for operators'. Should the exhibited animal industry be required to apply for and maintain a biosecurity instrument permit this would be in conflict with the <i>Exhibited Animals Discussion Paper</i> . In addition to the discussion paper it is also the intention of the Queensland Government to reduce red-tape (e.g. http://www.business.qld.gov.au/business-and-law/queensland-business-commissioner/reducing-red-tape-qld-businesses.html & www.deedi.qld.gov.au/documents/Corporate-Publications/Regulatory-Simplification-Plan-DEEDI-2009-2013.pdf) for industry to facilitate private sector business operations, productivity and continuance. Is this another permit to apply for and pay for? What restrictions apply in relation to threshold birds? Is this any and all birds? If so any zoo with 101 finches will be a biosecurity entity. (Sub 1, p.7)
121	What is a <i>specified animal</i>	Submission No. 1 Zoo and Aquarium Association Queensland	Given the definition of specified animals it is clear that many exhibited animal industry businesses will become <i>biosecurity entities</i> under the <i>Act</i> and therefore be required to be registered. The <i>Exhibited Animals</i>

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		Branch	<i>Discussion Paper</i> released in 2009 stated the following; 'It is proposed that new legislation would build on established best practice in the industry and not create a significant additional burden for operators'. Should the exhibited animal industry be required to apply for and maintain a <i>biosecurity instrument permit</i> this would be in conflict with the <i>Exhibited Animals Discussion Paper</i> . In addition to the discussion paper it is also the intention of the Queensland Government to reduce red-tape (e.g. http://www.business.qld.gov.au/business-and-law/queensland-business-commissioner/reducing-red-tape-qld-businesses.html & www.deedi.qld.gov.au/documents/Corporate-Publications/Regulatory-Simplification-Plan-DEEDI-2009-2013.pdf) for industry to facilitate private sector business operations, productivity and continuance. (sub 1, pp.8-9)
		Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	W&RMB are concerned deer have not been identified as a specified animal. Currently there is no requirement for deer to be fit with an approved device. This is a major issue for Council when enforcing feral deer. Currently captive deer (deer kept within a deer-proof enclosure) are not declared, the exception to this is class one species which cannot be kept. However if deer escape or are released, they then become declared feral deer and the landholder is responsible for control. The issue arises whereby Council wishes to ensure the owner of the deer and not the impacted landholder is responsible for the control. Without a legal requirement to fit an approved device it is nigh on impossible to prove ownership of the deer. This creates undue costs for the community which should be met by the party responsible for the deer escaping/released from the deer proof enclosure. W&RMB seek the inclusion of deer as a specified animal in section 121. (sub 2, p.4)
123	What is the <i>threshold number</i> of designated animals	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Given the definition of threshold number of designated animals it is clear that many exhibited animal industry businesses will become biosecurity entities under the <i>Act</i> and therefore be required to be registered. The <i>Exhibited Animals Discussion Paper</i> released in 2009 stated the following; 'It is proposed that new legislation would build on established best practice in the industry and not create a significant additional burden for operators'. Should the exhibited animal industry be required to apply for and maintain a biosecurity instrument permit this would be in conflict with the <i>Exhibited Animals Discussion Paper</i> . In addition to the discussion paper it is also the intention of the Queensland Government to reduce red-tape (e.g. http://www.business.qld.gov.au/business-and-law/queensland-business-commissioner/reducing-red-tape-qld-businesses.html & www.deedi.qld.gov.au/documents/Corporate-Publications/Regulatory-Simplification-Plan-DEEDI-2009-2013.pdf) for industry to facilitate private sector business operations, productivity and continuance. (Sub 1, p.9)
125-130		Submission No. 1 Zoo and Aquarium	The <i>Exhibited Animals Discussion Paper</i> released in 2009 stated the following; 'It is proposed that new legislation would build on established best

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		Association Queensland Branch	practice in the industry and not create a significant additional burden for operators'. Should the exhibited animal industry be required to apply for and maintain a biosecurity instrument permit this would be in conflict with the <i>Exhibited Animals Discussion Paper</i> . In addition to the discussion paper it is also the intention of the Queensland Government to reduce red-tape (e.g. http://www.business.qld.gov.au/business-and-law/queensland-business-commissioner/reducing-red-tape-qld-businesses.html & www.deedi.qld.gov.au/documents/Corporate-Publications/Regulatory-Simplification-Plan-DEEDI-2009-2013.pdf) for industry to facilitate private sector business operations, productivity and continuance. Is this another permit to apply for and pay for? (Sub 1, p.10)
131	Approval for registerable biosecurity entity to remain unregistered	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Very few exhibited animal industry members will apparently be able to apply for a registration exemption. Even if they are not registerable they will still need to apply. Additional red-tape when seeking to avoid yet more red-tape! Surely such things do not fit with the government's stated intention to reduce compliance costs? (Sub 1, p.11)
