

## Parliament of Tasmania

## **LEGISLATIVE COUNCIL**

### **GOVERNMENT ADMINISTRATION COMMITTEE "B"**

## REPORT

ON

## Blueberry Rust in Tasmania

Members of the Committee	
Hon Robert Armstrong MLC	Hon Rosemary Armitage MLC
Hon Ivan Dean MLC	Hon Craig Farrell MLC
Hon Jane Howlett MLC	Hon Tania Rattray MLC
Hon Jo Siejka MLC	

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### **INTRODUCTION**

- Government Administration Committee B (the Committee) was established by resolution of the Legislative Council and its operation is governed by Sessional Orders agreed to by the Council.
- 2. The Committee met on 20 September 2017 and resolved that a Sub-Committee be formed to conduct an inquiry into Blueberry Rust in Tasmania.
- 3. On 20 September 2017 the Committee presented a Special Report on a Resolution to Commence Inquiry (the Inquiry) in accordance with Sessional Order 4(14).
- 4. The Inquiry adopted the following Terms of Reference:

To inquire into and report upon the outbreaks of blueberry rust in Tasmania with particular reference to:

- The actions taken by Biosecurity Tasmania to address the 2014 and 2016 outbreaks of blueberry rust;
- Past and present regulatory requirements relating to the blueberry industry in Tasmania;
- 3. The future of Tasmania's blueberry industry, including the impacts of previous, current and any future outbreaks of blueberry rust;
- 4. The capacity of Biosecurity Tasmania to manage blueberry rust outbreaks and other risks into the future; and
- 5. Any other matters incidental thereto.
- 5. The membership of the Inquiry Sub-Committee was:

Hon Rosemary Armitage MLC Hon Ivan Dean MLC (Chair) Hon Kerry Finch MLC (Deputy Chair) Hon Tania Rattray MLC Hon Josh Willie MLC

6. The Inquiry was advertised in Tasmania's three daily regional newspapers. The Inquiry also directly contacted a number of persons and organisations with specific knowledge or expertise and invited them to provide evidence to the Inquiry.

- 7. The Inquiry also established a dedicated web-page at http://www.parliament.tas.gov.au/ctee/Council/GovAdminB%20-%20BlueberryRust.html.
  All submissions and transcripts are included on the web-page and these should be read in conjunction with the Sub-Committee Report. A list of submissions is provided in Appendix 1 of the Report.
- 8. Twenty-six submissions were received and the Inquiry conducted four public hearings and visited one site in Tasmania.
- Hearings were held in Hobart on 13 November 2017, 22 January 2018 and in Launceston
   On 2 November 2017. Seventeen groups and individuals provided verbal evidence.
- 10. Before the Committee had finalised the Inquiry Parliament was prorogued on 28 January 2018.
- 11. The Committee was re-established by resolution of the Legislative Council on 13 June 2018.
- 12. The Committee met on 14 June 2018 and resolved to re-establish the Sub-Committee Inquiry into Blueberry Rust in Tasmania.
- 13. The Sub-Committee resolved that members of Government Administration Committee 'A' Hon Kerry Finch MLC (substituting for Hon Robert Armstrong MLC) and Hon Josh Willie MLC (substituting for Hon Craig Farrell MLC) be re-appointed as substitute members for this Inquiry
- 14. Public hearings were held in Hobart on 13 July 2018 and two groups provided verbal evidence.
- 15. The Committee reviewed the Report of the Sub-Committee and on 18 September 2018 resolved to release a final report. The Committee intends that this Report be considered in its entirety.

Hon Ivan Dean MLC Committee Chair

**APPENDIX A** 



Parliament of Tasmania

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## REPORT

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## Blueberry Rust in Tasmania

Members of the Sub-Committee	
Hon Ivan Dean MLC (Chair)	Hon Kerry Finch MLC (Deputy Chair)
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# **MEMBERS OF THE SUB-COMMITTEE**

### Hon Ivan Dean MLC (Chair)

Hon Kerry Finch MLC (Deputy-Chair)





Hon Rosemary Armitage MLC











# GLOSSARY

<u>TERM</u>	MEANING WITHIN THE CONTEXT OF THIS REPORT
BIMS	Biosecurity Incident Management System
DPIPWE	Department of Primary Industries, Parks, Water and Environment
FGT	Fruit Growers Tasmania
IMT	Incident Management Team
IGA	Intergovernmental Agreement
IP	Infected property
ISPM	International Standards for Phytosanitary Measures
NASAA	National Association for Sustainable Agriculture Australia
PIBAA	Primary Industry Biosecurity Action Alliance.
PFPP	Pest free places of production
TFGA	Tasmanian Farmers and Graziers Association

# **CHAIR'S FOREWORD**

On behalf of the Committee I am pleased to present the Blueberry Rust in Tasmania report. The inquiry was motivated by outbreaks of blueberry rust in Tasmania.

The outbreak bred concern amongst growers and other stakeholders for the future of the industry in Tasmania, particularly in light of perceived shortcomings in the response from Biosecurity Tasmania.

Issues remain and are reflected in the findings and recommendations of the Committee. Critically there are differences in responses from witnesses to Committee questions which feed a level of uncertainty regarding the management of the response to the threat.

The 2014 and 2016 outbreaks of blueberry rust were at the heart of this inquiry and there continues to be further outbreaks of blueberry rust in 2018. Regardless of the threat posed by blueberry rust, during the summer of 2017/2018, resources were drawn from monitoring and sampling on properties for blueberry rust to manage the fruit fly threat.

The new threat justified an immediate response from Biosecurity Tasmania but drew resources from the blueberry rust response. Resources should be available to Biosecurity Tasmania to effectively manage concurrent biosecurity threats

An effective, efficient, proactive biosecurity approach with well-trained and readily available staff is critically important to the agricultural sector and the broader community.

The Committee looks forward to the revision of the current legislation and improvements in the management of biosecurity threats.

On behalf of the Committee, the Chair thanks all of the passionate and dedicated individuals and organisations who provided submissions to the inquiry and appeared before it. In closing I extend my thanks to the assistance of the Committee Secretariat and other Legislative Council and Parliamentary staff for their support.

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The Hon Ivan Dean MLC Inquiry Chair

# **1. RECOMMENDATIONS**

The Committee makes the following recommendations:

- 1. Biosecurity Tasmania should aim for eradication of blueberry rust in Tasmania.
- 2. Funding be provided to undertake research into the effectiveness of defoliation of evergreen varieties as a means of eradicating blueberry rust and the management of evergreen varieties.
- 3. Decisions regarding biosecurity should be made for the entire blueberry industry and not to the detriment of organic growers.
- 4. Biosecurity Tasmania develop a communication strategy to effectively engage with stakeholders and to improve transparency in its collaboration with growers on biosecurity matters.
- 5. Broad consultation be undertaken during development of the revised biosecurity legislation and include stakeholders from the blueberry industry.
- 6. The revised legislation provides a framework for the development of clear policies and procedures to manage biosecurity in a proactive way.
- 7. A comprehensive grower database and a system of property identification be developed for blueberry growers that can be applied across other industries.
- 8. Biosecurity Tasmania ensures provisions within the legislation for non-compliance are applied.
- 9. The Government develops a fair and equitable framework to compensate owners when property has been destroyed under an emergency order (with the purpose of minimising, eradicating or preventing the spread of emergency biosecurity matter).
- 10. Biosecurity Tasmania improve its electronic communications (such as the webpage and the system alert) to ensure they remain relevant.

## **2.SUMMARY OF FINDINGS**

### Background

- 1. Blueberry rust is a foliar disease caused by the fungus *Thekopsona minima*.
- 2. The blueberry rust fungus paratizes only living blueberry cells.
- 3. Infection occurs when conditions are favourable and susceptible plant tissue is present.
- 4. Spores spread infections from older plants to new foliage.
- 5. It is important to remove diseased plant material from the orchard where possible.
- 6. Temperature has a significant effect on germination of rust spores (urediniospores), with the optimum temperature around 21°C.
- 7. Leaf wetness is essential for disease development.
- 8. The fungus continues to grow inside the plant tissue and after 7-21 days, depending on environmental conditions, pustules become visible on the underside of the leaf.
- 9. Urediniospores form in the pustules. When the pustule erupts through the leaf surface, spores can be moved to infect new host surfaces.
- 10. Windborne rust spores can be a cause of blueberry rust infection. Spores can move due to gravity, air currents or water splash.
- 11. Spores can be transported through infected plant materials, tools and equipment by vectors including insects and humans (clothing, vehicles).
- 12. Good hygiene practices are an important factor in restricting the movement of the pathogen.
- 13. Disease occurs where a susceptible plant host, a virulent pathogen and favourable environmental conditions occur at the same time.
- 14. Blueberry rust prefers warm moist conditions, particularly when there are extended periods of leaf wetness and new foliage is available.
- 15. The severity of the disease depends on the suitability of each component to facilitate the infection process.
- 16. Prevention is the best control measure for any plant disease, including rust.

# Term of Reference 1: The actions taken by Biosecurity Tasmania to address the 2014 and 2016 outbreaks of blueberry rust

- 17. Blueberry rust in Tasmania was first detected at approved quarantine premises (Fresh Freight Tasmania, 59 Cove Hill Road, Bridgewater) on 4 September 2014. This detection was during a routine wholesale nursery inspection by Biosecurity Tasmania.
- 18. During the 2014 blueberry rust outbreak the number of infected plants was considered low by Biosecurity Tasmania (hundreds).
- 19. Trace-back on infected plants in 2014 was confirmed early to a single nursery source in Victoria and infected plants were stopped from being distributed. A rapid recall of other consignments of potentially infected plants occurred.
- 20. The 2014 public campaign to find infected plants had a good response and identified diseased plants including backyard gardens.
- 21. In 2014 there was limited exposure to rust for blueberry plants. This provided Biosecurity Tasmania with the opportunity to eradicate infected plants on the Schwind and May properties.
- 22. Eradication of plants at the Schwind's Mountain Fruit property in 2014 followed a period during which the grower had applied the fungicide as prescribed by Biosecurity Tasmania. The application of the fungicide occurred under the supervision of Biosecurity Tasmania.
- 23. A follow up inspection following application of the fungicide was not made by Biosecurity Tasmania.
- 24. The formal laboratory report relating to the 2014 blueberry rust outbreak at the Schwind property was not provided to the grower. It was only received after eradication had taken place, following three separate requests and referral to the Department by the Minister.
- 25. The formal laboratory report was deficient in detail.
- 26. Area freedom was declared on 8 June 2016 (In this context, area freedom refers to the absence of blueberry rust in a specified location and needed to be demonstrated by the Government in order to continue market access).

- 27. Blueberry growers of Tasmania and the industry more broadly have been adversely impacted by poor communication from Biosecurity Tasmania.
- 28. During the execution of the destruction order by Biosecurity Tasmania, blueberry growers who had plants destroyed following the 2014 rust outbreak were not dealt with in a way that was considerate of the impact on their livelihood or well-being.
- 29. During the 2016 blueberry rust outbreak initial testing was undertaken by Costa Group's sister property in NSW instead of the Biosecurity Tasmanian Plant Diagnostics laboratory.
- 30. The positive result was reported by Costa Group to Biosecurity Tasmania on 9 August 2016.
- 31. The size of the 2016 outbreak on the Costa Group property was much larger than in 2014, with potentially 150,000 infected plants.
- 32. No trace-back was possible and the source of the 2016 infection still remains unknown.
- 33. As area freedom had been declared following the 2014 outbreak, the 2016 outbreak was treated as a new incursion.
- 34. The time taken by Costa Group to report to Biosecurity Tasmania adversely impacted the potential to eradicate blueberry rust on the property.
- 35. Following the Departmental Secretary's decision that eradication was not feasible, a regulated containment plan was developed to prevent further spread of the disease from the infected premises.
- 36. The response of Biosecurity Tasmania to the outbreak in 2016 was influenced by the magnitude of the Costa Group operation.
- 37. The 2016 containment (rather than eradication) approach led organic growers to state their concern for the future viability of the industry.
- 38. Costa Group has an Australia wide blueberry growing footprint, including 270 hectares in Corindi on the mid north coast of NSW.

- 39. The Costa Group approach to blueberry rust is based upon its containment regime of the disease and its management in NSW.
- 40. The climatic conditions of Oregon (USA) and Tasmania are similar and in contrast to those present in warm humid regions such as Corindi, NSW. These climatic conditions mitigate against the severity of the disease.
- 41. Blueberry rust has been reported in Oregon since blueberry production began in the 1950's and has not affected the commercial viability of the industry. There has not been any significant commercial outbreak of rust in that time.
- 42. In Oregon, blueberry rust is listed as a rare disease and leaf rust is usually of minor importance.
- 43. .There is risk associated with workers travelling between the mainland Costa Group farms (where rust is being contained) and their Tasmanian properties because there are no specific protocols to mitigate against such spread between the Costa Group farm sites.
- 44. Forced defoliation of evergreen varieties was considered as a means of managing the spread of blueberry rust.
- 45. The continued use of evergreen production systems is considered detrimental to Tasmania's rust free status.
- 46. Organic growers are adversely impacted by the requirement for chemical spraying regimes to manage blueberry rust under a containment approach.

# Term of Reference 2: Past and present regulatory requirements relating to the blueberry industry in Tasmania

- 47. The *Plant Quarantine Act 1997* is the key legislation that applies to the current blueberry rust outbreaks.
- 48. Blueberry rust is currently declared as a List A disease under the *Plant Quarantine Act 1997*. This applies to organisms of a biosecurity threat to the State but that are absent from the State.
- 49. There is a process under the Act that enables blueberry rust to be listed as a List B disease which applies to a plant disease that is a biosecurity threat to Tasmania but is localised and under official control.
- 50. The most significant regulatory requirements are those imposed on Infected Premises for containment of blueberry rust. Infected areas must be managed in accordance with a Site Management Plan which dictates biosecurity hygiene measures that must be exercised into, within and out of the infected area.
- 51. Declaration as an infected area means that any movement of blueberry fruit from the area can only occur under a section 26 permit which requires that the fruit must be treated. Treatments may include the pre-harvest treatment and inspection regime agreed to by trading states.
- 52. Infected Area Declarations remain in place so long as a containment approach to blueberry rust is taken or until eradication can be achieved on those sites.
- 53. A trade agreement based on a 'Pest Free Places of Production' (PFPP) approach is necessary for the continuation of market access by Tasmania to other states. PFPPs are expected to manage the property under basic farm biosecurity hygiene requirements. For infected premises, trade is to be negotiated based on pre-harvest treatment and inspection.
- 54. There was conflicting evidence provided regarding continued market access to Western Australia with some growers claiming their access to Western Australian markets has been restricted despite Biosecurity Tasmania's claim to the contrary.

- 55. Increased production costs for growers are a consequence of the additional requirements imposed on them to enable continued market access to blueberry rust free states.
- 56. Biosecurity Tasmania has acknowledged there has been a breakdown in the interstate certification system leading to less confidence in the system.
- 57. This breakdown in the interstate certification system has contributed to both the blueberry rust and fruit fly incursions in Tasmania.
- 58. Procedural elements within the ICA protocol are acknowledged by the Victorian Minister for Agriculture to have contributed to the outbreak of blueberry rust in both states.
- 59. Development of a new Biosecurity Bill is underway.

# Term of Reference 3: The future of Tasmania's blueberry industry, including the impacts of previous, current and any future outbreaks of blueberry rust

- 60. Biosecurity Tasmania believes that a Tasmanian blueberry industry can continue to operate and grow, regardless of whether blueberry rust is eradicated, contained or established in Tasmania.
- 61. There remain concerns that issues created by Biosecurity Tasmania have changed the bright outlook of the blueberry industry to one of doubt and lack of confidence.
- 62. This has resulted in some growers (in particular organic growers) deferring expansion plans until the outcome of the current Inquiry.
- 63. The adoption of a containment strategy over an eradication strategy put the organic blueberry industry at risk.

# Term of Reference 4: The capacity of Biosecurity Tasmania to manage blueberry rust outbreaks and other risks into the future

- 64. Biosecurity Tasmania has access to resources across the general government sector.
- 65. Biosecurity did not apply available resources and seek a broad range of expertise to best manage the blueberry rust outbreaks.

- 66. The incursion in 2014 showed a clear failure by Biosecurity Tasmania to have a full and comprehensive understanding of the blueberry industry in Tasmania.
- 67. Biosecurity Tasmania still struggles to have a full and comprehensive understanding of the blueberry industry today.
- 68. Biosecurity is the number one challenge and risk for the agricultural sector in Tasmania.
- 69. Costa Group advised that Biosecurity Tasmania had undertaken sampling with negative results at IP1 [Sulphur Creek] on 15 and 16 July 2016.
- 70. Biosecurity Tasmania advised that prior to survey work taken on 10 August 2016 they had undertaken sampling at IP1 [Sulphur Creek] on 18 and 19 November 2015.
- 71. There is an inconsistency in the evidence provided regarding the sampling dates (refer findings 71 and 72) undertaken at the Costa Group property prior to the confirmation of blueberry rust on the IP1 [Sulphur Creek] property.
- 72. The Costa Group horticulturist took a sample from IP1 [Sulphur Creek] on 26 July 2016. Suspecting rust, the sample was forwarded to the Costa Group laboratory in NSW for confirmation.
- 73. The rust was positively identified by the Costa Group laboratory on 9 August 2018 and this was communicated to Biosecurity Tasmania the same day.
- 74. Biosecurity Security negative sampling results at IP1 [Sulphur Creek] raises doubt that the declaration of area freedom on 8 June 2016 was appropriate.
- 75. Some Biosecurity Tasmania field staff did not have the necessary expertise to identify blueberry rust.
- 76. Biosecurity Tasmania recognises that its communication with blueberry growers needs improvement for growers to have confidence in its capacity to manage biosecurity risks.
- 77. The draft Biosecurity Bill is intended to provide a solid foundation for managing the biosecurity system and provide an opportunity to develop communication and education around biosecurity.

