



27 July 2022

Ms Kaylene Gulich
Chair
BAM Act Review Panel
C/- Department of Primary Industries and Regional Development
Via e-mail: BAMAreview@dpird.wa.gov.au

Dear Ms Gulich

RE: Review of the Biosecurity and Agriculture Management Act 2007

INTRODUCTION

The Pastoralists and Graziers Association of WA (PGA) is a non-profit industry organisation established in 1907, which represents primary producers in both the pastoral and agricultural regions of Western Australia.

Current membership numbers equate to 84% of all pastoral leases, excluding Indigenous and conservation leases, and 21% of broadacre producers in the agricultural regions of Western Australia. This includes grain, livestock and mixed enterprises.

As an organisation which consists solely of primary producers from both the pastoral and agricultural regions who actively participate in the Industry Funding Scheme (IFS) Committees and the Recognised Biosecurity Groups (RBGs), the PGA seeks to contribute throughout all stages of the review to ensure that Western Australia has a contemporary and robust post border biosecurity governance and management framework that is efficient, effective and sustainable, and is a genuine shared responsibility between State Government (and its agencies and departments) and landowners.

We are pleased to provide this brief submission outlining some of the concerns our members have raised over the operation of the Biosecurity and Agriculture Management Act 2007.

Pastoralists & Graziers Association of Western Australia (Inc)

Ground Floor, 28-42 Ventnor Avenue, West Perth WA 6005 PO Box 889, West Perth WA 6872

Ph: (08) 9212 6900 Fax: (08) 9485 0299 Email: pga@pgaofwa.org.au

BACKGROUND

In 2007, the Biosecurity and Agriculture Management Act 2007 (BAM Act) was introduced, which is the principal biosecurity legislation for Western Australia. Despite the BAM Act being gazetted in 2007, the enabling regulations (the Biosecurity and Agriculture Management Regulations 2013) did not come into effect until May 2013.

Following introduction of the regulations, the State Government communicated its new policy setting, a community coordinated approach to managing biosecurity. In WA, Recognised Biosecurity Groups (RBGs) were introduced as the key mechanism to deliver a community coordinated approach, and to manage widespread and established pests in WA. Local Governments were concerned about RBG governance arrangement, with parts of the sector believing that the RBG policy would shift a State Government responsibility, and associated costs, to Local Government.

In December 2013, the Office of the Auditor General assessed the BAM Act's efficacy to manage plant and animal pests in WA. A key finding of the audit was that the BAM Act was failing to achieve state-wide pest management, due to (amongst others) the lack of a statewide integrated approach, no clearly defined roles and responsibilities for government agencies, limited monitoring of pests and no enforcement of the regulations.

SUMMARY

In making this submission the PGA is of the position that although there has been significant improvement since the Auditor General's report there still remains several deficiencies which are hindering the BAM Act's purpose of providing for the state-wide management of pests and has led to gaps in pest management.

The policy to move to a more regional and community-based approach (RBGs) since the gazetting of the BAM Act was poorly developed and implemented by the State, as noted by the Auditor General, and accordingly the interpretation and administration of the Act is what is causing most of the angst among landholders and RBG groups.

Overall, the RBG model is working well as it provides community (including landholders) assistance and guidance on Declared Pest management on their properties. The provision of a Declared Pest Rate provides sustainable funding for LOCAL groups to manage LOCAL pests and is an effective way to manage these pests with landholders contributing funds for pests on a nil-tenure basis. It provides direct community buy-in and responsibility from landholders/community on reporting declared pests and management of declared pests

RBGs have also established great partnerships with government/industry/NRM/Farming groups and other local community groups to raise awareness and have delivered real on-ground outcomes.

However, it is important to note that pests are cross boundary and the management of Declared Pests on government land necessitates the need for some additional funding to manage these pests and work alongside community efforts. Whilst RBGs provide strategic

pest management actions across their specified areas, the Act (or administrators of the Act) should provide a greater flexibility for reactive management of declared pests.

Under the current system, three Industry Funding Schemes exist to address biosecurity threats relevant to the grains/seed/hay, sheep/goat, and cattle industries. Participants in these industry schemes are entitled to benefits such as assistance and compensation (in qualifying circumstances) relating to the priority pests/diseases addressed by the scheme. An Industry Management Committee oversees each Industry Funding Scheme.

Whilst the PGA is of the opinion that the three Industry Funding Schemes (IFS) should continue as is, there is considerable concern over the bureaucratic and political interference in the selection of IFS committee members; the lack of transparency in setting the IFS rates; the lack of any effective opt out provision from certain declared pests; and the increasing tendency of the IFS's to extend their activities beyond their core business.

In 2018, the Minister responsible for making the appointments to the IFS committees did not accept the advice of the Appointments Committee on the selection of new members.

This resulted in the selection and appointment process being drawn out for over eight months, with some members of all three IFS committees finishing their terms within very close proximity, further complicating the selection process.

Given the difficulty in finding suitable candidates of a sufficient ability to appoint to the IFS committees, delays in appointments, and tinkering with terms of tenure only serve to exacerbate this issue.

Further there is concern over the non-transparent process in which the IFS determines its annual rate, including the continued inclusion of declared and established pests, such as Skeleton Weed, which cannot be eradicated, and where funding from grain, seed and hay producers goes to controlling the weed in government managed areas, rather than on farm.

Due to these past management issues, there remains a high level of uncertainty as to how Western Australian pastoralists and farmers will manage established and future incursions of invasive species, including the possible outbreak of exotic diseases including Foot and Mouth Disease (FMD), and Lumpy Skin disease (LSD).

For this reason, the PGA has long been advocating for the sector with regards to biosecurity issues.

We look forward to discussing these and other issues in a more detailed submission, once the terms of reference are finalised.

Yours faithfully



Tony Seabrook
PGA President