143	Term of registration	Submission No. 1 Zoo and Aquarium Association Queensland Branch	A further requirement to go through the red-tape exercise every three years. Surely such things do not fit with the government's stated intention to reduce compliance costs? (Sub 1, p.11)
144	Renewal of registration	Submission No. 1 Zoo and Aquarium Association Queensland Branch	This section provides for the chief executive (and presumably his/her delegates) to require the red-tape whenever they wish. At what level within DEEDI will authorisation sit to force the registered biosecurity entity to provide confirming information? What will be the policy settings for this to be enacted? (Sub 1, pp.11-12)
166	Meaning of <i>approved device</i>	Submission No. 1 Zoo and Aquarium Association Queensland Branch	What are the implications of Part 3 for the exhibited animal industry? Will this impose additional conditions to the current requirements for the exhibited animal industry? (Sub 1, p.12)
171	Approved device requirements	Submission No. 1 Zoo and Aquarium Association Queensland Branch	What are the implications of this clause for the exhibited animal industry? Will this impose additional conditions to the current requirements for the exhibited animal industry? (Sub 1, p.12)
173	Obtaining a travel approval	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Exhibited animals are presently moved under the authority of a self-issued movement advice or a wildlife movement permit. Will this clause change the status quo? And if so will it lessen, or increase, the regulatory burden? (sub 1, p.13)
180	Movement record requirement	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Exhibited animals are presently moved under the authority of a self-issued movement advice or a wildlife movement permit. Will this clause change the status quo? And if so will it lessen, or increase, the regulatory burden? (Sub 1, p.13)
		Submission No. 7	We believe the wording SHOULD NOT have the words 'a copy'. We are in

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		Queensland Racehorse Owners' Association	<p>the age of a paperless society. Many of us operate without the need for paper copies and for businesses that do many movements the accumulation of paper copies can become superfluous rubbish that is never referred to for future biosecurity. We DID clearly state this to biosecurity officers and general agreement was reached that alternative forms of permanent records are a better way to go. These records could be web based, or logged into databases that can be accessed by biosecurity officers if needed in the future. And innovation such as GPS and palm pilots can be used, or texted messages and information held on a mobile phone or palm computer/ipad. This would take some innovation and investment in web based data bases but as compared to the printing and distributing paper booklets and printing and distributing of faxed permits the benefits far greater to go to a paperless route (come on we are meant to be the smart state?).</p> <p>The wording keep a copy is located elsewhere in the bill and these may need to be revisited also. A suggested wording could be:</p> <p><i>"...an appropriate copy in a form suitable for the purpose". (sub 7, pp.2-3)</i></p>
181	Appropriate form of movement record	Submission No. 7 Queensland Racehorse Owners' Association	<p>We DID clearly state our position on this to biosecurity officers and general agreement was reached but this has not been included. We noted in the purposes in:</p> <p>Part 2 Purposes of Act and achieving the purposes -</p> <p>4 How purposes are primarily achieved -</p> <p>"providing for flexible and timely ways of minimising and mitigating biosecurity risks"</p> <p>We think the wording of this aspect is very inflexible and needs to be amended. The bill reads:</p> <p><i>For the movement record requirement, a movement record that relates to the movement of a designated animal other than a specified animal is in the appropriate form if it is a document that clearly sets out the following information and is signed by the person completing the record—</i></p> <p><i>(a) details sufficient to identify the place from which the designated animal is being moved;</i></p> <p><i>(b) where the designated animal is being moved to, and the name and address of the person who is to receive the animal;</i></p> <p><i>(c) the proposed date of the movement of the designated animal;</i></p> <p><i>(d) the species and breed of the designated animal;</i></p> <p><i>(e) details of any identification mark on the designated animal;</i></p> <p><i>(f) any illness the designated animal is known to be suffering, or any illness the person who created the movement record reasonably suspects the designated</i></p>

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			<p><i>animal may be suffering;</i> <i>(g) other information prescribed under a regulation</i></p> <ol style="list-style-type: none"> 1. Signed is inflexible if a person is making an application for movement over the phone or on the web how does the person sign, is it necessary other than identifying who the person is? 2. Name and address of the person receiving the animal is often unknown, for example if we move a horse to say Darley Stud in the Hunter Valley, they have literally hundreds of staff and the principle over Darley is a sheik in the Royal family of Saudi - the address is necessary. <p>“Details of any identification mark on the designated animal” This issue was discussed in detail and agreement was reached (and biosecurity officers were involved in the discussions). The wording should be: <u>“an industry recognised method of identifying the animal or details of any identification mark on the designated animal.</u></p> <p>WE are very adamant on this issue. The reason for this is that for example thoroughbred horses are named and a comprehensive data base for such is maintained by industry. There can only be one Black Caviar. There is no need to list this horse’s brands, colour and markings. When a Hendra vaccination rolls out, horses will be micro-chipped and a database maintained with a microchip number or the industry identification name associated with that number. The issue of indentifying marks is also in section “185 Show organiser to record designated animal movements” and this could also be changed. (Sub 7, pp.3-4)</p>