#### Term of Reference 5: Any other matters incidental thereto

- 78. Biosecurity Tasmania failed to manage the eradication of blueberry plants at IP35 [Barrington Schwind] in a structured, consistent, and sensitive manner.
- 79. The importance of the States "clean green" brand is not recognised as significant by all blueberry growers in Tasmania.
- 80. There was an incomplete property register identifying blueberry growers in the State.
- 81. There was no compensation mechanism in place under the current legislation.
- 82. Through the blueberry rust incursions, the relationship between TFGA and Biosecurity Tasmania deteriorated.
- 83. As of 10 August 2018, the Biosecurity Tasmania Alert System was not current with incursion information for growers.

## **3.BACKGROUND**

### THE BLUEBERRY RUST DISEASE

- 3.1 The following summary is drawn from a feature article *"Understanding Blueberry rust to improve management."* by Dr Rosalie Daniel (Plant Pathologist, NSW Department of Primary Industries).<sup>1</sup>
  - Blueberry rust is a foliar disease caused by the fungus Thekopsona minima. It was first recorded in Australia in 2001. Prior to 2014 it was only recorded in NSW and Queensland. Since then it has been reported in Victoria and Tasmania but programs are in place to eradicate the disease from these states. Blueberry rust is known to affect production in many blueberry growing regions around the world including China, South America, Europe, Canada and USA.

### How does the fungus get into the plant to cause disease?

• The blueberry rust fungus paratizes only living blueberry cells. Infection occurs when conditions are favourable and susceptible plant tissue present. Spores spread infections from older plants to new foliage. For this reason it is important to remove diseased plant material from the orchard where possible.

### Infection

• Infection is initiated when urediniospores germinate on the leaf surface of susceptible cultivars. Thread-like germ tubes penetrate the leaf and parasitically colonise the leaf. Temperature has a significant effect on germination of rust spores (urediniospores), with the optimum temperature around 21°C. Leaf wetness is essential for disease development. A minimum of 7.5 hours of leaf wetness has been reported to be necessary for pustules (uredinia) to develop, with the optimum leaf wetness time between 10 and 15 hours.

### Incubation period

• The fungus continues to grow inside the plant tissue and after 7-21 days, depending on environmental conditions, pustules become visible on the underside of the leaf. The time between infection and the appearance of symptoms is known

<sup>&</sup>lt;sup>1</sup> Department of Primary Industries (NSW)(2016) Blueberry Plant Protection Guide 2015-16: NSW DPI Management Guide

as the incubation period. The optimum temperature for infection of the foliage and development of pustules ranges between 20°C and 25°C.

#### Spread

• Urediniospores form in the pustules. When the pustule erupts through the leaf surface, spores can be moved to infect new host surfaces. Urediniospores are the most important infection propagule in the evergreen blueberry system and, if environmental conditions are favourable, they can be responsible for several cycles of infection throughout a season if susceptible leaves are available.

Windborne rust spores can move long distances but are generally deposited close to their source, moving with gravity, air currents or water splash. Urediniospores can survive several weeks in the absence of a host. Spores can also be transported through infected plant materials, tools and equipment by vectors including insects and humans (clothing, vehicles). Good hygiene practices are an important factor in restricting the movement of the pathogen.

#### What are the conditions required for blueberry rust to establish?

• Disease occurs where a susceptible plant host, a virulent pathogen and favourable environmental conditions occur at the same time. The severity of the disease depends on the suitability of each component to facilitate the infection process.

Blueberry rust prefers warm moist conditions, particularly when there are extended periods of leaf wetness and new foliage is available. This coincides with the spring, summer and autumn period in northern NSW. Periods of high daily rainfall or moisture correspond to epidemic peaks in many rust species.

#### Management

• Prevention is the best control measure for any plant disease, including rust. In the case of blueberry rust, prevention is not always possible so the best approach is an integrated approach using several methods of control. The establishment of disease requires the presence of a susceptible host, a virulent pathogen and favourable environmetal conditions. By understanding the conditions that favour the development of rust in blueberry, we can use this information to combat the rust.

Reducing inoculum carry over

• Inoculum can carry over from the previous season into the next. Continuous good disease control from one season to the next can result in lower levels of initial inoculum in the following year, reducing the risk of disease if favourable weather conditions occur.

### Cultural practices

• Sanitation refers to the cultural practice of removing diseased plant material from the orchard to reduce the amount of pathogen inoculum present. Removal of infested, inoculum-bearing plant debris, such as pruned branches and leaves, can help to reduce the amount of inoculum in the orchard.

The presence of water and moisture is essential for rust to infect the Blueberry leaf. Encouraging airflow through the orchard through pruning and spacing can help to reduce the build-up of moisture. Reducing relative humidity can also help to limit the development of rust. This can be achieved by drip irrigation rather than overhead sprinklers, and through pruning and planting to maximize airflow through the canopy.

Most importantly, avoid introducing rust into your orchard by sourcing clean planting material where possible. This is important for all pests and diseases.

### Findings:

- 1. Blueberry rust is a foliar disease caused by the fungus *Thekopsona minima*.
- 2. The blueberry rust fungus paratizes only living blueberry cells.
- 3. Infection occurs when conditions are favourable and susceptible plant tissue is present.
- 4. Spores spread infections from older plants to new foliage.
- 5. It is important to remove diseased plant material from the orchard where possible.
- 6. Temperature has a significant effect on germination of rust spores (urediniospores), with the optimum temperature around 21°C.
- 7. Leaf wetness is essential for disease development.
- 8. The fungus continues to grow inside the plant tissue and after 7-21 days, depending on environmental conditions, pustules become visible on the underside of the leaf.
- 9. Urediniospores form in the pustules. When the pustule erupts through the leaf surface, spores can be moved to infect new host surfaces.
- 10. Windborne rust spores can be a cause of blueberry rust infection. Spores can move due to gravity, air currents or water splash.
- 11. Spores can be transported through infected plant materials, tools and equipment by vectors including insects and humans (clothing, vehicles).
- 12. Good hygiene practices are an important factor in restricting the movement of the pathogen.
- 13. Disease occurs where a susceptible plant host, a virulent pathogen and favourable environmental conditions occur at the same time.
- 14. Blueberry rust prefers warm moist conditions, particularly when there are extended periods of leaf wetness and new foliage is available.
- 15. The severity of the disease depends on the suitability of each component to facilitate the infection process.
- 16. Prevention is the best control measure for any plant disease, including rust.

## **4. EVIDENCE**

# TERM OF REFERENCE 1: The actions taken by Biosecurity Tasmania to address the 2014 and 2016 outbreaks of blueberry rust

- 4.1 The Department of Primary Industries, Parks, Water and Environment (the Department) submission to the Inquiry confirmed that blueberry rust in Tasmania was first detected at approved quarantine premises (Fresh Freight Tasmania, 59 Cove Hill Road, Bridgewater) on 4 September 2014 and this detection was during a routine wholesale nursery inspection by Biosecurity Tasmania.<sup>2</sup>
- 4.2 Biosecurity Tasmania is the responsible division within the Department. For the purposes of this Report, reference to Biosecurity Tasmania also means reference to the Department.
- 4.3 Characteristics of the 2014 and 2016 outbreaks were summarised in the Biosecurity Tasmania submission:

The 2014 blueberry rust response was characterised as follows:

- A formal response structure was imposed using the Biosecurity Incident Management System.
- The size of the outbreak was small despite there being 54 infected premises, most were single or small plantings in domestic backyards with two small commercial properties affected, and the number of infected plants was low (hundreds).
- Trace-back on infected plants was confirmed early to a single nursery source in Victoria.
- Infected plants were stopped from being distributed and rapid recall of other consignments of potentially infected plants occurred quickly.
- The rapid detection and low numbers of infected plants also meant that there was limited exposure in the environment for uninfected blueberry plants. This enabled a window for eradication by quick destruction of remaining plants.
- A public campaign to find infected plants had a good response and identified diseased plants in backyard gardens.<sup>3</sup>

*The 2016 blueberry rust response was characterised by the following features:* 

<sup>&</sup>lt;sup>2</sup> DPIPWE (2017) Submission to the Blueberry Rust in Tasmania Inquiry, p.8

<sup>&</sup>lt;sup>3</sup> Ibid.

- Initial reporting of blueberry rust to Biosecurity Tasmania by Costa Group occurred, on the 9th August 2016, 4 6 weeks after suspected plant samples were sent by Costa Group in Tasmania to a 'sister' property in NSW instead of the Biosecurity Tasmanian Plant Diagnostics laboratory, as had been the arrangement during the 2014 response with all potentially affected plant material. The Costa Group indicated this occurred because management at the property in question in 2016 were not familiar with the 2014 arrangement or reporting procedures for biosecurity threats.
- A Direction Notice under the Plant Quarantine Act 1997 was issued on 10 August 2016 and on 8 December 2016 an Infected Area Declaration was issued.
- The size of the outbreak was much larger than in 2014. The number of plants potentially infected on 1IP [infected property] was over 150 000 plants once leaf dormancy on deciduous plants had broken.
- No trace-back was possible and the source of infection still remains unknown, with speculation that the pathway for entry was potentially an unregulated one, such as windborne, or on clothing or equipment.
- An Incident Management Team (IMT) was formed that met regularly (approximately 3 times/week) and an update to growers was distributed after those meetings via the Fruit Growers Tasmania representative who was part in (sic) the group, as well as other communication activities that Biosecurity Tasmania undertook.
- An Incident Response Plan finalised in October 2016 was used as a guide for the response.
- Biosecurity Tasmania considered a number of sources to inform its management approach to the 2016 incursion that included: advice from the Tasmanian Institute of Agriculture, a benefit/cost analysis report by Macquarie Franklin, advice (commissioned by Costa Group) from Dr Bernadine Strik, Biosecurity Tasmania's internationally recognised expert in plant fungal pathogens such as blueberry rust and Biosecurity Tasmania's internal assessment of the incident.
- Following requests by grower representatives Biosecurity Tasmania undertook a review of the decision making process made in 2016. The advice

received in 2017 from the Tasmanian Institute of Agriculture and the NSW Government supported the regulated containment decision made by Biosecurity Tasmania.

- Two subsequent infected premises were confirmed for blueberry rust on 3 March 2017 and 7 March 2017 approximately 10km South West of 11P in the locality of Stowport. The two additional premises have around 100 plants each and are within 300m of each other.
- The two new premises (2IP & 3IP) were not previously known to Biosecurity Tasmania, as they had not come forward during previous community engagement by Biosecurity Tasmania for growers to identify themselves and were not known to industry representatives.

There is no direct evidence to suggest the 2016 incursion is linked to the 2014 incursion, although it cannot be ruled out.<sup>4</sup>

4.4 The Biosecurity Tasmania submission states that in 2014 the Response Strategy focussed on:

1. Developing high levels of community and industry awareness of blueberry rust and the response and encouraging reporting of suspect symptoms;

2. Containing the known incursions to Dangerous Contact Premises, identifying the supply chain and achieving eradication at infected premises;

3. Preventing the spread of infection to, and confirming absence of infection from, commercial propagation and production sites; and

4. Regulating the entry pathway (i.e. imported nursery stock and blueberry fruit) to prevent further incursions.<sup>5</sup>

- 4.5 The Biosecurity Tasmania submission states that in 2014 the eradication approach was selected based on factors including:
  - Limited time period of entry of potentially infected blueberry plants (since July 2014) prior to detection in September 2014.
  - Trace-back investigation indicating all plants were sourced from one infected nursery in Victoria.

<sup>&</sup>lt;sup>4</sup> Ibid., p.18

<sup>&</sup>lt;sup>5</sup> Ibid., p.10

- Victorian investigations [confirmed] blueberry rust was only present at that one nursery and that multiple nursery entry pathways were unlikely.
- Relatively low numbers of blueberry plants imported from that nursery with indications of a low infection rate (approximately 10%).
- Subsequent survey work conducted in Tasmania indicative of no nonblueberry host detections or occurrences, suggesting the incursion was restricted to blueberry plants.
- No blueberry rust was detected at any of the large commercial/export farms in Tasmania.
- Consequences of not attempting to eradicate were likely to be significant for an expanding state berry industry.
- Once established, it would be unlikely that blueberry rust could be eradicated from Tasmania.
- Physical removal and destruction of infected and associated blueberry plants was operationally feasible.<sup>6</sup>
- 4.6 The Biosecurity Tasmania submission provides details of the decision-making process employed in the 2016 Blueberry Rust Response:

The 2016 incursion was treated as a new incursion for several reasons; including that Area Freedom had been declared and that after extensive surveys it was believed that blueberry rust had been eradicated.

The response included a delimiting survey that characterised the incursion through detailed and extensive surveillance of other blueberry enterprises, trace back analysis to identify possible pathways of entry and subsequent trace forward analysis to identify pathways of possible spread.

Sourcing and consideration of other information arising from these analyses, including scientific, technical and economic feasibility information, was also critical in determining both the technical and economic feasibility of each management possibility. It is standard practice in all biosecurity responses both in Tasmania and nationally to undertake the delimitation phase to ensure action, which may have significant impacts on producers or could damage industry are not taken unnecessarily.

<sup>&</sup>lt;sup>6</sup> Ibid., p.15

During this 'delimitation phase', Direction Notices were issued at 1IP to contain the known incursion while these activities are undertaken.

The window in which there was potentially the opportunity to eradicate blueberry rust on 1IP was small; from 10 August 2016 until the breaking of dormancy of deciduous plants. Even within that window, removal and deep burial of infected plants would have been a significant logistical exercise and very costly, with no guarantee of successful eradication from the site.

After breaking leaf dormancy, removal and deep burial of large numbers [of] plants at [1IP] would have been almost impossible. The decision was made by the Secretary of the Department after careful consideration of all information at hand that eradication was not feasible. This was supported by Biosecurity Tasmania's own assessment and advice provided by the Tasmanian Institute of Agriculture.

Following the decision that eradication was not feasible, a regulated containment plan was developed to prevent further spread of disease from the three infected premises. This is consistent with the nationally accepted Generalised Invasion Curve (Figure 1) whereby containment is the appropriate approach to take when eradication is not possible and the pest or disease is not widespread.

Subsequent assessments on technical feasibility by experts in Biosecurity Tasmania, the Tasmanian Institute of Agriculture and New South Wales Department of Primary Industries during 2017 again supported Biosecurity Tasmania's decision that eradication was not feasible and that the containment approach was the most suitable strategy for the incursion.<sup>7</sup>

- 4.7 The Biosecurity Tasmania submission states that in 2014 surveillance activities were:
  - 204 properties inspected;
  - 54 Infected Premises identified and all 'resolved' i.e. cleared of infection through removal of infected materials and decontamination;
  - Some properties were visited more than once with a total of 360 property visits, 289 samples taken and 131 positive assessments made for blueberry rust;

<sup>&</sup>lt;sup>7</sup> Ibid., pp. 21-22

- Average diagnostic time was recorded as 2 days (with a range of 0 -10 days for confirmation);
- Surveillance staff completed 232km of transects (not including surveillance on residential properties); and
- 127 public reports were received and investigated.<sup>8</sup>
- 4.8 The 2016 surveillance priorities identified in the Biosecurity Tasmania submission were as follows:
  - To cover those production sites intending to export fruit in the 2016-17 fruiting season;
  - In the north-west region, surveillance priority was applied outwards from 11P;
  - Production and nursery sites within 25km of 1IP had already been surveyed and found free of blueberry rust. These sites were denoted as Provisionally Negative Premises and did not require re-surveillance;
  - Two At Risk Premises linked to 1IP required re-survey; and
  - Two Provisionally Negative Premises in northern Tasmania required resurvey for export.<sup>9</sup>
- 4.9 During hearings Biosecurity Tasmania was questioned about the different approach taken in 2016:

Dr WHITTINGTON - ...we were contacted by Costa Group on the ninth, it was confirmed on the tenth and we issued a direction notice, which is a notice under the Quarantine Act which requires certain things to be done, on the tenth. By the seventeenth we had a site management plan established and an infected area declaration in December. We immediately put barriers up on the property to minimise the risk of infected material coming off and then we work through the process that Lloyd described.

CHAIR - Did you at any stage consider eradication at Costa's farm?

Dr WHITTINGTON - Yes, absolutely, that's part of the process of the decisionmaking tool.

<sup>&</sup>lt;sup>8</sup> Ibid., p.12

<sup>&</sup>lt;sup>9</sup> Ibid., p.20

*Mr KLUMPP* - *There is a process, nationally developed, called the appreciation process. The appreciation process is a well structured process for assessing all of the options, eradication being one of them, so we go through that process collecting the data and applying that data to that decision in order to determine the best courses of action.* 

CHAIR - A number of the growers who have presented to us and provided submissions to us are of the view, rightly or wrongly, that because Costa was in a different league as a big grower there was treatment given to them that wouldn't be given to the smaller growers like the Schwinds. What would you say to that?

*Mr KLUMPP* - Not from our point of view. We assess every case on its merits. We apply science and science doesn't like bias.

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CHAIR - ...What was your first decision in relation to Costa's?

Mr KLUMPP - To gather the information in order to make some decisions.

Dr WHITTINGTON - On day one, minute one, it is containment. We then step through our process of which eradication is one of the options.

CHAIR - Am I right to say, then, that eradication was considered?

Dr WHITTINGTON - Yes.

CHAIR - So if you considered eradication, what changed you to move towards management rather than proceed with eradication?

Mr KLUMPP - I need to be clear about where we are at the moment. We are in a phase of regulated containment. If you look in our submission, you will see that generalised invasion curve. Regulated containment is the next stage where you don't believe it is feasible to eradicate but it doesn't necessarily mean we're transitioning to management. That might be the next step but it also might be that we can find techniques or other knowledge or other avenues for eradication. We might go back there.

