

**LIVESTOCK BILL
(Serial 13)**

Continued from 30 October 2008.

Mr WESTRA van HOLTHE (Katherine): Madam Speaker, I pass on to the minister for Primary Industry my thanks for making available a number of your senior staff to conduct a briefing on the Livestock Bill. The briefing was very informative and went quite some way towards addressing some of the concerns I had with this bill. There were a number of issues I raised during this briefing, and I believe it to be quite appropriate to raise those issues in this forum so they may be recorded in *Hansard*.

I did not approach this matter with a view that I should oppose the introduction of this bill in any way. Rather, I sought to take a collaborative approach and point out issues that appear to me to be not easily understood, and parts of the bill that I believe may be deficient or defective in some way. I am in the fortunate position of having read and digested large amounts of legislation over many years, and so I bring to the table a vast amount of practical knowledge and experience in how legislation actually works on the ground. In light of that, I see it as part of my responsibility to the people of the Northern Territory to bring those attributes to this House to manifest in structured and considered debate.

The matters I raised with Primary Industry staff were varied, so my intention is to mention each of those issues individually. I invite the minister to respond to each of those issues so that his response is also recorded in the *Hansard*. The reason I ask for this occur is so there is a comprehensive statement of intent from the minister in relation to this bill. It is important to narrow down, not only the intent of the legislation as a whole, but also the intent of each individual section. Should administrative or legal issues arise at some time in the future, there should be a reference back to the intent by the lawmaker to assist in interpretation of the act or parts of the act.

Although not specifically stated, the list of repealed acts outlined in the schedule indicates that this bill seeks to rationalise and, then, repeal five existing acts of the Northern Territory parliament; those being: the *Stock Diseases Act*, the *Exotic Diseases (Animal) Compensation Act*, the *Brands Act*, the *Stock Routes and Travelling Stock Act*, and the *Stock (Control of Hormonal Growth Promotants) Act*. It does seem to make sense to simplify a pool of legislation, some of which has its roots in legislation that dates back to the 1920s. With the advent of new technology and contemporary issues such as equine influenza and avian influenza still hanging heavily

in the air, without doubt, now is never too soon to have appropriate legislation to deal with matters such as those should they, once again, rear their ugly heads.

I will now deal with the matters I put during the briefing. Clause 4 of the bill relates to definitions, and I queried the definition of 'cattle'. In the case of this legislation, 'cattle' means 'bovine animals but does not include buffalo'. My query was whether exotic species such as banteng were included, or other exotic species from other countries such as Africa, for example. The response was that species not specifically referred to could be gazetted under the provisions of clause 5(2). Clause 5 defines 'livestock' as being; 'crocodiles, cattle, buffalo, horses, camels, sheep, goats, pigs (including wild pigs), deer, llamas, alpacas, poultry, and honey bees'. Research tells me that most of the exotic-type animals I was referring to in my query would be included under bovine as they belong to the family of bovidae - essentially, with a cloven hoof and a real horn. This would include most of the cattle-type species, as well as goats and antelope, bison and yak. In consideration of this, it appears unlikely that the minister will ever have to gazette additional species under that section as most cattle, as we know them, will fall under that family. I provide that by way of advice for the minister and his staff.

I have looked at the definition of 'poultry'. I want to point out that there were some issues which I raised in the briefing that were answered and satisfied. Since further reading and research on the bill, I have come up with a few other things, and this is one. The definition of 'poultry', as found in several Internet sources, is generally taken to mean domesticated birds or fowl, generally held to include chickens, doves, ducks, geese, grouse, guinea fowl, partridges, peafowl, pheasants, pigeons, quail, swans, and turkeys. The question I have at this juncture is: where do animals such as emus and ostriches fit into this legislation? They are, obviously, non-poultry birds that can and are kept for commercial purposes. Minister, I suggest that these species might become some of the first animals that need to be gazetted under clause 5(2) and, no doubt, there will be others as well.

From that point onwards, I found little to be overly concerned about, until I reached clause 54 of the bill, entitled 'Emergency disease: treatment or destruction of certain structures'. Essentially, this is a power conferred upon the Chief Executive Officer to make certain orders under certain circumstances. Those circumstances are detailed in clause 54(1)(a) and (b), where a control program is established to control an emergency disease, and a residential structure is infected with an emergency disease and making an order is necessary to prevent the spread of that disease.