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196-199	Prohibited and restricted matter permits	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Will these clauses change the status quo? And if so will it lessen, or increase, the regulatory burden? Are these additional permits and will they need to be applied for and at what financial cost? (Sub 1, p.13)
200	What is a <i>permit plan</i> for prohibited or restricted matter	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Is there an example of a permit plan? Will a permit plan be required by exhibited animal industry members? Will a permit plan require preparation by, for example, a scientist? 9Sub 1, p.14)
207	Criteria for decision	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Will this clause change the status quo? And if so will it lessen, or increase, the regulatory burden? (Sub 1, p.15)
219-231	Chapter 8 Programs for surveillance, prevention and control	Submission No. 7 Queensland Racehorse Owners' Association	<p>[There is] no definition for what is "Controlled biosecurity matter" and what is "regulated biosecurity matter"? What are these [matters], how do they become classed as controlled or regulated and what is the process for review consultation and industry involvement?</p> <p>The term "Significant biosecurity risk" is conjecture. This section mentions the biosecurity risk as the need for a prevention and control program. The problem is there is no format for determining the economic veracity of a program [and if it] "is it worth doing". There needs to be a risk analysis and an economic assessment. We do not need to experience another EI crisis with such costs to government and industry when a vaccination and or "do nothing" would be a viable option.</p> <p>We believe the new legislation has failed to consider BEALE. The federal review of biosecurity by Beale et.al. [for the] Australian Government clearly identifies a number of areas where the current biosecurity can be improved. Beale's recommendations:</p> <p>a. Biosecurity should be a continuum – pre-border, border and post-border.</p> <p>The current systems used by biosecurity Queensland are based in what is called end point inspection. This method of <i>quality control</i> has been superseded over the past 20 years in nearly all agricultural industries by <i>quality assurance</i>. Programs like Cattlecare and Livestock Production Assurance in the cattle industry and Dairy Quality First in the dairy industry have been working for years and have reduced compliance costs and are very farmer friendly.</p> <p>The current cattle tick biosecurity system focuses primarily on the border. This approach sends the wrong market signals the cattle industry. It draws attention away from practices on farm pre border in the cattle tick areas and on farm in post border cattle tick areas. It also penalises unrelated industries like the horse industry. In fact some of the current regulations actually impose on farm restrictions (pre border) on the horse industry, for the horse industry it is hard to understand that the regulations make horse</p>

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			<p>farms do what cattle farms should do post border. This approach is inefficient and fails to build post border capacity, post and pre- border knowledge and transfers responsibility to governments and industries unconnected to the biosecurity risk. The bill does not recognise Quality assurance and the concept of a continuum. The drafting of the legislation looks as if it is just putting in place the old system in the new Bill and we will have the same debacle and inefficacies.</p> <p>b. Biosecurity measures should be based on rigorous science-based assessments For example:</p> <ol style="list-style-type: none"> 1. The horse industry is concerned that whilst the knowledge base around cattle tick management is substantial there has been no adequate scientific and statistical analysis of the risks associated with horse movements. This has lead to a situation where decisions have been made in establishing the current system that are based on best estimates of biosecurity officers and the opinions of members of cattle farmer committees. This situation is untenable in the future. 2. The current Hendra research has been based on fruit bats and despite continued calls from the horse industry to focus on horse management aspects the biosecurity team continues to focus on bats. This has lead to a failure of the concept of rigorous science based assessments <p>c. Shared responsibility (governments, industry and the broader community) The horse industry appreciates the concept of share responsibility and understands its role in for example cattle tick biosecurity and are prepared to contribute and have proposed a "code of practice for horse movements" but shared responsibility does not mean we should pay for the program.