It is not about deciding that eradication wasn't an option. What we have done is look at what is the appropriate course of action under the circumstances we have now and with the evidence we have. That is regulated containment to try to give us the time to either help the industry through the process, get the market access arrangements in place, and develop new information, knowledge and tools. We have a whole set of trigger points in place as part of those processes for us to continue to review those decisions.<sup>10</sup>

4.10 At the hearing of 22 January 2018 the following evidence was provided by Mr Phil Pyke (Business Development Manager with Fruit Growers Tasmania) regarding the options discussed following the 2016 outbreak:

*Mr* PYKE -...I would like to make a point around eradication versus management. In the first rounds of meetings with the growers in 2016 it was discussed that we could be cutting the plants back, spraying them - this is the evergreen varieties - and overwintering. To us and to the growers, that was all agreed on. This was the smaller growers. Whether it was called eradication or management that was what we were expecting to still go ahead. That is what we presented to Biosecurity Tasmania and it remains our position today, as it is with some of the people like Mrs Karen Brock, who I highly regard and respect with her opinion. The position hasn't changed but I think the terminology changed from 'eradication' to 'management'. I am unsure whether that actual method was ever trialled on the Sulphur Creek property. The information flow started to wither at that point, in post-December 2016 and into 2017.

*Ms RATTRAY* - *Fruit Growers Tasmania would have considered containment if it had included cutting the bush back to the ground level*?

*Mr PYKE* - That was the recommendation, Tania, from the world expert, Bernadine Strik. I noted in some of the transcripts there have been references to her reports. I believe it should have been trialled. It should have been given a try in evergreen varieties, albeit that is up to the affected property owner and Biosecurity Tasmania but it was always the position to do that, to trial that. That is why we [brought] Rosalie Daniels down here in May. We knew where she sat with this and it was about how you manage it. That seemed to be a better way to manage it into the future; cutting back the evergreen variety, spraying and over-wintering and hoping the cold kills the spores.<sup>11</sup>

#### 4.11 However, the approach taken by Biosecurity Tasmania was:

According to the information the department has provided us, their control management doesn't list anything in regard to cutting back the bushes in any way, shape or form. It talks about hygiene, vehicle access, treatments to plants to reduce

<sup>&</sup>lt;sup>10</sup> DPIPWE (2017) Hansard Transcript 13 November 2017, pp. 55-56

<sup>&</sup>lt;sup>11</sup> Fruit Growers Tasmania (2018) Hansard Transcript 22 January 2018, p.6

sporulation, treatment required for fruit or host material, and record keeping. That is their list of containment<sup>12</sup>

4.12 At a subsequent hearing in July 2018, Biosecurity Tasmania presented their view of the eradication of the disease from Tasmania:

*Mr KLUMPP - I would say a couple of things to that. There is still a lot unknown, as there is with other pests and disease. Research is still happening on blueberry rust, here and internationally. There is a lot to know. There are many places that happily exist in the presence of blueberry rust. I do not know the exact number but New South Wales' production percentages have increased by the hundreds in the time they have had blueberry rust. That is over the 10 to 15 years it has been in New South Wales. I believe sales of Tasmanian blueberries have jumped by something in the order of 20 per cent in the last year or so. The disease is manageable. The real challenge with blueberry rust is for organic growers.<sup>13</sup>* 

4.13 Mr Klumpp stated further to the above:

It may well be, given the nature of this disease, we cannot eradicate the disease and that we continue to find smouldering little areas of disease. So the other work we are doing is called transition to management. We are helping the industry get to the point where they can exist in the face of the disease, through market access arrangements, through appropriate controls. This is effectively happening in all the other jurisdictions, other than those without blueberry rust.<sup>14</sup>

4.14 The potential impact to the industry of pursuing eradication as an option was explored:

Mr KLUMPP - I am sorry if I misspoke. Any disease or pest is eradicable if you undertake measures that are unrealistic and impracticable. If you take the extreme, we could take every blueberry plant out of Tasmania - I am being a bit facetious. You could take every blueberry plant out of Tasmania for a period and you would eradicate the disease. Every disease is eradicable. What we talk about is technical feasibility of eradication. We assess that based on the information we have at the time, such as distribution and nature of the disease, those sorts of factors. It is technically feasible to eradicate blueberry rust but it is a very difficult thing to do because of the nature of the disease. You would need enormous resources to do it

<sup>&</sup>lt;sup>12</sup> Ibid., p.7

<sup>&</sup>lt;sup>13</sup> DPIPWE (2018) Hansard Transcript 13 July 2018, p.3

<sup>&</sup>lt;sup>14</sup> Ibid., p.4

and you would have to impose an enormous burden on the industry. You probably would destroy the industry by attempting to do it in the way we have been asked to do it.

The other consideration of eradication programs is the cost-benefit of eradicating. There is no point eradicating a disease if you also eradicate the industry. Our decision-making is about that, the technical feasibility of eradication. There are some people who would argue it is not technically feasible to eradicate blueberry rust, and they have a fairly strong argument. Is it a valuable thing to do? Is it going to create more value and protect the industry? The answer to that is clearly, no. It would destroy the industry.

I will give you a possible scenario, understanding that decisions are made at the time with the information you have. If, when we found IP2, we had decided to [eradicate] the plants of IP1 and IP2 as we did in 2014, then we found IP3, IP4 and IP5 and do the same thing, a decision is made that we go to the next stage of an eradication program for a disease like this. We attempt to contain it to a point and then control it, maybe we can gradually drive it back, with eradication a possibility. In the meantime, we protect the industry and work with the industry in the event you cannot do that. You transition the industry to management in the face of the disease. The end result of that is still having an industry.<sup>15</sup>

4.15 The size of the grower in 2016 was also acknowledged to have contributed to the approach taken:

CHAIR - Was the management decision made because of the size of the property involved? The [2014] smaller properties. We come into [2016 IP1] I think it is, which was Costa Group -

Mr KLUMPP - Yes, that is right.

CHAIR - It was a large property. Did that impact on the decision to manage, as opposed to eradication?

*Mr KLUMPP* - It would have been a factor. Cost-benefit is one of the factors pinned to these. The nature of the outbreak is more the factor, the nature of what is on that infected property and what is around that infected property; the circumstances and

<sup>&</sup>lt;sup>15</sup> Ibid., pp 6-7

situation. They are all factors. The size of the property is one of those elements in all of that consideration. <sup>16</sup>

4.16 At hearings in July 2018 Mr Phil Pyke (who had held the position of Business Development Manager at Fruit Growers Tasmania during the 2016 outbreak) made the following statement:

*Mr* FINCH - When these other incursions occurred, the 2016 situation, what was your attitude or change of attitude? What was your sense from FGTs point of view?

Mr PYKE - On behalf of government we had the mission accomplished announcement but you can never say 'mission accomplished' for a rust. I know it was about putting confidence back into the markets and making sure we did not have the trade restrictions. When it came back out in 2016 it was a much more difficult phase. We, I and Biosecurity, needed to bring those key stakeholders together and that was part of this. That was the meeting in August 2016 held at Mount Pleasant.

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It was about how bringing stakeholders together, representatives from Costa and others were in that room, to work this forward.

### Mr FINCH - Did you pull that together, or did Biosecurity Tasmania?

Mr PYKE - I put that together. We suddenly had this broader issue. Before, we had two small properties and then we had this huge property in Devonport, which, to this day and until the day I left, I did not have information as to how much of that was infected. It was not the entire property but it was still an infected property and we needed to look at how that was going to be managed. That property had evergreen pollination rows, evergreen varieties were there to help pollination and because of that they were the primary host for rust. Twenty-four hours a day, seven days a week, they were there permanently, whereas the other varieties are deciduous and drop their leaves.

A lot of people worked on it and I still hold to brocklands's perspective. She is wellresearched, she understands the industry and she knows where things need to go. It was about cutting back those pollination rows, spraying them, over wintering and seeing what evidence comes out at the end of it. That was decided at that meeting. That never changed. No one ever pulled back from that position.

<sup>&</sup>lt;sup>16</sup> Ibid., pp 7-8

It was up to Biosecurity to put that into play. It was not until much later, 2017, that hadn't occurred. It had moved to a management position. We know they can manage it because they do in northern New South Wales but it almost becomes -

CHAIR - They don't manage it so well in New South Wales.

*Mr PYKE* - No. You have this collision point, *Mr Finch*, of this smaller, organic, niche sector versus the corporate giants for who it is simply business as usual. To put it on the table, there was probably a lot of that business as usual attitude. I don't know what went on with the interactions between that property, the Costa Group, and Biosecurity. That was a management issue for them.<sup>17</sup>

4.17 Mr Pyke reinforced his position:

... the reality is, depending on how much of that east Devonport property was infected, your chances of eradication would be very minimal. Cutting back those evergreens should have been the path.

I had a conversation with them afterwards, when all this erupted post-May 2017. I asked, were you doing that? They said, no, we were managing it. I said, 'for God's sake, in good faith, just go out and do it, try it and show you are at least trying to work with this'. It could have at least contained it a lot better.<sup>18</sup>

4.18 The submission of Ms Rosemary Jones, a certified organic grower trading as Organic Blue Sky Berries and located at Deep Bay near Cygnet, provided the following summary:

The decision made by Biosecurity Tasmania with respect to the 2014 outbreak of blueberry rust, to eradicate the incursion was correct.

The decision made by Biosecurity Tasmania in relation the 2016 incursion, not to adopt an eradication strategy but to try to contain the outbreak:

1a. was incorrect,

1b. was based on advice provided to them which was seriously flawed, eg the Macquarie Franklin report is full of seriously inaccurate figures and information (which I would be happy to expand upon) for one example. No attempt was made by Biosecurity Tasmania to corroborate information in this report,

<sup>&</sup>lt;sup>17</sup> Mr Pyke (2018) Hansard Transcript July 13 2018, pp. 22-23

<sup>&</sup>lt;sup>18</sup> Ibid., pp. 23-24
1c. was influenced by pressure brought on them by the owners of the infected property to which they bowed which was not only unprofessional but arguably corrupt,

1d. did not accurately determine or consider the effects of a 'containment' strategy on other growers, their employees and markets,

1e. was based on a serious lack of knowledge about the blueberry industry in Tasmania including the names of all growers and the number of plants each of those growers manages,

1f. was based on a very serious inability of Biosecurity staff to seek and understand comprehensive and relevant information which should have been taken into consideration before making a decision to either eradicate or contain the 2016 outbreak of rust.<sup>19</sup>

4.19 In support of the statements made in her submission the following evidence was provided by Ms Jones at an Inquiry hearing in Hobart regarding the difference in approach taken by Biosecurity between the 2014 and 2016 outbreaks of blueberry rust in Tasmania:

I believe the only difference was the size of the property which had the outbreak in 2016 at Costa and the possible influence and clout that Costa had because of their perceived size. I note 'perceived', because in certain information I have seen, they claim to have produced 80 per cent of the blueberry fruit in Tasmania, which is not correct. I know for a fact that Biosecurity Tasmania is still not aware of all blueberry growers in Tasmania...

I believe that if Biosecurity Tasmania do what they have failed to do so far, and that is actually put the feelers out there and identify all growers, how many plants they've got and what their production is, Costa will come back somewhere between 30 and 40 per cent, and that is now, not including significant plantations that are going in now that are not mature yet. I do not know why Biosecurity did not pursue Costa with the same vigour as they did the growers affected in 2014. I can only assume it was the size and the fact that in a lot of press coverage in early days when Costa arrived in the state, there was a lot of mentioning in the press of how many people this would employ and so on so that would be of great benefit to the state.<sup>20</sup>

<sup>&</sup>lt;sup>19</sup> Ms Rosemary Jones (2017) Organic Blue Sky Berries Submission to Blueberry Rust in Tasmania Inquiry, p. 1

<sup>&</sup>lt;sup>20</sup> Ms R Jones (2017) Hansard Transcript 13 November, p. 3

Regarding the information on which decisions were based upon during the outbreaks in 2014 vs 2016:

*Ms RATTRAY* - *In your submission you told us that Biosecurity Tasmania had refused to release information on the more recent decision of not eradicating the Costa plants. Have you tried to access that information or is that just what you've been told?* 

Ms JONES - No, I have emailed them for information on at least five occasions and I know for a fact that information was only gained through the freedom of information process and then I was able to access that information. Before that I couldn't find any information to see on what basis Biosecurity Tasmania had made their decision to contain and not eradicate. It was not released and we couldn't find out who the other properties were, who was involved, or how far away they were. We couldn't find out whether Costa had imported plants into Tasmania under the radar of Biosecurity Tasmania which hadn't been inspected properly. We couldn't find out anything and I got no response to my emails - none of them.

*Ms* RATTRAY - Did you identify yourself as a blueberry grower during that approach for information?

*Ms JONES - Definitely. I said who I was, how long I had been in the industry, how many plants I had and what my concerns were, and asked if I could be provided with certain information so that I could monitor what was going on but I couldn't get anywhere. Then I started making enquiries of other large growers and discovered the extent to which they had to go, only to not receive information until the FOI* [RTI] process was followed through.

I then read the Macquarie Franklin report and, quite frankly, it is not comprehensive, contains seriously incorrect figures and information, and they do not have a complete list of growers...

I was absolutely astounded that a recommendation, a change in attitude from eradication to containment, could be made on that information. It was just quite astounding and unprofessional of them to act on that evidence and not seek out more information. They should have been able to see holes through it themselves.<sup>21</sup>

<sup>&</sup>lt;sup>21</sup> Ibid., pp 3-4

- 4.20 The submission from Mr Ronald Schwind of Mountain Fruit provided detail of the Biosecurity Tasmania detection and response management of blueberry rust on the property in November 2014.
- 4.21 During an inspection of the property in November 2014, blueberry rust was detected:

...they went and checked the bushes again. After a minute or so the team leader stood up and said I think I found something from a small bush, which still had the variety ticket on it from the nursery, and a minute later another officer claimed to find something...My father asked to see the infection on the leaf which was a small needle head size spot on an old leaf from underneath the bush.<sup>22</sup>

4.22 The submission provided the following summary of the initial action recommended by Biosecurity Tasmania:

After the discussion we [Mountain Fruit] recommended to apply a cover spray of Mancozeb fungicide which research shows a 99% plus kill rate of growing spores of blueberry rust but that was declined by the incident controller. Biosecurity contacted the Hobart office and the recommendation was for me to purchase Propaconazole fungicide and to apply this under supervision. This fungicide was to be applied by mist sprayer and cost \$330.00 to purchase. The next day we were told that the volume we were instructed to spray was too small and it would need to be done again by a higher volume sprayer. This fungicide spray under lab tests is proven to be less than 70% effective.

I was instructed to spray all four blocks of blueberries again under supervision with a high volume of Propaconazole spray including a sticking agent and then they were supposed to come back and inspect the block at a following date to which they never did.<sup>23</sup>

4.23 Subsequent to this action the submission further stated:

No further contact was made to me till midday Christmas eve where I received from Colin Spry [Statewide Co-ordinator Enforcement Biosecurity Tasmania] & Phil Pyke an eradication notice of which I was instructed to read out loud and also contained four pictures of a blueberry leaf enlarged to show black spots, which never came from here. No consent was agreed or given by me to allow them to eradicate the plants I was told not to talk to Phil Pyke without Colin Spry's presence... No

<sup>&</sup>lt;sup>22</sup> Mr R Schwind (2017) Mountain Fruit Submission to Blueberry Rust in Tasmania Inquiry, p. 2

<sup>&</sup>lt;sup>23</sup> Ibid.

formal laboratory report was ever given to us to confirm a blueberry rust outbreak on our property.<sup>24</sup>

4.24 The submission provided the following summary regarding the eradication of blueberry plants on the property:

In January we had a meeting at Ridgely with Chris May, Heinz & Ronald Schwind, Phil Pyke, Greg McCulloch and Andrew Bishop attended by phone. We discussed trying to stop eradication of our plants and opting for treatments but no successful outcomes came of these discussions.

In mid-January I was approached by Colin Spry with police presence seeking permission to remove blueberry plants. We denied this request as we had received no proof that we had blueberry rust on our property. We were ignored. They requested bringing in a large excavator which would result in wind break removal, removal of birdnets, trellising and irrigation which we also denied.

They denied a photographer & news crew, arranged by us, to stay well away from activities.

They brought in a small excavator, without our approval, to remove blueberry plant stumps. This resulted in the damage of bird netting, trellises, underground irrigation pipes and mulches.<sup>25</sup>

4.25 The Tasmanian Farmers and Graziers Association (TFGA) were approached by Mr Ronald and Mr Heinz Schwind for assistance following eradication of plants on their property during the 2014 blueberry rust outbreak. In its submission to the Inquiry the TFGA stated:

Our involvement with these members, and many others within the blueberry industry, has demonstrated that the blueberry growers of Tasmania and the industry more broadly have been treated poorly and with little respect by Biosecurity Tasmania processes and procedures, and seemingly a failure by Biosecurity Tasmania to follow standard biosecurity protocols.<sup>26</sup>

4.26 The TFGA documented a number of points with regard to the processes undertaken by Biosecurity Tasmania during the 2014 blueberry rust outbreak in its submission:

<sup>&</sup>lt;sup>24</sup> Ibid., p. 3

<sup>&</sup>lt;sup>25</sup> Ibid.