</p> <p>d. A Risk and Return Approach. Beale is specific about cost recovery and resourcing biosecurity the report states: (see above) In the past and currently the full cost of movement restrictions have been carried by the horse industry with no dispensation from the cattle industry this situation is grossly unfair and untenable in the future and against the principles outlined by Beale above. When costs are disassociated and imposed on an ancillary industry there is no mechanism for market signals back to the beneficiary of the regulation. Further there is no scope for efficiency measures to be implemented, where is the incentive to makes practices less expensive if another industry is paying for the activities and the benefits are effectively free. When costs are applied to beneficiary of an activity that beneficiary investigates, manages, lobbies and applies pressure to reduce those costs, as such the</p>

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			efficiency of the activity will be improved. (Sub 7, pp. 8-9)
222	Authorising and carrying out biosecurity program	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Will we now also have to deal with local government agencies in relation to our animal collections? Will we have council inspectors regulating our industry now also? (Sub 1, p.15)
236	Appointment and qualifications [This clause appeared in the exposure draft of the Bill as clause 247]	Submission No. 3 Queensland Murray Darling Committee Inc	QMDC and Queensland Rural Industry Training Council QRITC) are currently working on defining what the "necessary expertise or experience" should be for "inspectors" particularly when it comes to vehicle inspections for weed spread prevention. QMDC recommends that the relevant regulations reflect not only current best practices but are also informed by localised and regionalised knowledge and research. 9Sub 3, p.4) QMDC recommends the implementation of regulations which build the capacity to deliver further important knowledge and technological advances to Queensland and its regional communities. (sub 3, p.4)
		Submission No. 6 BSES Limited	BSES has provided inspectors under the Plant Protection Act to assist DEEDI manage regulations as they apply to sugarcane. BSES would continue to offer its staff to provide suitable people as inspectors under the new Biosecurity Bill. The draft Bill allows in s247e [now 236(1)(b)] for inspectors to be appointed from "a person or member of a class of persons prescribed under a regulation". We believe that this provision should allow the Chief executive to appoint suitable BSES staff as inspectors. (Sub 5, p.1)
322	Compensation	Submission No. 7 Queensland Racehorse Owners' Association	322(1) Industry believes the issue of compensation needs to be reconsidered and is NOT adequate under this bill This is especially relevant after the ombudsman's report which was made after the drafting of this legislation. Compensation for the destruction of animals under a biosecurity program/action and compensation for a business as a result of a quarantine was highlighted in the report. Clearly the value of the destroyed horse "Tamworth" was poorly handled and industry believes this issue needs to be far more robust in its guidance in the bill. The losses incurred by the Redlands Bay Vet clinic are substantial and the issue of exgratia payments for such losses needs to be addressed in the bill. The current wording does not recognise these 2 issues. (Sub 7, p.8)
330	What is a <i>notional value</i> or <i>notional reduction in value</i> of property	Submission No. 7 Queensland Racehorse Owners' Association	Horses are not valued by their meat value!! The valuation of a horse should be based on an "auditable cost base". For example if I pay \$15,000 for a service fee to my mare and I had purchased that mare for \$20,000 and had incurred costs of 10,000 for the breeding and ownership of that mare she is worth \$45,000. She is not worth 100,000 because this is what I could get for the foal when sold as a yearling, but when the foal is born it is worth the costs to breed the mare plus the foaling costs and the cost of the service fee not what I could sell it for. A similar value can be obtained for

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			most other horses. This is a major issue for the horse industry. The bill should not opt out of compensation as is the case for some of the wording and as is the wording now legally we believe compensation may be limited and unfair. (Sub 7, p.8)
381	What is a <i>biosecurity certificate</i>	Submission No. 1 Zoo and Aquarium Association Queensland Branch	A <i>biosecurity certificate</i> ; is this yet another piece of paper for which to apply and pay for? (Sub 1, p.15)
449	Failure to decide application	Submission No. 1 Zoo and Aquarium Association Queensland Branch	Is this really correct? If the chief executive (read 'delegate') does not make a decision within 30 days the applicant is to assume that the application has been refused? If this is correct it defies belief. In addition it fails to satisfy the requirement to be 'consistent with principles of natural justice' as required under the <i>Legislative Standards Act 1992</i> . (Sub 1, p.16)
460-497	Chapter 16 Invasive animal barrier fencing - Part 1 The barrier fence board	Submission No. 5 Local Government Association of Queensland Ltd	LGAQ states that Chapter 16 does not clearly identify the State or any other parties as being responsible for the funding of the fences or board. LGAQ feels it would be appropriate for the State to increase its contribution to the fences and board, to at least match local governments' and seek additional funding from direct beneficiaries of the fences from within relevant industries.(Sub 5, p.2)
471	Appointment of directors other than chairperson	Submission No. 5 Local Government Association of Queensland Ltd	Local government currently contributes the majority of funding to the existing wild dog and rabbit fences but under the proposed make up of directors, will not have the majority representation, with only three local government directors, one state government employee as a director and two directors to be appointed by the Minister. This is unacceptable to local government. <i>Recommendation:</i> <ul style="list-style-type: none"> - Include a clause identifying the key funding stakeholders for the invasive animal fences and board. - That the balance of local government representation be increased on the board to better reflect current financial contributions. - That the State increases its contribution to the fences and board, to at least match that of local governments. (Sub 5, p.2)
485	Estimate of board's operational costs	Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	W&RMB considers that the provision of a written estimate of operational costs two months prior to the start of the financial year is untenable. Budget development with Council begins eight months before the end of the financial year. The current arrangements under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> see demands for funding arriving up to six months into the current financial year without any previous consultation with Local Government. The demands are not itemised and there is no transparency or accountability regarding the expenditure of these public funds. While funds will be paid from the Land Protection Fund (S.64(d) and S.65(b)), there is no requirement for consultation with Local

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			<p>Government regarding the operational costs of the barrier fence board. If Chapter 16 is to remain in the proposed Bill, W&RMB seek the following amendments:</p> <ul style="list-style-type: none"> - S.485(1) The board must consult with each of the contributing Local Governments during the preparation of the Board's estimate of operational costs. - S.485(2) The estimate must be given to the Minister six months before the start of the financial year to which the estimate relates. - New addition — The minister must provide Local Governments with the estimate and a written statement of this estimate as per S.485(3) four months before the start of the financial year to which the estimate relates. (Sub 2, p.6)
515	When regulatory impact statement not required	Submission No. 1 Zoo and Aquarium Association Queensland Branch	This clause is clearly intended to circumvent the intent of the <i>Statutory Instruments Act 1992</i> , section 43 when the declaration of <i>biosecurity matter</i> as <i>prohibited matter</i> could impose appreciable costs on the community or part of the community. Under this section species forming part of exhibited animal industry collections could be declared to be <i>prohibited matter</i> with no requirement for a RIS. This could have devastating consequences for the industry or individual businesses within the industry. Sub 1, pp. 16-17)
		Submission No. 7 Queensland Racehorse Owners' Association	The wording here is a cop out for good decision making, the ombudsman's report and the EI case clearly show that without a RIS poor decisions can be made. The legislation needs to be more robust and put in place some methods for economic assessment and industry consultation as it is now biosecurity Queensland will be a loose cannon. We suggest an upgrade to the wording and make it necessary to consult and make an economic assessment of some sort for biosecurity programs and activities. (sub 7, pp.9-10)
Sch 1 Pt 1	Aquatic diseases, parasites and viruses	Submission No. 2 Gold Coast City Council Waste and Resource Management Branch	The Invasive Animals Cooperative Research Centre is coordinating a project with CSIRO to determine the potential of Koi Herpesvirus or Cyprinid Herpes virus 3 (CyHV-3) as a biocontrol agent for carp in Australia. W&RMB suggest the removal of the listing of Koi Herpesvirus disease as prohibited matter if it will negatively impact on the success of this project. (Sub 2, p.6)

Other comments – clause not specified or unclear	
Submitter	Key Points
Submission No. 4 Queensland Beekeepers' Association Inc	Adverse impacts on beekeepers <p>The QBA is concerned that there are aspects of the Apiaries Act of 1982, which the new Biosecurity Bill is aimed at replacing, that will not be in the best interest of our Industry. In recent years we did get some briefing and when the exposure draft of the Bill came out, the QBA put in a submission which raised many questions. To date, these questions have not been answered. From our perusal of the Bill, it would seem that there is only one point in our first submission that has been included. We have been told that some aspects we have raised will be addressed by Codes of Practice (COP) but there is no guarantee that this will happen. (Sub 4, p.1)</p>