<sup>&</sup>lt;sup>26</sup> TFGA (2017) Submission to Blueberry Rust in Tasmania Inquiry, p.1

- There was no evidence of a formal laboratory report confirming the outbreak of Blueberry Rust on the Schwind's property;
- TFGA requested a formal laboratory report from the Department of Primary Industries, Parks, Water and Environment ... on three separate occasions (after referral to DPIPWE by the Minister for Primary Industries and Water, Mr Rockliff MP);
- Upon receipt TFGA found the laboratory report disappointing for the following reasons:
  - It contained the same collated data as was initially given and no other results.
  - A formal laboratory report confirming the outbreak of blueberry rust should include the selection criteria of examining and defining an incursion in the field, proof of isolation and identification testing on artificial media, DNA sequence analysis, photo evidence by dissection and compound microscope.
  - All testing aforementioned was used in the DPIPWE Survey of Blueberry Diseases in Tasmania 2009 written by the same Senior Plant Pathologist who wrote this laboratory report and who seemingly failed to reproduce the survey testing when examining the 2014 outbreak at Barrington. Dissection and compound microscope analysis was performed but no evidence of this is present in the report.<sup>27</sup>
- 4.27 Further commentary regarding the laboratory report was made by Ms Ellen Davis and Mr Peter Skillern from the TFGA at hearings:

Ms DAVIS - Initially it came to us as just that table which, personally, I don't see as enough evidence showing that blueberry rust occurred on their property. It is really just showing samples that were taken and how many samples of those were proven to be blueberry rust but no visual evidence, confirmation, identification testing or isolation on artificial media, DNA sequence analysis or photographic evidence. They said that was performed but again provided no evidence of it. Interestingly, that report was provided by a senior plant pathologist who also wrote the 2009 Survey of Blueberry Diseases in Tasmania and identifies blueberry rust through those different selection criteria and proof of identification. It just seems contradictory.

<sup>&</sup>lt;sup>27</sup> Ibid., p. 2

*Mr SKILLERN - Albeit he was the same author of the report in that 2009 document El refers to, it appears that he didn't follow his own methodology, which raises serious questions.* 

The other question that has not been answered is the chain of custody. We have no documentary proof in relation to, 'Yes, these leaves were taken from these plants on such and such a date and have been held accordingly and now they've been tested'. There is no chain of custody one way or the other and that is one of the processes that will need to be reviewed. Certainly we are not aware of any chain of custody.<sup>28</sup>

4.28 Other elimination strategies that could be adopted were discussed during hearings by Ms Rosemary Jones:

It is possible to eliminate it without totally destroying the plant. There are other ways. You can cut the plant off at the base; you can destroy everything at the top and it will grow back. In fact, I know people who adopt a strategy during their pruning for the health of their orchard and to keep the production rates up and consistent, that have a policy where they go down their row of plants and totally cut off every sixth plant. When you cut it off at the ground it comes back at the next fruiting, because they put their next year's growth on at the same time, with big new shoots which don't fruit the next year but are absolutely full of the largest fruit you will ever get off a blueberry bush the following year, and fully healthy...

People are also defoliating and I am sure I can list other things and other options where people are almost doing it to keep the health of their orchard anyway. I'm not talking about people who are in this industry to just mass-produce fruit, throw it out in the market as soon as it is blue, grab the money and run. I'm talking about us people who care about the quality of what we're producing and supplying to the market. There's not much I don't know now about a blueberry plant, how to manage it for the best health of the plant, the quality of fruit and into the ongoing seasons as well. I've been in the industry a long time.<sup>29</sup>

4.29 The blueberry rust outbreak in 2016 currently impacts five properties in the North
 West of Tasmania. The first detection occurred at the Costa Group property
 11P [Sulphur Creek]<sup>30</sup>

<sup>&</sup>lt;sup>28</sup> TFGA (2017) Hansard Transcript 13 November, p.16

<sup>&</sup>lt;sup>29</sup> Ms R Jones (2017) Hansard Transcript op. cit., p. 5

<sup>&</sup>lt;sup>30</sup> Refer Table 6 Current regulatory status of the five infected properties page 58 of this report

4.30 The Costa Group submission to the Inquiry provided an overview of the importance of Tasmania to its berry production:

Tasmania is a key blueberry growing region for Costa covering the summer production period. It is also the only location where Costa grows the four main berry types, namely blueberries, raspberries, strawberries and blackberries.

Tasmania is strategically important with respect to Costa's ability to supply the Australian market for 52 weeks of the year, with the Tasmanian berry season running from November through to late April<sup>31</sup>

4.31 The strategic importance of Tasmania to Costa is reflected in the capital investment that has been made between 2009 and the end of financial year 2017:

As at October 2017 Costa farms circa 190 hectares of blueberries, raspberries, strawberries and blackberries on the North West Coast of Tasmania, as well as operating a distribution centre and modified atmosphere facility in East Devonport.

Costa owns and operates the distribution centre incorporating state of the art cooling and refrigeration plant, packing lines and a dedicated modified atmosphere facility.

...

A circa \$11.2 million capital investment is currently being completed to expand and upgrade the distribution centre and the modified atmosphere facility.

...

During the peak of the harvest season, Costa provides employment for 1,700 people.

By the end of financial year 2017, Costa has invested circa \$40 million on its Tasmanian berry growth projects since 2009.<sup>32</sup>

- 4.32 The Costa Group submission summarised its history of blueberry production and experience of dealing with rust. The submission stated:
  - Costa has an Australia wide blueberry growing footprint, including 270 hectares in Corindi on the mid north coast of New South Wales;
  - Blueberry rust:
    - $\circ$  is present in NSW and not reportable;

<sup>&</sup>lt;sup>31</sup> Costa Group (2017) Submission to Blueberry Rust in Tasmania Inquiry, p.1

<sup>&</sup>lt;sup>32</sup> Ibid., p. 1

- $\circ$  has been endemic in NSW for at least 15 years;
- has also been reported in Victoria (Australia), Europe, Argentina, Asia, Mexico, Canada and the United States.
- Spores are spread by wind and rain;
- Can be spread over longer distances by people transporting infected plants, fruit, packaging, equipment and clothing.
- ... there are a number of plants considered hosts of blueberry rust in Australia; and
- The containment regime employed by Costa includes crop monitoring, a regular spray program, cleaning protocols when moving equipment and machinery and worker hygiene.<sup>33</sup>
- 4.33 Further, the Costa Group submission refers to the expert opinion of Dr Bernadine Strik, Professor of Horticulture, Oregon State University and Strikly Berry Consulting. The submission provides the following summary of her opinion (the numbering of each point is for referencing within this Report):
  - 1. Blueberry rust has been reported in Oregon since blueberry production began in the 1950's and has not affected the commercial viability of the industry, with there not having been any significant commercial outbreak of rust in that time.
  - 2. Blueberry rust has a common alternate host in the hemlock tree (Tsuga sp.). There is information that blueberry rust can also infect other genera of plants, specifically: Rhododendron, Lyonia, Pernettya and Pieris. These are all found in Tasmania.
  - 3. One of the best ways to guard against rust is the use of growing tunnels.
  - 4. Although it can be spread on clothing, equipment, and packing materials, blueberry rust spreads most easily by wind.
  - 5. Eradication of infected plants as a viable method of control is not recommended. When the disease is found on a cultivar (eg. Legacy at Costa's Nine Mile farm), spores are likely present in alternate hosts around the farm or there may be another source of infection. Spores are easily spread by wind

<sup>&</sup>lt;sup>33</sup> Ibid., pp. 2-3

and alternate hosts are present. Eradication would very likely be the equivalent of 'closing the barn door after the horse has fled'.

- 6. Considering how widespread blueberry rust is throughout most blueberry production regions, including Australia and New Zealand, it seems highly likely that this pest is already at other locations in Tasmania (eg. other farms or alternate hosts that are endemic). This is more likely if blueberry rust has been identified previously in the State (as it was in 2014).<sup>34</sup>
- 4.34 The opinion of Dr Strik is included as an appendix to the Costa submission and is reproduced as Attachment 1, "Thoughts Related to Discovery of Blueberry Rust at Nine Mile, Tasmania."
- 4.35 With reference to the summary of the opinion included within the Costa submission the following observations are drawn directly from Dr Strik's opinion regarding the points discussed at 4.32:
  - Though the opinion does state "blueberry rust has been present in Oregon for some time" it goes on to state "it has been listed ... as a rare disease for as long as I can remember" and "leaf rust is usually of minor importance, being a problem on lowbush blueberry or ornamental blueberries that do not shed their leaves in autumn" <sup>35</sup>
- 4.36 Dr Strik contrasts the climatic conditions of Oregon and Tasmania to those present in warm humid regions such as Florida and Georgia, (USA) and Corindi, NSW (Australia) in which blueberry rust is most prevalent.
- 4.37 Climatic conditions such as those in Oregon and Tasmania mitigate against the severity of the disease. Costa's experience with the disease on the north coast of NSW does not directly translate to management of the disease in the climatic conditions present in Tasmania.
  - 2. Dr Strik stated that "Despite the fact that hemlock trees are very widespread in Oregon and are common near many blueberry farms and we have many native Rhododendron and Gaultheria species here which are reported to serve as alternate hosts, rust is not a problem in commercial blueberry fields in Oregon."<sup>36</sup>

<sup>&</sup>lt;sup>34</sup> Ibid., pp. 4-5

<sup>&</sup>lt;sup>35</sup> Attachment 1 "Thoughts related to Discovery of Blueberry Rust at Nine Mile, Tasmania" p. 3

<sup>36</sup> Ibid., p.3

- 4.38 Dr Strik states that the existence of alternate hosts for blueberry rust in Oregon has not caused the disease to be a problem for commercial blueberry fields in Oregon, USA.
- 4.39 The Costa Group position that "the existence of other actual and potential blueberry rust hosts does illustrate ... the futility of eradication by removing and destroying only blueberry plants"<sup>37</sup> does not reflect the circumstances which are present in a similar growing environment (Oregon, USA) with alternate hosts present.
- 4.40 The Committee heard no evidence confirming that blueberry rust exists on these alternate hosts in Tasmania.
  - 3. Further to the summary provided in Costa's submission Dr Strik stated "We have not needed to control blueberry rust in Oregon other than in a commercial nursery where judicious use of fungicides has effectively controlled the pest. However, much can be learned from other production regions. Growers in regions where rust is prevalent have had success managing this disease using production systems (including tunnels), cultivar resistance and fungicides"<sup>38</sup>
- 4.41 The key feature of this opinion is the statement that Oregon (which Dr Strik regards similar climatically to Tasmania) has not needed to control blueberry rust. The necessary climatic conditions "do not apply to production in Tasmania or Oregon's Willamette Valley"<sup>39</sup>
- 4.42 Costa Group's submission and the approach it has adopted to the presence of blueberry rust at its Nine Mile farm [Sulphur Creek] is based upon its experience in Corindi, NSW, which does not correspond to management of the disease and expectation of how the disease will present in Tasmania.
  - 4. Though Dr Strik states the disease spreads most easily by wind, its introduction and "*spread on clothing, equipment and packing materials*"<sup>40</sup> was also discussed.
- 4.43 The proposition that there is a risk associated with workers travelling between Costa Group farms in areas where rust is prevalent in Corindi, NSW and Tasmania was raised during hearings with Mr Michael Toby, Corporate Affairs Manager of Costa Group:

<sup>&</sup>lt;sup>37</sup> Ibid., p. 6

<sup>&</sup>lt;sup>38</sup> Ibid., p.5

<sup>39</sup> Ibid., p.7

<sup>&</sup>lt;sup>40</sup> Ibid., p.2

*Ms ARMITAGE* - You have farms right across Australia. The backpackers and the pickers you have travel from your farms, for example, in New South Wales, down to Tasmania?

Mr TOBY - Yes, some of them.

*Ms ARMITAGE* - You do not see that as a problem, considering the amount of blueberry rust in New South Wales? You would not prevent those pickers from coming down to your farms?

*Mr* TOBY - As I said in my introductory statement, it is no bigger problem than someone coming over on the TT-Line in a car that may have driven through New South Wales where blueberry rust is.

*Ms ARMITAGE* - *That is 'may have' and these are people who have been working on blueberry farms.* 

Mr TOBY - People coming on the TT-Line in a car may have been on a blueberry farm.

*Ms ARMITAGE* - You are not prepared to prevent that with some of your workers? *When they sign up with Costa, they sign up to work right across all your farms?* 

*Mr* TOBY - No, they do not. It is their choice whether they wish to follow the season down to Tasmania.

*Ms ARMITAGE* - You are happy for them to come, if they do, from New South Wales? You have no problem with that at all?

Mr TOBY - Yes, if they are a good worker, yes.

Mr BARDON - Pickers could come from another farm, we have no control over that.

Ms ARMITAGE - We were given evidence and it was quite open evidence, that one of the restrictions many farmers are doing is to not to take people from New South Wales where they know that it is prevalent. So, Costa does not have an issue with that. Thank you.<sup>41</sup>

4.44 This was further discussed regarding protocols to mitigate against such spread between the Costa Group farm sites:

*Mr* FINCH - What protocols would you now have in place if you had workers coming from New South Wales into Tasmania? Do you take your own steps to make sure they are not bearers of blueberry rust or that infection?

<sup>&</sup>lt;sup>41</sup> Costa Group (2017) Hansard Transcript 13 November, p.23

*Mr* TOBY - What sort of steps are you suggesting?

*Mr* FINCH - Making sure that the clothing has not been used in New South Wales to make sure that that disease is not being brought into the state.

*Mr* TOBY - I come back to my point that if you're going to apply that sort of test then you should apply it to everybody that comes into the state.

Mr FINCH - We might need to do that, mightn't we, to protect -

Mr TOBY - In answer to your question, no we don't.42

4.45 Defoliation as a means of managing the spread of blueberry rust was raised with Mr David Bardon, Horticultural Manager at Costa Group:

*Mr WILLIE - We have also heard a number of submissions saying that defoliation is an option to eradicate. What are your thoughts on that?* 

*Mr* BARDON - We have heard that one. We have a combination of varieties for crosspollination so it is very important for us - we use bees as pollinators - to have flowering at a certain time to ensure good fruit production and good fruit quality. It would concern me to defoliate plants, whether that be by hand or chemically. For me, I would be very concerned. I do not know if it has been proven but it is not something I would want to jump into. I think it would have big ramifications for our business.

*Mr WILLIE* - *What* sort of economic impact are we talking for defoliation, not complete eradication?

*Mr* BARDON - I am talking more about our financial position. It would certainly have an effect on productivity, fruit size, quality and possibly reputation; not delivering product to the markets and to our retail customers. I am talking about productivity.<sup>43</sup>

5. Dr Strik makes the following statement with regard to eradication by means of defoliation – "No growers, worldwide, that I am aware of control the fungus through management of dropped leaves (on the ground) although this is mentioned in some publications, or through forcing defoliation (on varieties that do not naturally senesce) – these might be possible options in Tasmania."<sup>44</sup>

<sup>42</sup> Ibid., p.24

<sup>43</sup> Ibid., p.27

<sup>&</sup>lt;sup>44</sup> Attachment 1 op. cit., p.5

4.46 Further, with regard to the cultivar Legacy, which has been impacted with rust at Nine Mile farm and which is also grown in Oregon Dr Strik provided the following advice as to why they do not have a problem with blueberry rust in commercial blueberry fields ... in Oregon:

> 1) Legacy may be resistant or not highly susceptible. Cultivars of northern, southern, and rabbiteye blueberry differ in their sensitivity to blueberry rust. The sensitivity of Legacy has not been tested scientifically. While rust has been identified on Legacy at 9-Mile the susceptibility of the cultivar is not known;

> 2) the fungicides our growers use may also control rust. This is certainly possible. However, we have also not seen this disease in certified organic fields where little to no fungicides are used; and

> 3) our climate is likely not very conducive to good infection of blueberry rust. Note we have never had a significant commercial outbreak of blueberry rust in the main blueberry growing region of Oregon (the Willamette Valley).<sup>45</sup>

- 6. With regard to this point Dr Strik stated Blueberry rust is an important disease, requiring management, in warm, humid areas and where blueberry plants are grown in evergreen production systems (eg. Georgia and Florida, (USA), Mexico and Corindi, (Australia)). These conditions do not apply to production in Tasmania or Oregon's Willamette Valley. And Dr Strik concluded, "Based on experience in a similar climate (Oregon), blueberry rust is not expected to be a significant problem on the blueberries grown in Tasmania (no evergreen production systems)."<sup>46</sup>
- 4.47 Mr Tony Waites of Woodlea Nursery (Springfield, Tasmania) made the following statement regarding eradication by means of defoliation at the hearing of 22 January 2018:

There is a grey area between containment and eradication. You are trying to suppress active rust spores in both cases but in eradication you are saying you are trying to get rid of it completely. In containment you are saying it is too hard to get rid of it completely, let's try to minimise it. That component is common to both of them. If you look at why it is difficult to get rid of the rust spores, there are a couple of things. One is that some growers in the state grow evergreen blueberries and that supplies host material for the rust to grow on all year round. When you see that,

<sup>&</sup>lt;sup>45</sup> Ibid., p.4

<sup>&</sup>lt;sup>46</sup> Ibid., p.7

dealing with those trees has to be a really high priority. There is a number of ways. You can rip out those evergreen plants but I do not think anyone is suggesting you do that. Another option is, as I am sure you have discussed, the issue with defoliation. My interpretation of the fairly scant evidence and study information suggests controlling with defoliation is, at the very least, going to assist in containment. You are going to have less of a problem with blueberry rust after you do it and hopefully, based on the results of Rosalie Daniel, there would be a hope the rust is killed completely. If you can defoliate the plants within the four to eight weeks there would be every hope you would kill the outbreak<sup>47</sup>

4.48 The use of evergreen production systems at Costa was raised during hearings with Mr Bardon:

CHAIR - We have covered it but I raise it again. It has been put to us that Tasmania should not allow evergreen plants into the state. We should be simply deciduous because it protects against disease in that they drop their leaf, the climate is cold during the winters and therefore it kills off the rust, the spores and so on. It is a natural predator of disease. What would you say to that position, that we should not entertain the evergreen variety?

Mr BARDON - The evergreen variety we are talking about gives us an advantage. It is a great variety, a good producing variety that offers good cross-pollination for a number of other varieties. Yes, I would be concerned. I would like to see that continue. There has been significant work in breeding programs, particularly for our customers. I would say that with disease, disease can hang onto non-senescent leaves. It is not to say that because they go deciduous in winter are not going to have the disease. That is well documented. I am more concerned about growers that don't spray than growers that do spray, particularly when it comes to disease and outbreaks.