Submission No. 7 Queensland Racehorse Owners' Association	Authorised persons <p>Industry believes the bill has failed to recognise a group of persons that undertake authorise biosecurity functions under permit, and is loose in nature in the current legislation but needs to be included in this legislation. This person is an industry person that is not an employee of or a contractor to DEEDI or a police officer or under TORUM. They are an independent trained industry person. Currently horse managers, owners and industry specialists are authorised under permit and have completed a training course and are registered to undertake a cattle tick inspection and treatment of horses and then under this inspection and treatment move across a biosecurity border. There would be many hundreds of people undertaking this task. They have not been recognised in the legislation. DEEDI have been informed of this issue.</p> <p>... would like a section to be included in the bill similar in wording to the police section that recognises industry trained and qualified persons for biosecurity tasks. These persons to be registered on a DEEDI maintained register, to have a licence renewal every say 5 years and to be a class below an authorised person with restricted powers for specific tasks.</p> <p>These persons may also exist in industries other than the horse industry.</p> <p>For example a staff member who works for a seed company may be such a person. They may be able to undertake a certification of a consignment of seed that is free of a weed species.</p> <p>If this aspect is not included in the legislation there will be many persons currently disenfranchised from the system. It makes sense to have industry involved in self regulation and this regulation to be controlled and registered. Why not recognise this in the Bill? (Sub 7, pp.6-7)</p>
Submission No. 1 Zoo and Aquarium Association Queensland Branch	Consultation <p>A significant issue we need to highlight is that throughout the Bill's development the exhibited animals industry has been reassured of the intent for this document to dove-tail with the proposed Exhibited Animals Act; however we were informed recently by the Department that an Exhibited Animal's Act is now unlikely to be rolled out until 2014 at the earliest. Given there is no official commitment to any timeframes for the exhibited animals legislation the zoo and aquarium industry must now consider the implementation of the Biosecurity Bill very differently. With this in mind we have some strong reservations pertaining to the very broad definitions provided within the Biosecurity Bill and would like written clarification of how this is likely to be applied to our industry given the lag time now evident with an Exhibited Animals Act. (Sub 1, p.1)</p>
Submission No. 7 Queensland Racehorse Owners' Association	Cost sharing by biosecurity beneficiaries <p>Whilst the legislation has general obligation which applies to any person dealing with a biosecurity matter that poses a biosecurity risk it does not state that the cost should be apportioned to a non-beneficiary or that it should be to the economic and social detriment of the ancillary participant (secondary host species). The issue can be made clearer by</p>

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	<p>examining the current issues with cattle ticks. The primary responsibility for cattle tick biosecurity should be assigned to the cattle industry. Cattle Tick zones and the imposts imposed on the horse industry serve no benefit to the horse industry and are principally for the benefit of the cattle industry. The horse industries view is that an economic analysis of the current cattle tick biosecurity investigating the costs and impacts of controls on horse movements will yield a result that highlights the significant costs horse owners and government currently incur for the very small risk/return. The calculated annual cost to the horse industry is \$500,000 in fees and this is effectively a subsidy from the horse industry to the cattle industry.</p> <p>Further Beale is specific about cost recovery and resourcing biosecurity. The report states:</p> <p style="padding-left: 40px;"><i>The general principle should be that Australians who use or consume high risk, high regulatory cost imports, pay for those costs, rather than taxpayers” , “Equally, ...those who earn income from markets as a consequence of the regulatory services provided by the Australian government should pay for them.</i></p> <p>An application of this principle to cattle tick biosecurity clearly indicates that the cattle industry being the primary beneficiary of the cattle tick biosecurity should be the primary agent in cost sharing arrangements. The horse industry is mutually exclusive, that is it derives no benefit from cattle tick biosecurity and as such should not pay for any costs, or for services provided by government.</p> <p>We wish to note that cattle ticks are OUTSIDE Emergency Animal Disease Response Agreement (EADRA) and are a biosecurity program under the state system. We note that there is a disease in horses in the UK Epizootic Lymphangitis that is very significant for horses. It is carried by cattle but does not affect cattle. The horse industry would not expect the cattle industry to pay for the control of or any aspects of inspection and testing for this disease if it were or a similar disease were to become an issue. Clearly legislation needs to include information about cost sharing and apportionment of such costs and BE FAIR as it is not the case now.</p> <p>We can only find one area in the bill that specifies fees and this is [clause] 388. (Sub 7, pp.8-9)</p>
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Submission No. 4 Queensland Beekeepers' Association Inc	Enforcement One of the biggest worries is the enforcement of the Biosecurity Bill. Currently the Department does not enforce the Apiaries Act despite urging by our Industry, which is a source of frustration for us. (Sub 4, p.1)