CHAIR - For the evergreen plant, as I understand, the benefit and advantage is because it produces much quicker. I think they produce within the first one or two years, whereas other plants take a longer time to yield. That is the benefit and advantage to Costa.

What would you say to the proposition that you weigh that against the organic and other growers in this state who have a market position well and truly above that of Costa; around 60 per cent of the product in this state is from the smaller organic

<sup>&</sup>lt;sup>47</sup> Woodlea Nursery (2018) Hansard Transcript 22 January 2018, p. 31

growers. How do you see your position, of wanting to continue to grow evergreen and produce that way, as to the risk you impose on the organic growers in this state - many of whom earn their livings, their family's livings and employ people, from farming blueberries. How would you see that?

*Mr* BARDON - Particularly when it comes to evergreen varieties, I still say that the rust is airborne. The horse has bolted, so no matter what we do now to eliminate evergreen varieties, it's here and is going to be on our deciduous varieties.<sup>48</sup>

- 4.49 The evidence presented in the paper provided by the Costa Group of Dr Strik does not support the view expressed by Dr Bardon.
- 4.50 As previously stated (in the report's background section), windborne rust spores can move long distances, but are generally deposited close to their source, moving with gravity, air currents or water splash.
- 4.51 The difference in approach between the 2014 and 2016 outbreaks of blueberry rust was raised with Mr Toby of Costa Group during hearings:

CHAIR - I know you have said 50 per cent and we have from 40 to 45 to 50 per cent. The situation is this: Costa has received grants from the governments and Costa is a big producer in this state; Biosecurity had seen fit to eradicate the 2014 farms that were infested with rust, however, when the outbreak on Costa occurred in 2016, a contrary approach is taken. It has been suggested and I put it to you that you, Costa, had a big influence on Biosecurity, on the department, as to the action they were going to take on your property.

Mr TOBY - We stated our position to those parties -

CHAIR - What is your position? What sort of an influence did you have on them?

*Mr TOBY - As I said before, we had various meetings and stated our position and also gave information to Macquarie Franklin.* 

CHAIR - That is interesting. The Macquarie Franklin report, I think you would be aware, is flawed in a number of respects and they also refer to the 75 per cent-

Ms RATTRAY - Eighty percent.

CHAIR - They might have referred to 80 per cent. That is one of the many flaws in the Macquarie Franklin report. You would be aware of some of the other flaws. I could go back through but there were a number of flaws in that report.

<sup>&</sup>lt;sup>48</sup> Costa Group (2017) Hansard Transcript op. cit., p.35

Are you saying that report has had an impact or an effect on the containment rather than the eradication on Costa properties?

Mr TOBY - I do not know.

CHAIR - As to the meetings you had with DPIPWE and the Biosecurity personnel, can you tell us when they occurred in relation to your outbreak on your property?

Mr TOBY - After the outbreak there were various meetings.

CHAIR - Was it the position of Biosecurity at that time, when they initially came onto your property and it was identified that you had rust, that they would eradicate?

*Mr BARDON - There was discussion of it. There was no trade as we were in our winter period, so nothing could occur until we had approvals for protocol. That was over a considerable time. We produce fruit in late December. Yes, it was mentioned*<sup>49</sup>

<sup>&</sup>lt;sup>49</sup> Ibid., p.34

## Findings:

- 17. Blueberry rust in Tasmania was first detected at approved quarantine premises (Fresh Freight Tasmania, 59 Cove Hill Road, Bridgewater) on 4 September 2014. This detection was during a routine wholesale nursery inspection by Biosecurity Tasmania.
- 18. During the 2014 blueberry rust outbreak the number of infected plants was considered low by Biosecurity Tasmania (hundreds).
- 19. Trace-back on infected plants in 2014 was confirmed early to a single nursery source in Victoria and infected plants were stopped from being distributed. A rapid recall of other consignments of potentially infected plants occurred.
- 20. The 2014 public campaign to find infected plants had a good response and identified diseased plants including backyard gardens.
- 21. In 2014 there was limited exposure to rust for blueberry plants. This provided Biosecurity Tasmania with the opportunity to eradicate infected plants on the Schwind and May properties.
- 22. Eradication of plants at the Schwind's Mountain Fruit property in 2014 followed a period during which the grower had applied the fungicide as prescribed by Biosecurity Tasmania. The application of the fungicide occurred under the supervision of Biosecurity Tasmania.
- 23. A follow up inspection following application of the fungicide was not made by Biosecurity Tasmania.
- 24. The formal laboratory report relating to the 2014 blueberry rust outbreak at the Schwind property was not provided to the grower. It was only received after eradication had taken place, following three separate requests and referral to the Department by the Minister.
- 25. The formal laboratory report was deficient in detail.
- 26. Area freedom was declared on 8 June 2016 (In this context, area freedom refers to the absence of blueberry rust in a specified location and needed to be demonstrated by the Government in order to continue market access).

- 27. Blueberry growers of Tasmania and the industry more broadly have been adversely impacted by poor communication from Biosecurity Tasmania.
- 28. During the execution of the destruction order by Biosecurity Tasmania, blueberry growers who had plants destroyed following the 2014 rust outbreak were not dealt with in a way that was considerate of the impact on their livelihood or well-being.
- 29. During the 2016 blueberry rust outbreak initial testing was undertaken by Costa Group's sister property in NSW instead of the Biosecurity Tasmanian Plant Diagnostics laboratory.
- 30. The positive result was reported by Costa Group to Biosecurity Tasmania on 9 August 2016.
- 31. The size of the 2016 outbreak on the Costa Group property was much larger than in 2014, with potentially 150,000 infected plants.
- 32. No trace-back was possible and the source of the 2016 infection still remains unknown.
- 33. As area freedom had been declared following the 2014 outbreak, the 2016 outbreak was treated as a new incursion.
- 34. The time taken by Costa Group to report to Biosecurity Tasmania adversely impacted the potential to eradicate blueberry rust on the property.
- 35. Following the Departmental Secretary's decision that eradication was not feasible, a regulated containment plan was developed to prevent the further spread of disease from the infected premises.
- 36. The response of Biosecurity Tasmania to the outbreak in 2016 was influenced by the magnitude of the Costa Group operation.
- 37. The 2016 containment (rather than eradication) approach led organic growers to state their concern for the future viability of the industry.
- 38. Costa Group has an Australia wide blueberry growing footprint, including 270 hectares in Corindi on the mid north coast of NSW.

- 39. The Costa Group approach to blueberry rust is based upon its containment regime of the disease and its management in NSW.
- 40. The climatic conditions of Oregon (USA) and Tasmania are similar and in contrast to those present in warm humid regions such as Corindi, NSW. These climatic conditions mitigate against the severity of the disease.
- 41. Blueberry rust has been reported in Oregon since blueberry production began in the 1950's and has not affected the commercial viability of the industry. There has not been any significant commercial outbreak of rust in that time.
- 42. In Oregon, blueberry rust is listed as a rare disease and leaf rust is usually of minor importance.
- 43. .There is risk associated with workers travelling between the mainland Costa Group farms (where rust is being contained) and their Tasmanian properties because there are no specific protocols to mitigate against such spread between the Costa Group farm sites.
- 44. Forced defoliation of evergreen varieties was considered as a means of managing the spread of blueberry rust.
- 45. The continued use of evergreen production systems is considered detrimental to Tasmania's rust free status.
- 46. Organic growers are adversely impacted by the requirement for chemical spraying regimes to manage blueberry rust under a containment approach.

## **TERM OF REFERENCE 2:**

## PAST AND PRESENT REGULATORY REQUIREMENTS RELATING TO THE BLUEBERRY INDUSTRY IN TASMANIA

- 4.52 The *Plant Quarantine Act 1997* is the key legislation that applies to the current blueberry rust outbreaks.
- 4.53 The Act provides for actions which can be taken to manage disease including:
  - listing,
  - restrictions around possession, movement, and handling of plant material,
  - control programs,
  - powers of inspectors,
  - importation,
  - establishing quarantine,
  - infected and control areas, and
  - penalties for breaches of the Act.
- 4.54 The Biosecurity Tasmania submission stated that blueberry rust:

...is currently declared as a List A disease under the Plant Quarantine Act 1997. This applies to organisms of a biosecurity threat to the State but that are absent from the State.

There is a process under the Act that enables blueberry rust to be listed as a List B disease – a plant disease that is a biosecurity threat to Tasmania but is localised and under official control. In due course, that listing is to be considered as appropriate to the current situation in Tasmania..<sup>50</sup>

4.55 The Biosecurity Tasmania submission emphasised that during the outbreaks:

The most significant regulatory requirements are those ... imposed on Infected Premises [IP] for containment of blueberry rust.

Infected premises have been or will be ... declared as an Infected Area with conditions and restrictions on the movement of plants and plant products pursuant to sections 23 and 24 of the Plant Quarantine Act 1997.

<sup>&</sup>lt;sup>50</sup> DPIPWE (2017) op. cit., p.27

Infected areas must be managed in accordance with a Site Management Plan, enforced under section 28 Direction. The Site Management Plan dictates biosecurity hygiene measures that must be exercised into, within and out of the infected area.

Declaration as an infected area means that any movement from the area of plants or plant products of Vaccinium species (including blueberry fruit) can only occur under a section 26 permit. To be granted a permit for the movement of blueberry fruit, the fruit must be treated. Treatments may include the pre-harvest treatment and inspection regime agreed to by trading states or freezing, cooking, juicing or freezedrying the fruit. These methods will prevent the spread of viable blueberry rust spores on fruit.

Infected Area Declarations will remain in place so long as a containment approach to blueberry rust is taken or until eradication can be achieved on those sites. For infected premises that include commercial production areas as well as residential property, an infected area will only be declared over the area where there are blueberry plants, where possible. This prevents regulatory requirements impacting on the everyday life of the property owner (such as the simple act of leaving the property).

During the 2014 outbreak, infected premises were managed under regular Directions (section 56, Plant Quarantine Act 1997) rather than Infected Area Declarations as they were under regulation for shorter periods of time. The table below shows the current status of the [five] ... regulated properties.<sup>51</sup>

 $<sup>^{51}</sup>$  Ibid., pp 27-28 – table updated for additional infected properties following request to DPIPWE for additional information

Property	Approx. number of blueberry plants	Direction Notice under the <i>Plant</i> <i>Quarantine Act</i> 1997	Site Management Plan Established	Infected Area Declaration under the Plant Quarantine Act 1997
1IP	150,000	10 August 2016	17 August 2016	8 December 2016
2IP	100	13 April 2017	<ul> <li>13 April 2017</li> <li>Updated and signed 30 October 2017, served 11 November 2017</li> </ul>	Pending as of 18 October 2017 Signed 30 October 2017, served 11 November 2017
3IP	100	13 April 2017	13 April 2017	<ul> <li>Pending as of</li> <li>18 October 2017</li> <li>All plants removed from the site by landowner – a voluntary decision. No longer an IP.</li> </ul>
4IP	1400	30 October 2017	30 October 2017 > Updated 30 November 2017	30 November 2017
5IP	Approx. 600	N/A <sup>1</sup>	5 June 2018	5 June 2018

Table 6 Current regulatory status of the [five] infected properties 52

<sup>1</sup> For IP'S 1-4 Direction Notices were issued as interim measures prior to the Infected Area declarations. In the case of 5IP Biosecurity Tasmania proceeded with making the declaration to improve the efficiency of the process.

4.56 The Biosecurity Tasmania submission also detailed the negotiations which are necessary for the continuation of market access by Tasmania to other states:

...a trade agreement is under negotiation based on a 'Pest Free Places of Production' (PFPP) approach. The format of this agreement is based on ISPM10 and includes surveillance as the basis for declaring properties as PFPPs.

PFPPs will be expected to make an undertaking to manage the property under basic farm biosecurity hygiene requirements. For infected premises, trade has again been negotiated based on pre-harvest treatment and inspection. The protocol is intended to cover the trade of fresh blueberry fruit, not plant material.

<sup>&</sup>lt;sup>52</sup> Response from DPIPWE to request for additional information dated 22 August 2018

Under the PFPP protocol, businesses trading with domestic markets must register with Biosecurity Tasmania. Registered businesses are required to implement a Farm Biosecurity Plan, as a requirement of the registration process. The plan must provide measures to mitigate the risk of the disease entering the PFPP.<sup>53</sup>

4.57 With regard to market access, Biosecurity Tasmania's submission stated:

During the 2014 and 2016 incursions, Biosecurity Tasmania negotiated market access to regulated domestic mainland markets based on 'property freedom' status from blueberry rust on exporting properties.

In 2016, an additional trade agreement was developed for 1IP [Sulphur Creek] to supply blueberry fruit to the domestic mainland market based on pre-harvest treatment and inspection.

*IPs 2 & 3* [Both in Upper Stowport] *listed in the above table each have approximately 100 blueberry plants. At the time of writing, IP3 had no plans to sell any fruit products from their orchard, which was not actively maintained for fruit production. IP2 is an organic property where 'pick your own' arrangements had been in place before the 2016 incursion. No fresh blueberries can be moved from this property. Fruit will need to be treated as per the Site Management Plan. Treatments may include freezing, cooking, juicing or freeze-drying the fruit. These methods will prevent the spread of viable blueberry rust spores on fruit.* 

IP1 currently exports blueberries under a Trade Agreement – Pre-harvest Treatment and Inspection of Blueberries for Blueberry Rust. This agreement was in operation for the 2016-17 export season and is currently being negotiated for the 2017-2018 export season (mid-December 2017 – late May 2018).

Fruit grown, treated, harvested and packed on IP1 and the associated packaging facility in East Devonport is only eligible for export under this trade agreement. The agreement specifies procedures that must be followed relating to pre-harvest spraying, harvesting, inspections of product and equipment, grading and packaging, records and document control, and auditing procedures. It includes sanctions for failure to comply with the agreement.

<sup>&</sup>lt;sup>53</sup> Ibid., p. 28

All registered PFPPs must implement a Farm Hygiene Program that addresses risk pathways associated with the entry of blueberry rust onto the property.

All registered PFPPs will be subject to a surveillance regime to confirm property freedom from blueberry rust that will be conducted over the export season. A statewide surveillance program of all blueberry production sites from October 2017 to confirm that disease remains confined to the three current infected premises in the north-west of the State will occur. Surveillance visits will be conducted three times during the growing season – from leaf establishment through to harvest.<sup>54</sup>

- 4.58 In addition to the detail provided in the submission, additional information sought from Biosecurity Tasmania confirmed that two additional properties were found to be infected at the time of this Report.
- 4.59 IP4 [Sheffield] with 1400 plants was confirmed to be infected on 27 October 2017.A site management plan was established and the property was placed under an Infected Area Declaration on 30 November 2017.
- 4.60 IP5 [Milabena) with 600 plants was confirmed to be infected on 22 May 2018. A site management plan was established and the property was placed under an Infected Area Declaration 5 June 2018.
- 4.61 Further information was sought from Biosecurity Tasmania in August 2018 to confirm the status of market access for growers to blueberry rust free states (SA, WA and VIC). The Biosecurity Tasmania response to the question "Please confirm whether Tasmanian blueberry producers have been able to continue to access markets in the blueberry rust-free states through 2018" was:

Yes - blueberry producers have been able to continue to access markets in the blueberry rust-free states using arrangements negotiated with protocol states by Biosecurity Tasmania.<sup>55</sup>

- 4.62 Despite the Biosecurity Tasmania response, Ms McFarlane provided the following update regarding market access to Western Australia:
  - 2018 season saw Western Australian market shut down completely for all of the Northern Based Farms (sic) in Tasmania. Any farm that is within 200 kilometres

<sup>54</sup> Ibid., pp28-29

<sup>&</sup>lt;sup>55</sup> Response from DPIPWE to request for additional information dated 22 August 2018

(as the crow flies) of an infected property ... are unable to access the Western Australian market at all. 200kms as the crow flies is a very long way by Tasmanian border standards!

- Market access requirements for Victoria and South Australia as far as documentation, ongoing paperwork and traceability of product is concerned has increased substantially and some growers are finding that the additional costs are becoming too great.
- The question remains, how long are Victoria and South Australia going to make exemptions for market access to those Tasmanian farms that do not have Blueberry Rust.<sup>56</sup>
- 4.63 Evidence was given at the hearing of 22 January 2018 regarding a change to Tasmania's import requirements for blueberry rust by Dr Dean Metcalfe:

There is one important matter that perhaps has not come to the fore. I think it was in 2011 that there was a change to Tasmania's import requirements for blueberry rust. We had required inspection of plants coming into Tasmania: to be inspected by a quarantine officer and certified free of blueberry rust. At about that time there was a change to accept a system, I think it was called ICA-29, which basically required that a nursery producing blueberry plants would put a couple of sprays on those plants and they would be allowed into Tasmania. I do not believe there was a direct inspection of those plants. There might have been an annual audit or something like that, to see that the sprays had been applied.

I would like to know why they did that, what the technical basis was to make such a decision. I can't see a reason why you would suddenly accept a lower standard of quarantine than we had. It seems to me that it has directly resulted in this entire situation. There would never have been this incursion, these crop destructions, this inquiry, none of it, if that change had not been made. I just cannot understand the technical justification for it. It is a question that needs to be asked.

...

I have noted - because I re-examined it a few months ago - it has been returned to something closer to its original state now. It has been changed back to a stronger

<sup>&</sup>lt;sup>56</sup> Email dated 24 August 2018 from Ms T MacFarlane

level of quarantine. I suggest that the question needs to be asked of the rationale so the lesson can be learned about why that was done.<sup>57</sup>

4.64 Dr Metcalfe read a paragraph from a letter to the Minister for Primary Industries and Water, Mr Jeremy Rockcliff MP from the Victorian Minister for Agriculture:

I can confirm preliminary feedback gathered from the investigation undertaken on the business has identified procedural elements within the ICA protocol that may have contributed to the recent outbreak in both states<sup>58</sup>

4.65 This matter was further examined during the hearing of 13 July 2018:

*Ms* RATTRAY - Recently in some previous evidence, we were informed about changes to the Interstate Certification Arrangement System in ICA-29, the bringing of product into Tasmania. There had been some changes and the first incursion was from a Victorian nursery. Can you give the committee some update about where we are with the biosecurity measures around the import of plants?

*Mr KLUMPP - Again, this is a more general issue we have at the moment nationally we are dealing with, not just related to blueberry rust. The ICA - the interstate certification arrangement system - is a system meant to provide pre-market assurance of pest freedom. The idea is enterprises, growers, packing houses, et cetera, undertake a quality assurance arrangement that they do certain things to minimise the biosecurity risk in that any product leaving that enterprise is free of a pest or disease. It is part of the ICA system. We have had a number of incidences over the last few years in which that system has not worked the way it should and blueberry rust was one of those. The Victorian nursery was certified under the ICA system.* 

•••

*Ms RATTRAY* - *The Victorian government admitted there were some problems with their processes.* 

*Mr KLUMPP* - They had been certified, that is a breakdown in the system. We found a similar problem with fruit fly. We have less confidence in those certificates. We used to have confidence the product coming into our state was free of pests or

<sup>&</sup>lt;sup>57</sup> Fruit Growers Tasmania (2018) Hansard Transcript 22 January 2018, p.3

<sup>&</sup>lt;sup>58</sup> Letter dated 6 May 2015 included at Attachment 2

diseases. We are doing some work nationally, not only in Tasmania. The domestic market access working group, as part of the biosecurity system, is doing some work on the problems. Is it a matter of compliance; is it a matter of system; why are these things happening?

...

*Mr KLUMPP - We are seriously looking at that in Tasmania and in other jurisdictions, in acknowledgement that the system has some problems. We want to look after our own interests. We are on the receiving end. Rather than delivering pests and diseases we want a robust system and we will continue to strive for that robust system.*<sup>59</sup>

4.66 At the 13 July 2018 hearing there was discussion of the review of the current regulatory system:

*Mr KLUMPP* - Fruit Growers Tasmania was funded in order to provide a program of development of farm hygiene plans and awareness of growers. While not under regulation, those farm hygiene plans ask for requirements on people entering and leaving those properties.

Ms ARMITAGE - But you cannot enforce it?

*Mr KLUMPP* - Not at the moment. That is where I was going in the next step. We have a new biosecurity bill and there are mechanisms within that bill, if the parliament so desires, for us to be able to do that.

CHAIR - Members of these committees will watch that closely, Lloyd.

Mr FINCH - Is that being developed at this stage, Lloyd?

Mr KLUMPP - Yes, we have a draft bill almost ready for presentation.

Mr WILLIE - This could be included in the bill. The member for McIntyre was talking about the list of growers and what has been evident, if there were a number of growers Biosecurity did not know about when this incursion happened. This could apply across any producer. Is there scope to define commercial producers and for

<sup>&</sup>lt;sup>59</sup> DPIPWE (2018) Hansard Transcript op. cit., pp. 9-10

them to register for a permit or something like that, so when these things do occur, Biosecurity know exactly who is out there in every industry?

*Mr KLUMPP - At the moment there is not. However, there is work going on nationally for our horticultural industries in order to do that. I will use a comparison with our livestock industries.* 

Ms RATTRAY - Why couldn't Tasmania do that?

*Mr WILLIE* - *If it was a registered system.* 

Mr KLUMPP - We are. We are working with the TFGA around exactly that, looking at what the system might look like. There are a few elements needed. You need a property register, with a database of properties, with an identification. We call that property identification code. The livestock industry has both of those things. We then need a traceability system - the ability to know how product moves between those elements. They are all governing the livestock industries by a set of business rules. These are all agreed and implemented as an industry program with the livestock industry, called the National Livestock Identification System.

Nationally, we are looking at a similar system for our horticultural industries. At state level we are working with our industry peak bodies about what they might look like and then how our new bill might shape that.

Mr WILLIE - That consideration is part of the development of the bill?

Mr KLUMPP - Yes.60

4.67 In an additional submission to the Committee Ms MacFarlane stated:

As a grower, since the 2014 outbreak, we have had to complete additional documentation to be sent with our freight consignment notes in relation to export to Victoria, South Australia and Western Australia...In the 2018 season we were required to be exporting as per ICA 31 requirements and these have now become quite costly to the farmer with internal in-orchard inspections of the farm (fortnightly), fruit inspections before collecting from orchard..., packing line and despatch inspections together with supporting documentation at each inspection needing to be kept, and a number of export documents that need to be filled out prior

<sup>&</sup>lt;sup>60</sup> ibid., pp 12-13

to despatch from the farm. Packing of pallets is more time consuming as there are label requirements on trays that have been inspected immediately prior to despatch, together with strict wrapping and labelling on the actual pallet itself.<sup>61</sup>

4.68 The Biosecurity Tasmania submission acknowledged this likely impact on production costs for organic blueberry growers:

Organic blueberry growers will be most significantly impacted by blueberry rust establishing in Tasmania. Victoria and South Australia are the primary markets for organic Tasmanian exported fruit; Western Australia is a lesser market. If special long-term market accesses agreements cannot be put in place, growers producing blueberries organically for export into these States would lose their interstate market access. Organic orchards may be able to apply organic fungicides; however, it would be necessary to ensure this was done in compliance with protocols and labelled use.

Growers producing blueberries via conventional production systems will be able to retain access to regulated markets provided they can undertake the necessary chemical applications. However, production costs may increase for both conventional and organic producers as a result. In this respect, it will be important to set up the Interstate Certification Assurance (ICA) Scheme in Tasmania to enable producers to self-treat and self-certify their own fruit under ICA 31.<sup>62</sup>

4.69 The Brocklands Pty Ltd (Ms Karen Brock) additional submission included a call for the following changes:

Introduction of property identification in new legislation in the Plant Quarantine Act to provide a registration requirement for all persons producing and selling plants to enable traceability for future Biosecurity incursions.<sup>63</sup>

<sup>&</sup>lt;sup>61</sup> Ms T MacFarlane Additional Submission 10 August 2018., p. 2

<sup>&</sup>lt;sup>62</sup> Biosecurity Tasmania op.cit p. 34

<sup>&</sup>lt;sup>63</sup> Brocklands Pty Ltd (2018) Additional Submission p.2

## Findings:

- 47. The *Plant Quarantine Act 1997* is the key legislation that applies to the current blueberry rust outbreaks.
- 48. Blueberry rust is currently declared as a List A disease under the *Plant Quarantine Act 1997.* This applies to organisms of a biosecurity threat to the State but that are absent from the State.
- 49. There is a process under the Act that enables blueberry rust to be listed as a List B disease which applies to a plant disease that is a biosecurity threat to Tasmania but is localised and under official control.
- 50. The most significant regulatory requirements are those imposed on Infected Premises for containment of blueberry rust. Infected areas must be managed in accordance with a Site Management Plan which dictates biosecurity hygiene measures that must be exercised into, within and out of the infected area.
- 51. Declaration as an infected area means that any movement of blueberry fruit from the area can only occur under a section 26 permit which requires that the fruit must be treated. Treatments may include the pre-harvest treatment and inspection regime agreed to by trading states.
- 52. Infected Area Declarations remain in place so long as a containment approach to blueberry rust is taken or until eradication can be achieved on those sites.
- 53. A trade agreement based on a 'Pest Free Places of Production' (PFPP) approach is necessary for the continuation of market access by Tasmania to other states. PFPPs are expected to manage the property under basic farm biosecurity hygiene requirements. For infected premises, trade is to be negotiated based on pre-harvest treatment and inspection.
- 54. There was conflicting evidence provided regarding continued market access to Western Australia with some growers claiming their access to Western Australian markets has been restricted despite Biosecurity Tasmania's claim to the contrary.
- 55. Increased production costs for growers are a consequence of the additional requirements imposed on them to enable continued market access to blueberry rust free states.

- 56. Biosecurity Tasmania has acknowledged there has been a breakdown in the interstate certification system leading to less confidence in the system.
- 57. This breakdown in the interstate certification system has contributed to both the blueberry rust and fruit fly incursions in Tasmania.
- 58. Procedural elements within the ICA protocol are acknowledged by the Victorian Minister for Agriculture to have contributed to the outbreak of blueberry rust in both states.
- 59. Development of a new Biosecurity Bill is underway.

TERM OF REFERENCE 3: The future of Tasmania's blueberry industry, including the impacts of previous, current and any future outbreaks of blueberry rust

4.70 Biosecurity Tasmania's submission stated that:

There is no reason why the future of Tasmania's blueberry industry should be anything but strong. Regardless of whether blueberry rust is eradicated, contained or established in Tasmania, a Tasmanian blueberry industry can continue to operate and grow. The NSW industry has prospered in spite of blueberry rust being present there for over a decade. Even if it were possible to eradicate blueberry rust, outbreaks in future are likely as spores can spread by many vectors and by natural wind dispersal. While all measures are being taken, it is not possible to regulate every pathway for the disease.

...

Blueberry rust is not so much an issue for conventional growers, but it can be significant for certified organic growers as they cannot use the chemicals without losing their organic status. It is likely that property freedom certification will provide a means by which the organic sector can maintain market access. Victoria and South Australia are the primary markets for organic Tasmanian exported fruit. Western Australia is a lesser market. New South Wales and Queensland do not regulate for blueberry rust, as it is established there. Assuming establishment of blueberry rust in Tasmania, the primary focus of Biosecurity Tasmania is undertaking work to maximise chances of blueberry export market access.<sup>64</sup>

4.71 Ms Rosemary Jones, an organic blueberry grower, provided the following summary in her submission to the Inquiry:

*3a. The future of Tasmania's blueberry industry was extremely bright.* 

*3b. There are now serious issues created by BT that have changed the bright outlook to one of doubt and lack of confidence in it.* 

*3c.* One of these serious issues is that many in the industry were planning expansion due to demand however due to BT's inactions, unsound decisions and decisions taken favouring one grower at the expense of so called smaller growers, confidence in BT has declined to non existent and therefore those considering expansion have not done so and put their plans on hold until the outcome of this Inquiry.

<sup>&</sup>lt;sup>64</sup> Ibid., p. 31

3d. Those that have put expansion plans on hold unanimously desire this Inquiry to determine that BT's decision to contain and not eradicate the 2016 outbreak of rust was flawed and based on incorrect information which they made no attempt to corroborate.

*3e. Those that are both growers wishing to remain at their current size and growers with significant expansion plans which are now on hold, trust that this Inquiry will determine that there is a serious inability of BT to manage our blueberry industry* 

3f. Those stakeholders mentioned in 3e (except of course the grower at the heart of the rust problem who has already reaped the rewards of BT's flawed containment and not eradication decision) also very seriously trust that once all issues are fully and accurately uncovered, the Inquiry will determine that there is only one possible outcome for them to arrive at and that is, to recommend an immediate reversal of BT's decision to contain and not eradicate the incursion of blueberry rust in 2016 and to recommend an eradication program be implemented immediately for the sake of the blueberry industry and biosecurity in general in Tasmania.

3g. The impact of introducing an eradication strategy, not one of containment will not have as serious an impact on the largest affected property as previously reported by BT as, BT completely failed to investigate and accurately determine all options for eradication procedures. Eradication procedures which would be required on the largest affected property would result in minimal disruption to their business but again there has been a complete failure by BT to accurately determine effective and minimally disruptive activities to eradicate blueberry rust. These procedures are known amongst other growers and stakeholders in the industry and have been reported to Biosecurity Tasmania who have pig headedly ignored such representations and suggestions from those growers and stakeholders.

*3h. This Inquiry will, we trust, uncover these minimally disruptive options and take them into consideration when making their determinations and consequent report.* 

*3i. Currently the number 1 risk to the blueberry industry in Tasmania is the existence, incompetence and power of Biosecurity Tasmania.*<sup>65</sup>

4.72 Mr Skillern discussed the potential impact of the blueberry rust outbreaks on the organic blueberry growers during hearings:

<sup>65</sup> Ms Rosemary Jones (2017) Op. cit., pp. 2-3

It is inconceivable that the livelihoods of organic growers, who are getting \$80 a tray for their premium organic product, which is about a kilo and a half of blueberries, are being put at risk because the government of the day or the department have chosen not to eradicate this but to manage it.

The longer this management goes on, inevitably this rust will spread and the organic blueberry industry will cease to exist in a period of time. I can't say what that period is, whether it be two years, five years or 10 but it will cease to exist because they have no option in treating this disease other than to use sprays, et cetera, which would then immediately ensure they are no longer organic, and that is where they get their premium.<sup>66</sup>

4.73 The Biosecurity Tasmania submission provided a summary of the impacts of past, current and future outbreaks of blueberry rust:

The primary impact from the 2014 outbreak on the local industry was the loss of area freedom status for Tasmania and consequential loss of access to national markets. For the previous decade or more, Tasmania had enjoyed area freedom status for blueberry rust which meant the State was certified by Tasmania's Chief Plant Health Manager to be free of the disease. These certifications are ratified by a national Plant Health Committee under the Commonwealth Department of Agriculture and Water Resources. Under area freedom status, the export of blueberries from Tasmania to mainland States was unrestricted.

Following the loss of area freedom, the export of blueberries from Tasmania required agreements for individual properties to supply into the regulated markets of Victoria, South Australia and Western Australia.

...

The overriding impact of the 2016 outbreak on the local industry again relates to market access for growers. As was the case for the 2014 outbreak, agreements had to be negotiated with the rust-free states for the 2016-17 season to enable local, mainly organic, growers to access those markets. In 2016-17, the process was similar to the previous years for the rust-free properties. Twenty-three exporters, including rust-free properties belonging to 1IP as well as three certified organic growers and others with organic principles, were able to gain access to the regulated mainland

<sup>&</sup>lt;sup>66</sup> Mr P Skillern (2017) Hansard Transcript 13 November, p. 12

markets in this way. The infected property of 1IP required a separate trade agreement that required the property to apply pre-harvest chemical treatments.

For the upcoming 2017-18 season, arrangements have been successfully negotiated with Victoria and South Australia under a more rigorous process based on the International Standards for Phytosanitary Measures (ISPM10) called 'Pest Free Places of Production' (PFPP). Similar arrangements are still under negotiation with Western Australia and are expected to also be successful. Under these arrangements, there will be additional requirements on growers to undertake on-farm biosecurity measures including access controls, clean-down requirements, and record keeping in relation to those entering properties.

•••

The major issue with establishment of blueberry rust will be ongoing access to regulated markets. Unregulated markets such as Queensland and New South Wales will accept fruit even if it is affected by blueberry rust. Successful blueberry industries in these states are able to access the Tasmanian and other regulated markets despite the presence of blueberry rust.

Organic blueberry growers will be most significantly impacted by blueberry rust establishing in Tasmania. Victoria and South Australia are the primary markets for organic Tasmanian exported fruit; Western Australia is a lesser market. If special long-term market accesses agreements cannot be put in place, growers producing blueberries organically for export into these States would lose their interstate market access.<sup>67</sup>

4.74 Mr Anthony Poiner, Secretary of the Australian Blueberry Growers Association made the following points regarding blueberry rust:

Blueberry rust is an extremely common disease in blueberry orchards in Australia and also around the world. Blueberries are not the only host. One reason that blueberry rust remains common is that a range of very common other plants also host the disease, including a range of species common in Tasmania.

For growers it is very important to manage and limit the negative effects of blueberry rust as once that disease takes stronghold it can significantly detract from plant health and then reduce yields. Fortunately, it's a disease that can be managed. The effects can be contained, notwithstanding its presence, as I mentioned earlier, all

<sup>67</sup> DPIPWE (2017) Op cit., pp33-34

around the world. Indeed, blueberry growers and industries in regions all around the world where blueberry rust exists still thrive.

As a specific point I note that in Oregon, on the west coast of the United States, where blueberry rusts exists and where hemlock, one of the main host plants, is very prevalent, the leading blueberry nursery operation in the world, both in quality and quantity, is able to thrive and ensure that they maintain no detectable signs of blueberry rust in their operations. You can operate within in an environment where blueberry rust exists within a region.

We know of no regions in the world where blueberry rust has been reported to be detected and subsequently permanently eradicated. Blueberry rust has not led to the demise of the blueberry industry anywhere that we know of.<sup>68</sup>

4.75 Mr Poiner made the following statement with regard to containment and management strategies:

...Containment and management strategies have a long and wide history of success in major blueberry growing regions in Australia and across the globe whereas an alternative strategy, eradication, has not had success. This strategy is also most likely to allow the Tasmanian industry to grow dynamically because it brings the greatest investment certainty for both growers and also blueberry breeding programs.

...

The fact that rust exists in Tasmania is very unlikely to have any negative impact on international export customers. There is quite a difference for example from what Queensland fruit flies might have. That would have a very deleterious effect, whereas we don't believe rust would. If containment is no longer a viable strategy, then a management strategy would still fulfil most of the above positive points that I have made. At the first level, our view is that a containment strategy is wise.

The second encouragement is to adopt practices to limit the negative impacts of rust on plants and fruit by helping growers with skills to self-monitor and also provide a level of monitoring from a more regulatory-type organisation, such as Biosecurity Tasmania, to monitor orchards for any evidence of expression. Monitoring it then allows you to act and then to limit its impact. If incidences are found, then contain them by spraying. If you are not an organic grower that is a readily available

<sup>&</sup>lt;sup>68</sup> Australian Blueberry Growers Association (2018) Hansard Transcript 22 January 2018, pp19-20
technique and works well. If you are an organic grower there is a range of other techniques such as removing leaves or creating a protection level such as growing in a tunnel and there are a range of other things you could do.