Submission No. 1 Zoo and Aquarium Association Queensland Branch	General comment Whilst we are confident the State Government has intention to deliver what was discussed with industry within the Stakeholder Workshops, in the absence of the dual operation of an Exhibited Animals Act there are some major concerns for our industry surrounding interpretation of sections within the Biosecurity Bill. It is also unclear as to whether aspects of the Biosecurity Bill will now require additional reporting and licensing for our industry. Reading the document in isolation it would appear there are several areas that will require additional red tape procedures for the exhibited animals industry, a contradiction with the Service Delivery and Performance Commission review of 2006 and current whole of Government policy. This has been clearly outlined in our submission and requires specific attention. (Sub 1, p.1)
Submission No. 6 BSES Limited	General comment Legislation has been pivotal in the management of endemic sugarcane diseases and responding to incursions of exotic diseases. BSES supports the maintenance of a strong legislative base to assist industry manage biosecurity issues in the future. We believe that the draft Biosecurity Act 2011 will provide the basis for management of biosecurity threats in Queensland. 9sub 1, p.2)
Submission No. 1 Zoo and Aquarium Association Queensland Branch	Need for concurrent use of legislation Without the concurrent use of legislation specific to our industry (Exhibited Animals Act) the Biosecurity Bill has the ability to potentially cripple our industry or individual facilities with little notification or compensation depending upon the individual interpreting the document. (sub 1, p.1)
Submission No. 5 Local Government Association of Queensland Ltd	Non compliance by State government departments and underfunding by the State of State government departments for the management of invasive plants and animals Unfortunately, this is a perennial issue for Queensland local governments where their own management and enforcement efforts and the efforts of private landowners and regional NRM bodies are undermined by the inconsistencies in and frequent failure of State government departments to meet obligations under State legislation on lands under their management. While the new Bill places a general obligation on all persons, that obligation is unable to be enforced against State or Federal departments allowing a level of unaccountability that is currently exploited. Local governments have come to question the value of legislation when some of the largest land holdings in their local government area (in particular national parks) are outside of the law. LGAQ notes that the state is currently preparing a new State Land Pest Management Framework. The Association has only recently been invited to a briefing about the Framework and appreciates the opportunity to provide input, however at this time we are unable to comment on whether the framework is likely to address local governments' concerns. A chief concern is that the Queensland State Government has chronically underfunded Biosecurity Queensland and in particular Queensland Parks and Wildlife, sending a clear signal that biosecurity matters, in particular invasive plants and animals, are not an important issue. This contradicts with the State's own environmental policies and the Queensland Biosecurity Strategy. Additionally, Biosecurity Queensland currently appears to be reducing its workforce, with voluntary redundancies and unfilled vacancies. <i>Recommendation:</i> <ul style="list-style-type: none"> - Amend the Bill to require all State government departments with land holdings to prepare Biosecurity Plans in consultation with local government and other key stakeholders. That the State sets an example and increases funding to Biosecurity Queensland to ensure implementation and

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	<p>enforcement of the new Bill reflects the level of seriousness with which all biosecurity and invasive plant and animal matters are regarded.</p> <p>That the State increases funding to State departments, in particular Queensland Parks and Wildlife to enable an acceptable level of compliance with the new Bills obligations. (Sub 5, pp.3-4)</p>
<p>Submission No. 5 Local Government Association of Queensland Ltd</p>	<p>Power to state and local government authorised officers to serve Penalty Infringement Notices (PINS) for invasive plants and animals offences</p> <p>The LGAQ believe the State has not reflected the level of seriousness or significance of biosecurity matters and particularly invasive plants and animals in the current legislation or in the new draft Bill, because it does not provide the head of power for authorised persons to issue Penalty Infringement Notices (PINS).</p> <p><i>Recommendation:</i></p> <p>Amend the Bill to provide for the power to issue Penalty Infringement Notices by both State and local government authorised officers. (Sub 5, p.3)</p>
<p>Submission No. 7 Queensland Racehorse Owners' Association</p>	<p>Right of appeal and/or a review mechanism, and the method for making such application – applies to numerous sections including Chapter 5 Part 3 Biosecurity Zone regulatory provisions [clauses 114-116]</p> <p>The bill relies on recommendations from the CEO and or at the minister's direction for many biosecurity actions, for example: Declaration of a biosecurity zone; Declaration of biosecurity matter; what is controlled; prohibited matter declaration; restricted matter declaration; declaring a biosecurity emergency etc. But the justification for undertaking this is based on a premise that the action is required for "significant biosecurity risk" but it [the Bill] does not define what significant is and what measure should be taken to determine the risk. Does the risk hold up to economic scrutiny? Is the risk an industry shared risk? There is no requirement for a RIS and as such a major check and balance approach is forgone. This may not be the best way to have legislation.</p> <p>Why do we need an appeal mechanism</p> <p>Example - The Equine Influenza outbreak was caused by a failure of biosecurity at a quarantine facilities, as such the Federal government was the primary cause and thus came a responsibility to eradicate and control. What industry learnt was that the cost to industry was enormous for a disease with limited economic impact and very little animal impact. If a disease of this nature was occur again industry would have to argue that an eradication program not worth the cost.</p> <p>Example - Cattle Ticks</p> <p>For the past 20 years the horse industry has been forced to undertake cattle tick management protocols with no way of making appeal against such despite significant issues and failures of the system, to highlight this we have provide the following, Controlling and eradicating cattle ticks is extremely important for the viability of the cattle industry in north-eastern NSW and eastern Queensland. Cattle ticks are the most serious external parasite of cattle in Australia. The tick can carry 'tick fever', which can kill cattle and causes significant losses to beef and dairy industries.</p> <p>The current Queensland regulation is based on the <i>Stock Act 1915</i>, Stock Regulation 1988, Stock (Cattle Tick) Notice 2005 and Stock Identification Regulation 2005. Whilst attempts were made in 2005 to try to recognise changes in the nature of the cattle industry and the significant changes to the horse industry it is fair to say that the legislation is out of date and does not suit the current environment the new bill is to rectify this. The system imposes rules and regulations that paid scant regard to the economic significance of the horse industry, the safety of our livestock and the inconvenience to our businesses and lifestyles.</p> <p>Horse movements between the current cattle tick zones DO have a biosecurity risk as horses are a secondary host species which can carry cattle ticks BUT the risk is minimal. For example at the Kirra and Mt Lindsay NSW border gates operated by NSW DPI staff, in the past 12 months for the 6296 horses inspected 2 carried cattle ticks and a further 7101 travelled on a low risk permit. This is a risk rate of 1 in 10,000 very low.</p>

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	<p>The problems for the horse industry with the current system are:</p> <ul style="list-style-type: none"> - Horse owners charged \$250,000 to \$500,000 dollars in fees and charges for horse cattle tick movements per annum. This charge is unfair to the horse industry as the cattle industry is the primary beneficiary. Expenditure at this level by the horse industry could be directed to projects that benefit the horse industry. - In regard to cattle ticks on horses <ul style="list-style-type: none"> o Almost all horse movements are low risk for cattle ticks, Racehorses and horses stabled in and daily groomed for competition pose virtually no risk at all but all these horses travelling for greater than 5 days must be inspected and sprayed at the biosecurity zone border, (this was even case Black Caviar when the mare raced last year Brisbane and was stabled inside the Eagle Farm Race track) o Statistics show that only 1 horse in 10,000 are a cattle tick risk. The Queensland horse industry believes it is a better use of resources to focus on the 1 in 10,000 horse and use a quality assurance system to identify these high risk horses o All horses travelling greater than 5 days must be sprayed with acaricide chemicals. Horses have had adverse reactions and in example cases racehorses and competition horses have been unable to race (Star of Florida for trainer Pat Duff) or compete. o To add horse industry discontent to the issue spraying is ineffective as most ticks are resistant to the spray thus a worthless exercise. o Spray gate facilities are very unsafe. Horses have been seriously injured and at least 1 horse had to be destroyed by a Racing Queensland veterinary. o The tick gate facilities are very inconvenient they effect travel times for transport and limit safe transport o The tick gates have no loading facilities or barrier gates and the facilities do not provide safe holding yards or stallion yards and fences are not designed for foals. Often trucks and floats are required to park on roadways and parking facilities are inadequate with poor barriers to roadside traffic and potential horse disturbance and fright. o The concrete floors a smooth and surfaces are unsafe for effective handling and ramparts and corners do not have rubber lined safety guards. o The tick gates regulations require horses to be tractable which for foals at foot is near impossible to achieve and weanlings yearlings and other young stock have not had the life experience to deal with the tick gate environment o There are issues with occupation health and safety and chemical compliance and it is anticipated that sooner or later legal action will be taken by a horse owner. <p>For these reasons we were desperate to get change and because there was no effective mechanism to have the biosecurity action reviewed or to make an appeal this situation has continued for at least 10 years regardless of our vigorous and constant letter writing and requests. An appeal or review mechanism <u>must</u> be included in the Bill. (Sub 7, pp.4-7)</p>
<p>Submission No. 4 Queensland Beekeepers' Association Inc</p>	<p>System for classifying apiary sites and distances is not covered by the Bill</p> <p>One area we have raised is the retention of some system of apiary site classification and distances between apiary sites as is currently in the Apiaries Act of 1982. We see this as a biosecurity issue that needs inclusion in the new Bill. (Sub 4, p.1)</p>