Thirdly, is to adopt sound biosecurity practices. I think there can be an improvement in biosecurity practices across Tasmania in order to limit the transfer between farms. It is not only an airborne disease but it is transmitted easily on clothing and any other material that comes in and out of farms. Improving sound biosecurity practices can limit any additional incursions and keeping them as isolated as possible can help. To that extent the ABGA recently drafted a code of conduct for our industry, which includes guidelines to good biosecurity practices. We are supportive of the approach taken through negotiation with Victoria and South Australia to create property freedom allowances, which mean that growers who are considered free of rust can still export to Victoria and South Australia.<sup>69</sup>

4.76 However Mr Tony Waites of Woodlea Nursery reflected on the uncertainty among growers and potential growers:

I believe there is huge uncertainty. I am dealing with growers and potential growers, people who want to set up blueberry farms, all the time. I get a lot of people ringing up interested in setting up a farm. They want to buy 5000 plants or whatever and there will be concern or uncertainty there. If you set about eradicating the disease, surely you are moving in the direction of making a more stable situation for anyone to set up a business. Definitely that aspect of my business is much more uncertain with that hanging over us<sup>70</sup>

<sup>69</sup> Ibid., pp. 20-21

<sup>&</sup>lt;sup>70</sup> Woodlea Nursery (2018) op.cit., p. 34

# Findings:

- 60. Biosecurity Tasmania believes that a Tasmanian blueberry industry can continue to operate and grow, regardless of whether blueberry rust is eradicated, contained or established in Tasmania.
- 61. There remain concerns that issues created by Biosecurity Tasmania have changed the bright outlook of the blueberry industry to one of doubt and lack of confidence.
- 62. This has resulted in some growers (in particular organic growers) deferring expansion plans until the outcome of the current Inquiry.
- 63. The adoption of a containment strategy over an eradication strategy put the organic blueberry industry at risk.

TERM OF REFERENCE 4: The capacity of Biosecurity Tasmania to manage blueberry rust outbreaks and other risks into the future

4.77 The capacity of Biosecurity Tasmania to manage incursions such as the current blueberry rust outbreak was explored during hearings. Blueberry grower Ms Jones stated:

I identified as a risk the possible failure of Biosecurity Tasmania and the Tasmanian Government to not successfully maintain the status of Tasmania's clean, green image, cleanliness and purity of fruit - the reputation we have...

In my view, there has been serious incompetence within Biosecurity Tasmania, albeit not aimed at anyone personally. I don't believe they're resourced to undertake what they're charged with. I don't believe they have the expertise. I don't believe they adopt the correct project management processes to manage issues that come up. Issues that have arisen during this recent incursion just demonstrate to me that they don't have the ability to be trusted to undertake and manage what they're charged to do for us clean, green growers in Tasmania.<sup>71</sup>

4.78 The leading representative body for Tasmanian primary producers, the TFGA, also expressed their concern:

The TFGA has become increasingly concerned since the middle of 2016 about the perception of the biosecurity system in Tasmania and a view that Biosecurity Tasmania are failing to meet their objectives as demonstrated by the Blueberry Rust incursion. We have consistently reiterated our position that biosecurity is the number one challenge and risk for the agricultural sector in Tasmania. Our view was and remains that any incursion should be in the first instance prevented, if prevention fails then eradication should be the next step and finally if this also fails then management should be an act of last resort and is sadly an admission that the biosecurity system has failed in its primary purpose.<sup>72</sup>

4.79 The TFGA's submission also made reference to an article authored by Minister Rockliff and published on 18 August 2017:

In this article he outlined the importance of a strong and durable biosecurity system in Tasmania, one that has "capability to identify and respond if an incursion occurs." This article is cause for serious concern as the Minister has espoused a significant

<sup>&</sup>lt;sup>71</sup> Ms R Jones (2017) Hansard Transcript op. cit., p. 1

<sup>72</sup> TFGA (2017) Op cit., p. 1

shift in the biosecurity culture. The Minister claims that eradication is not an acceptable option as there is the possibility that there could be future outbreaks of the disease. This position is in direct contravention of what would be considered a reasonable approach in dealing with any biosecurity incursion. If this position was taken to its logical conclusion, in effect, the Minister is suggesting that an outbreak of foot and mouth disease would be managed as opposed to being eradicated. The reasoning would be that foot and mouth disease could reoccur. The risk of reoccurrence or otherwise is not and should not be a fundamental tenet of a sound biosecurity system and response to an incursion.

- The Minister states in this article that he "really feels for the growers who have been directly impacted since 2014" and his "focus is on supporting them." However, this is inconsistent with the reality that growers and their properties that were affected by the 2014 incursion experienced.
- The Minister states that "the department's regulated containment strategy is based on science and managing industry impact." There is contradictory evidence to suggest that the disease can be eradicated. Significant proof of eradication methods being successful can be found when examining the Victorian Blueberry Rust outbreak recently. The biosecurity strategy was to eradicate Blueberry Rust, which was successful and Victoria is once again declared as a Blueberry Rust free state.
- The Minister states that "the impact of attempting eradication can have major disruptive impacts on industry with information and advice indicating that the opportunity for success is extremely limited." If this is the case, then why was the contra approach taken in the 2014 incursion.
- The Minister states that the approach of eradication in 2014 "unfortunately had a significant impact on the two growers involved as their plants were removed." Aside from an ex-gratia payment of \$30,000 the growers received, no compensation for the loss of annual revenue, loss of plants (estimated at \$150,000 per ha to re-establish as stated by the Macquarie Franklin report) and irrevocable damages to equipment and structures on their property has been forthcoming.

The incursion in 2014 showed a clear failure by Biosecurity Tasmania to have a full and comprehensive understanding of the blueberry industry in Tasmania. This has been further compounded by the Macquarie Franklin report commissioned by Biosecurity Tasmania last year which demonstrates a similar failure to understand the extent and complexity of the sector. It is still clear today, some three years from the original incursion, that the Department and Biosecurity Tasmania struggle to have a full and comprehensive understanding of the industry.<sup>73</sup>

4.80 Brocklands additional submission, received in August 2018, made the following observations regarding the Biosecurity Tasmania response to the blueberry rust outbreaks:

[There was] Total disregard by DPIPWE and Biosecurity Tasmania of any national or international evidence regarding blueberry rust on:

- Spore dispersal
- Spore longevity
- Other plants affected
- Humidity relevance on spore production
- Leaf management

Complete oversight of expertise outside of Tasmanian Institute of Agriculture and the Costa Group to provide an alternative view.

Total disregard by DPIPWE and Biosecurity Tasmania for any evaluation procedure on eradication for the 2016 incursion which was very small in context at the time. In the early stages would have been of minor economic loss to the Costa Group.<sup>74</sup>

# 4.81 The additional submission also stated:

In order for pests and diseases to be declared a process is undertaken by DPIPWE as provided by ISPM 11: Pest risk analysis for quarantine pest (IPPC, 2013) Appendix B to establish

- Economic impact analysis
- Environmental impact analysis
- Social impact analysis

<sup>&</sup>lt;sup>73</sup> Ibid., p.2

<sup>&</sup>lt;sup>74</sup> Brocklands Pty Ltd (2018) Op cit., p.2

Unlike the model in the United States of America – transparent viewing on a web platform of documentation undertaken whilst analysing pests considered for declaration and edits to documentation is not present on the DPIPWE website. In recent years certain Erica sp. were added to List A, as a representative of the Nursery Garden Industry Tasmania, a request was made and then documentation was made available. This only occurs if the question is asked and not always an answer achieved as in the case of blueberry rust. The Macquarie Franklin report was only made available after a blueberry grower applied through the Freedom of Information (FOI) process [Right to Information Act].<sup>75</sup>

4.82 Further comment regarding eradication vs containment was made at hearings by Mr Skillern (TFGA):

It is a matter of perspective as to whether the capacity to eliminate it is smaller or otherwise but I come back to the fundamental point about protecting the Tasmanian brand and establishing an A-grade biosecurity system. Surely we would try. I know there are arguments that it can be and arguments that it cannot be eradicated but in some respects that is somewhat irrelevant. We should try to eradicate it and if we don't try and just put our hands up, which appears to have been what we've done now and say, 'It's all too hard, we're just going to manage it now', then you have to call into question how serious we are about having a strong biosecurity system, how serious we are about having the Tasmanian brand and how serious we are about maintaining and protecting what up to now has been an unenviable (sic) reputation for a strong biosecurity system. If at the end of the day we attempt to eradicate it and it fails, what is the worst that can be said? That we tried to eradicate it and we found it was not successful but if we say we're not even going to try to eradicate it and throw our hands up, that is not a position we would support.<sup>76</sup>

- 4.83 With regard to the "Macquarie Franklin Report" (included as Appendix 4 to the Biosecurity Tasmania submission to the Inquiry) the TFGA stated:
  - The report states that around three quarters of Tasmania's blueberry production comes from Costa. However, we now know that they represent approximately 35-40% of the industry, not 75%.
  - The report states that all remaining production comes from 42 smaller growers. However, we know that there are more than 80 growers in the State.

<sup>&</sup>lt;sup>75</sup> Ibid., p. 3

<sup>&</sup>lt;sup>76</sup> Mr P Skillern (2017) Hansard Transcript 13 November pp. 19-20

- The report states that 11 of those producers are organic. However, we know that there are more than 20 organic producers across the state. Many who have very profitable businesses supported by high dollar value production, the key to this is their organic status and product that sells at a premium.
- When reading the Benefit Cost Analysis of eradication versus no eradication it is clear that eradication is enforced by removal and disposal of blueberry plants. However, there is evidence to suggest that Blueberry Rust can be eradicated by changes in management practices and not complete removal of plants.
- The cost of removing plants is said to be between \$150-\$200 per plant. This would not have been the case in 2014 when plants were removed by a small excavator at a substantially less cost per plant.<sup>77</sup>
- 4.84 The TFGA submission in conclusion stated:

The TFGA believes there has been a failure of transparency, consistency and rigour throughout the incursions dating back to 2014. Any biosecurity system should rely on these three tenets to ensure its strength and reputation. The fact that the incursions have demonstrated a failure on all three points gives us cause for concern about what this means for the broader biosecurity capabilities of this State. As stated in the Tasmanian Agri-Food ScoreCard 2015-16, agriculture currently represents \$1.48 billion and approximately 7% of gross state product, the sector is one of the economic pillars on which the Tasmanian economy rests. Any threat to the sector is not only a threat to agriculture but the broader Tasmanian community. Biosecurity is paramount, not only in terms of its threat matrix but in terms of how we respond. The failure of processes and procedures in this case causes all within the agricultural sector to have a significant degree of anxiety about our current biosecurity system...

We believe that this incursion should be and can be eradicated from the State, failure to do so will have a detrimental effect upon our biosecurity reputation. It is imperative that Tasmania has the best possible biosecurity system and reputation based on the best possible biosecurity regime and any Government of the day needs to commit to resourcing Biosecurity Tasmania on a needs basis to ensure the above is achieved.<sup>78</sup>

<sup>77</sup> TFGA (2017) Op cit.,pp. 3-4

<sup>&</sup>lt;sup>78</sup> Ibid., pp. 4-5

## 4.85 Biosecurity Tasmania's submission stated:

In preparing for, and responding to, outbreaks such as blueberry rust, Biosecurity Tasmania adopts the guidance and direction provided by the Biosecurity Incident Management System (BIMS) developed by the Australian Government's Department of Agriculture and Water Resources. Adoption of BIMS is expected to lead to efficiencies in preparedness activities, such as planning, training, exercising, as well as enhancing the existing pool of human resources available from other agencies that may be able to assist in emergency responses.

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Biosecurity Tasmania has a range of trained and experienced staff capable of being redeployed to biosecurity incident response duties. Biosecurity Operations Branch has over 60 biosecurity inspectors for on-ground incident response duties. There are also approximately 10 highly skilled staff in each of the animal biosecurity and plant biosecurity branches. These staff are trained in specialist disciplines such as veterinary science and plant health diagnostics.<sup>79</sup>

4.86 The confidence of the blueberry growers in the capacity of Biosecurity Tasmania to manage biosecurity risks was discussed during hearings with the Department's Secretary, Mr John Whittington:

*Mr* FINCH - My question goes to confidence in the department and the advisors. We are here today because the evidence that has come through the discussion that is out there in the community and coming through to our committee has been concern about the way the processes were handled and the future of not only the blueberry industry but also other aspects for Biosecurity Tasmania and the department. I know communication has been an issue and that is being or has been addressed but I am also wondering what other steps might be considered by yourselves to rebuild that confidence so that Tasmanians, the community in its entirety, can be confident that it is in good hands.

Dr WHITTINGTON - Again, in the lessons learned we have talked about communication, so I will give that as a given. We operate within an international and national system, so we have processes that are well tested, well proven and well used internationally, nationally and in Tasmania. What we need to be doing and what I would like us to do better, is to share those and for people to understand a lot

<sup>&</sup>lt;sup>79</sup> DPIPWE (2017) Op cit., p. 36

better about the biosecurity systems that operate currently so that when there is an incursion there is an understanding of the pathway we are all on together. That would go a long way to understanding and confidence. Having a really solid, single piece of legislation that encompasses the field and biosecurity is really important. As you are aware, there is a draft biosecurity bill in the final stages of preparation. That will provide a really solid foundation for managing the biosecurity system. That provides a really good opportunity to reset the whole communication and education around what biosecurity means.

Third, we have a Tasmanian biosecurity strategy. It has been reviewed once previously. We have had it about 10 years. The minister has committed to us reviewing that strategy and it is a good opportunity to do that. The last time we did it was with PIBAA - the Primary Industry Biosecurity Action Alliance. That was a very successful process, working with industry to jointly develop a strategy. It is the time to do that again.

Right now, nationally, there is what is sometimes called the Craik Review. There was a review into the Australian Biosecurity system that was released by the Australian Government and/or jurisdiction ministers in the middle of the year. That review looks at Australia's biosecurity system and includes us in that view.

The governments are developing their response to that at the moment. That provides a fantastic overarching umbrella in which to review our biosecurity system. One of the outcomes of the Craik Review is it has addressed Tasmania's concerns around biosecurity and will allow us to join the IGA, the Intergovernmental Agreement, on biosecurity. That will be an important step for Tasmania as well.

*Mr KLUMPP - My short answer is we need to work with our industry partners and community better than we have in the past.*<sup>80</sup>

4.87 The circumstances leading to the confirmation of rust at IP1 [Sulphur Creek] were explored with Costa Group during hearings:

*Mr* FINCH - What is the extent of the blueberry rust issue identified on your property? Is it right through the property, or just certain areas or certain styles of blueberry?

*Mr* BARDON - Yes. BT can probably elaborate further. It was not high level. If we are talking of sample size, it was very low. I am not sure of the numbers now. I did have the information a while back, but it is very low. At the moment, if I was on the

<sup>&</sup>lt;sup>80</sup> DPIPWE (2017) Hansard Transcript Op cit., pp 51-52

farm, I doubt I would find any rust at all. Again, when our horticulturalist found rust, BT had a negative. I question the whole sampling process in regard to identification of rust, which makes me think if it was not identified and I have picked it up, could that have been identified elsewhere, on other farms or on host species?

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CHAIR - Did Michael say at the beginning that during the 2016 outbreak at Costa, the tests came back from Biosecurity and they were negative?

Mr TOBY - They were.

CHAIR - So you had proven you had rust and had identified this to Biosecurity. Biosecurity then took samples and did they come back to you, Costa, and say it is a negative result?

Mr BARDON - What happened was in one block we sampled when we weren't too sure whether we actually had rust. We have a trained horticulturalist that no-one else really has and they have come in and seen what looked to be rust. They got that sent away and it came back positive. We are talking about a leaf with a spot on it.

Biosecurity did come back and did some sampling and found some blocks had a couple of samples in a block with a positive and again, in one of our samples that was positive, their sample came back with a negative.

To me, it showed that the sampling process does not necessarily pick up rust. I question whether rust would be picked up on other farms. It definitely could, based on that, or other host plants like rhododendrons.

...

*Mr* BARDON - ... based on the fact that I or the team found some rust and we had a negative [from BT sampling], it made me start to think whether the protocol was correct with the sampling method. I guess I am just questioning that personally.<sup>81</sup>

- 4.88 Further advice was sought from the Costa Group in August 2018 to confirm the timing of testing by Biosecurity Tasmania and the Costa Group horticulturist at the IP1 [Sulphur Creek] property.
- 4.89 Costa Group provided the following responses to the Committee's questions:

<sup>&</sup>lt;sup>81</sup> Costa Group (2017) Hansard Transcript op. cit., pp.28-29

• provide the dates that Biosecurity Tasmania was present and took samples on the Sulphur Creek property (prior to confirmation of blueberry rust on 10 August 2016);

Answer: 15th and 16th July.

• provide the dates (from May 2016 to August 2016) that samples were taken by the Costa Group horticulturist;

Answer: 26th July.

- advise whether, when the horticulturist found blueberry rust (when Biosecurity Tasmania had negative results), this was discussed with Biosecurity Tasmania; Answer: The rust was positively identified on 9th August and this was communicated to Biosecurity Tasmania on the same day. Unable to verify whether there was any discussion before this as to the sample taken on 26th July.
- provide the date that samples were sent to the Costa Group laboratory in NSW. Answer: 26th July.
- 4.90 Further advice was sought from Biosecurity Tasmania in September 2018 to confirm the timing of testing at the IP1 [Sulphur Creek] property.
- 4.91 Biosecurity Tasmania provided the following responses to the Committee's request for further clarification:
  - Provide the dates that Biosecurity Tasmania was present and took samples on the Sulphur Creek property in 2016 (prior to confirmation of blueberry rust on 10 August 2016)

Answer: Prior to the survey work undertaken on Wednesday 10 August 2016 at Costas Sulphur Creek property; survey work was undertaken on 18 and 19 November 2015. The 2015 survey was part of the suite of surveys conducted to restore Tasmania's area freedom status from the previous incursion. • Provide the results of the samples taken from the Sulphur Creek property in 2016 Answer: Table 1 below shows the results of survey commencing 15 August 2016, with samples submitted for analysis 16 & 17 August 2016.

Sample	Block	BBR Result	Sample	Block	BBR Result
15901-CG-M001	3	negative	33	6	negative
2	3	positive	34	6	negative
3	3	positive	35	7	negative
4	3	negative	36	7	negative
5	1	positive	37	7	negative
6	1	positive	38	7	negative
7	1	positive	39	7	negative
8	1	positive	40	7	negative
9	1	positive	41	8	negative
10	1	negative	42	8	negative
11	2	negative	43	8	negative
12	2	positive	44	8	negative
13	2	negative	45	8	negative
14	2	negative	46	8	negative
15	2	positive	47	9	negative
16	2	negative	48	9	negative
17	4	positive	49	9	negative
18	4	negative	50	9	negative
19	4	positive	51	9	negative
20	4	positive	52	9	negative
21	4	negative	53	10	negative
22	4	negative	54	10	negative
23	5	negative	55	10	negative
24	5	negative	56	10	negative
25	5	negative	57	10	negative
26	5	negative	58	10	negative
27	5	negative	59	11	negative
28	5	negative	60	11	negative
29	6	negative	61	11	negative
30	6	negative	62	11	negative
31	6	negative	63	11	negative
32	6	negative	64	11	negative

Table 1: Blueberry Rust Results - Costas Sulphur Creek

• Advise whether the suspected blueberry rust, found by the Costa Group horticulturalist 26 July 2016, was discussed with Biosecurity Tasmania between 26 July and 9 August 2016

Answer: No.

• Provide the Department's understanding of the date suspected samples were forwarded by Costa Group to their NSW laboratory when stating in the submission:

"Initial reporting of blueberry rust to Biosecurity Tasmania by Costa Group occurred, on the 9th August 2016, 4 - 6 weeks after suspected plant samples were sent by Costa Group in Tasmania to a 'sister' property in NSW"

Answer: It is understood that the outbreak was detected in July when samples were sent to Costas in NSW, then forwarded to the NSW Department of Primary Industries on 1 August 2016. As noted in DPIPWE's submission, Biosecurity Tasmania were advised on 9 August 2016.<sup>82</sup>

<sup>&</sup>lt;sup>82</sup> Response from DPIPWE to request for additional information dated 5 September 2018

# Findings:

- 64. Biosecurity Tasmania has access to resources across the general government sector.
- 65. Biosecurity did not apply available resources and seek a broad range of expertise to best manage the blueberry rust outbreaks.
- 66. The incursion in 2014 showed a clear failure by Biosecurity Tasmania to have a full and comprehensive understanding of the blueberry industry in Tasmania.
- 67. Biosecurity Tasmania still struggles to have a full and comprehensive understanding of the blueberry industry today.
- 68. Biosecurity is the number one challenge and risk for the agricultural sector in Tasmania.
- 69. Costa Group advised that Biosecurity Tasmania had undertaken sampling with negative results at IP1 [Sulphur Creek] on 15 and 16 July 2016.
- 70. Biosecurity Tasmania advised that prior to survey work taken on 10 August 2016 they had undertaken sampling at IP1 [Sulphur Creek] on 18 and 19 November 2015.
- 71. There is an inconsistency in the evidence provided regarding the sampling dates (refer findings 71 and 72) undertaken at the Costa Group property prior to the confirmation of blueberry rust on the IP1 [Sulphur Creek] property.
- 72. The Costa Group horticulturist took a sample from IP1 [Sulphur Creek]26 July 2016. Suspecting rust, the sample was forwarded to the Costa Group laboratory in NSW for confirmation.
- 73. The rust was positively identified by the Costa Group laboratory 9 August 2018 and this was communicated to Biosecurity Tasmania the same day.
- 74. Biosecurity Security negative sampling results at IP1 [Sulphur Creek] raises doubt that the declaration of area freedom 8 June 2016 was appropriate.
- 75. Some Biosecurity Tasmania field staff did not have the necessary expertise to identify blueberry rust.

- 76. Biosecurity Tasmania recognises that its communication with blueberry growers needs improvement for growers to have confidence in its capacity to manage biosecurity risks.
- 77. The draft Biosecurity Bill is intended to provide a solid foundation for managing the biosecurity system and provide an opportunity to develop communication and education around biosecurity.

## **TERM OF REFERENCE 5: Any other matters incidental thereto**

- 4.92 Biosecurity Tasmania stated in its submission that "An Incident Management Team (IMT) was formed that met regularly (approximately 3 times/week) and an update to growers was distributed after those meetings via the Fruit Growers Tasmania representative who was part in (sic) the group"<sup>83</sup>
- 4.93 In an additional submission received from Ms MacFarlane she stated:

As an FGT member at the time, we were never informed of these meetings and no information was ever passed on to members.<sup>84</sup>

4.94 Shortcomings with regard to communication were acknowledged by Dr Whittington at hearings:

One of the things we have learned is that our communications were less than ideal, following the 2016 incursion. As I mentioned at Estimates, that was an area we did need to improve and we have taken positive steps in that area. Since that time, we have had direct email contact with growers. We have a much better understanding of the blueberry growers in the state. We have a much better understanding of where they are and who they are. Our databases are better. Lloyd has sent something like 12 direct emails to all growers, keeping them updated of where we are at with respect to market access, farm hygiene requirements and most recently about IP4 and its detection. We have a much better website than we had previously, which is updated regularly and we have more workshops planned with growers to talk about market access arrangements for the summer.<sup>85</sup>

4.95 The continuing consequence of poor communication and Biosecurity Tasmania's response was explored at the hearing of July 2018:

Mr FINCH - Lloyd, from this inquiry and representations made to us, we get a sense in some quarters our biosecurity system, the minister and the department have lost the confidence of some elements of the blueberry industry and concerns being echoed across other industries. In the agricultural sector, we have heard strongly from the TFGA. Whose role is it to regain the confidence of the smaller growers and those involved in organics who are trying to protect their niche as far as Brand Tasmania

<sup>&</sup>lt;sup>83</sup> Biosecurity Tasmania Submission, op.cit., p. 18

<sup>&</sup>lt;sup>84</sup> Ms T MacFarlane Op cit., p.10

<sup>&</sup>lt;sup>85</sup> Dr J Whittington (2017) Hansard Transcript 13 November, pp. 39-40

*is concerned? Whose role is it to rebuild confidence from the standpoint we have now?* 

*Mr KLUMPP* - It is clearly ours. The best way is for us to do our job properly and is what we are trying to do. We are about to employ an industry collaboration manager. One of their roles will be about the communication of how we do our job. One of the issues is we do a lot of really good work, the only time you hear about Biosecurity is when the flag goes up. One of things we need to do is turn that around and demonstrate all the good work we do that nobody knows about and help us rebuild confidence. The process is underway to employ the collaborations manager, who will be given the job of working with industry. There is another position -

Mr FINCH - They are not weasel words, Lloyd?

*Mr KLUMPP - No. I was about to mention another element, actually demonstrating the good things we do. We do a lot of them.* 

Ms RATTRAY - Has that been advertised yet?

*Ms WILSON - No, not as yet, it is part of the package announced in the recent budget but well progressed in terms of development of the statement duties.* 

*Mr KLUMPP* - There is another position, which is not about words but actually working with industry to develop plans. We have a biosecurity risk manager; I forget the name of the title, a new position prompted by the fruit fly response. The role is for an individual to work with industry bodies to develop forward planning for responses.

I had a conversation with wine growers starting their own process for their industry. That will be Biosecurity Tasmania's resource to work with industries to help do the forward planning in a collaborative way and work with the industry to be a in a better state of preparedness for these things.<sup>86</sup>

4.96 The additional submission from Brocklands states that there was:

Lack of transparency in dealing with the List A pest incursion of blueberry rust by DPIPWE and Biosecurity Tasmania in the decision-making process by;

- (a) No initial economic analysis undertaken
- (b) Biosecurity Tasmania website listing incorrect and misleading information

<sup>&</sup>lt;sup>86</sup> DPIPWE (2018) Hansard Transcript op. cit. p. 19

(c) Macquarie Franklin report, obtained by Freedom of Information [Right to Information] process, with no references<sup>87</sup>

4.97 This breakdown in communication was also evident when the response to the 2014 outbreak was discussed during hearings:

Mr H SCHWIND - ...they came along and asked ... Biosecurity, if they can have a look for blueberry rust. They are allowed to come in... They could not find a thing with about 7 or 8 people and they are laying on the ground looking underneath little bushes looking for blueberry rust.

They did not find anything so they rang the boss in Launceston and he came up because he could not understand they do not find anything. These imported plants we bought were supposed to be infected so they had to confirm vitality of the sort. They go back to Launceston. They laid underneath and they were looking for these things. He came up there and he threw his weight around. What he can do, he could eradicate and he can bulldoze the place and just about push everything over and he really went to town on me.

Ms RATTRAY - Would you say it was an aggressive approach?

Mr H SCHWIND - Aggressive. Nasty. So, I said can we - if you push it anymore I will eradicate it for you. I said, I get the tractor out push the whole lot and you and you will be out the door. Anyway, he got even more stroppy and everybody lying on the ground there looking for the rust, they all stood up and watched the argument up there. The argument was over a little bit and I said, can we spray it or do something? I said, there should be stuff called mangaset you can spray it with that and it should kill it pretty well.

...

CHAIR - ...I notice in your submission you have referred to the propiconazole spray, including the sticking agent. They were supposed to come back and inspect the block on a following date, which they never did. Are you saying that Biosecurity gave undertakings they would be coming back to carry out further inspections and that never happened?

*Mr* R SCHWIND - Yes, that is correct. I am not sure if I have that document with me today but I am pretty sure you can access it from the TFGA or I can supply it by email.

<sup>&</sup>lt;sup>87</sup> Brocklands Pty Ltd (2018) Op cit., p.2

CHAIR - Have they been back to your property since then? I take it they have.

*Mr* R SCHWIND - Yes they have, over the last couple of seasons.

CHAIR - They have come back since then and carried out more inspections?

Mr R SCHWIND - Yes and it has always come back neutral, or negative.

CHAIR - It has come back neutral?

Mr R SCHWIND - Yes.

CHAIR - Were you given any explanation as to why they did not come back when they said they would?

*Mr* R SCHWIND - No. What happened, they rang Hobart Biosecurity to get the idea of which spray to buy, which I am supposed to spray onto the plants. What they came up with was Propiconazole. They said, 'I want you to go and buy the spray today', so I headed straight off to Serv-Ag to get the chemicals. I got a double strength chemical so I would only use half as much. I said, 'I will spray tomorrow morning', so one of the officers came and supervised it. That was all fine. A day later I sprayed again and I sprayed the whole lot with the propiconazole. That is when I added my own sticker agent, which is like a vegetable oil, to stick it to the leaves so the rain does not wash it off. They were happy with that. They put the quarantine tape over the door and off they went. They jumped into their utes, gone. A week went past and I thought that they would probably be back within the next three to seven days, it is usually a 10-14 day spray before you repeat the spray. Fourteen days go past, nothing. I heard nothing from Biosecurity, not by email, not by phone, nothing.

CHAIR - So it is fair to say there is a breakdown between yourselves, the grower and Biosecurity and the way they do their business?

Mr R SCHWIND - That is right. They were supposed to get in touch with me because they were giving me the directive, what to do. On one hand they are putting the tape across the entry on all three infected blocks and they said, 'That is quarantine tape, do not remove it. If we find you have been interfering in there and doing something, you will be prosecuted'. That is what Colin Spry threatened me with. I said, 'Hang on a minute, mate. One minute you are telling me that and the next minute you are giving me a directive to follow the spray label directions. If it is as badly infected as you say it is, I should be spraying it at seven days' but nobody came back to check it. Nothing happened. Three-and-a-half weeks went past and I got a call around Christmas Eve from Tania Jensen [Domestic Trade and Liaison Officer, Biosecurity Tasmania], who said, 'Colin wants to come up in a couple of days and is bringing somebody with him to talk to you about your blueberry situation'. I thought, 'Oh well, maybe it is somebody coming up who has a better plant knowledge, a plant pathologist, or the like'. They rocked up and out comes Phil Pyke from the FGT (Fruit Growers Tasmania) and he introduced himself and they handed me an A4 folder and said, 'Bad news for you, I am afraid. Have a look and read that'. I pulled it open and I got four pictures of a black spot on leaves, enlarged and in colour. I have never seen that leaf with that spot in any of my blocks, ever. Not before Biosecurity, not during and not since.

The other thing they gave me was the eradication notice. They said to read it out aloud, so I read it out so my father could hear it and they were all there too. It said, we are going to eradicate blocks one, two and three but we are going to leave block four and you continue with your preventative spray program. That was fine. He [his father] got upset and I had to bundle him into the car, we had a bit of an explosion and heated argument. I took him to Sheffield Medical Centre where they put him on a heart monitor for a while to settle him down.<sup>88</sup>

4.98 Tasmania's capacity to attract lucrative markets due to its clean, green image was discussed during hearings by Ms Jones:

I researched crops suited to the property's environment, soil types, rainfall, ... which would be fairly easy to grow organically under the 'certified organic' banner, because I a m committed to clean, green, Brand Tasmania-type activities.

I decided on blueberries as they didn't require a lot of pesticides and so on, although it is a lot more work to be certified organic and a little more expensive. I set myself a project plan and embarked on establishing my blueberry farm and became fully certified organic in 2003...I'm dedicated to growing and supplying the highestquality fruit to the market. I am absolutely committed to high quality control on the farm. I'm not in the business of growing hundreds of tonnes of blueberries which as soon as they turn blue are ripped off and sent away. I ensure they are to size and to the correct sugar content and I pride myself on the number of wholesale organic outlets in Victoria and New South Wales that request my fruit.

My fruit is of such quality and I am so dedicated to keeping it that way, that my fruit for this coming season is all pre-sold. That is the result of my efforts over the years

<sup>88</sup> Mr R and Mr H Schwind (2017) Hansard Transcript 2 November, pp.2-4

to develop my clean, green practices and manage the farm in a very sustainable and healthy way.<sup>89</sup>

4.99 During hearings Mr Skillern discussed the importance of recognising that responsibility for biosecurity is shared between Government and the broader community:

Biosecurity is not just the responsibility of Biosecurity Tasmania. It is the responsibility of the Tasmanian community and we are in it as a partnership, we are all stakeholders in it...

We do have a challenge in front of us in communicating to the broader community that in Tasmania everybody has a role in biosecurity. The person coming off a plane who has accidentally put some fruit in their pocket or whatever it might be has a responsibility. We in the agriculture sector have a responsibility and clearly the government and the department of the day also have a responsibility. We cannot all be at the border but the reality is that is Biosecurity Tasmania and the department need to be at the border and they need to be proactive and rigorous in their application. If they are going to continue to obfuscate in the way it has happened through this process, then you lose credibility and do not gain that relationship and partnership we should all have in dealing with biosecurity.<sup>90</sup>

4.100 The relationship between TFGA and Biosecurity Tasmania was explored by Mr Skillern during hearings:

CHAIR - How much involvement is there between the department and the TFGA, which is the principal and one of the strongest organisations in this state when it comes to agriculture? How much consultation and discussion occurs between you and the department in relation to issues like this?

Mr SKILLERN - In this particular issue, I can say there has been significant engagement and it has not been pleasant on many occasions, Chair, I can assure you, because we have taken a very strong stance on this. We have been constantly stonewalled over trying to obtain some of these valuable documents such as the Macquarie Franklin report, the laboratory report and some others. This has not engendered our relationship at all when what we had been asking for was a simple courtesy. If you are going to engage with us as a stakeholder, it needs to be a full, frank and transparent engagement and unfortunately it hasn't gone that way.

<sup>89</sup> Ms R Jones (2017) Hansard Transcript op. cit., pp. 1-2

<sup>&</sup>lt;sup>90</sup> Mr P Skillern (2017) Hansard Transcript op. cit., p.13

I must say, as an organisation, it is quite sad to see that sort of thing happen. This blueberry rust incursion has damaged relationships to some extent and that damage has been more about this lack of transparency and what we have come to feel has been an attempt to hide documents or information which would assist us all to move forward.<sup>91</sup>

4.101 Further Mr Skillern commented upon aspects of the relationship between Biosecurity Tasmania officers and farmers on the ground:

The training of staff seems to have been not as thorough as we would like. It has been very clear to us that at certain levels within Biosecurity Tasmania there is a massive disconnect between those individuals and how they view the farmers on the ground. I will regale the committee with a particular comment that was made about the original two blueberry growers. Yes, they were small growers but growing blueberries was their livelihood and in a particular meeting with Biosecurity Tasmania, they were referred to in a disparaging way as 'hobby farmers'. That, I think, underscores an approach and culture that shows a disconnect with the various levels of agriculture in this state. Yes, there are many large farms in this state but equally there are many medium to small farms and they all have their role and place. It is inappropriate for a member of Biosecurity Tasmania to be classifying them as hobby farmers when this is their entire livelihood which has just been written off.<sup>92</sup>

4.102 The importance of agriculture in Tasmania was raised during hearings. Mr Skillern commented:

The Government has a role to play, as does Biosecurity Tasmania, in making a determination that eradication is the way forward. If we are going to go down that track it goes to a point you asked me previously about what assistance would be required. If assistance is required, that is what we should be doing to protect the Tasmanian brand and our biosecurity system. At the end of the day, a dollar spent doing that will have a multiple economic effect in enhancing our brand to show that as a state we are serious about biosecurity and if we do have an incursion then we rally around as a state to support the producers that have been affected. This idea that we cut them loose and they are on their own is just not sustainable in the long term for agriculture.

<sup>&</sup>lt;sup>91</sup> Ibid., p.16

<sup>&</sup>lt;sup>92</sup> Ibid., pp. 14-15

I know I do not have to reiterate this to the committee but given this is a public record, I will. Agriculture in Tasmania produces just over 7 per cent of state growth product. We are the state where agriculture is the most significant economic driver. Surely any government or department should be putting biosecurity to protect such a key economic pillar as one of their number one things to be doing in funding and dealing with. Unfortunately this whole sorry saga has left us with the view that perhaps that is not the case.<sup>93</sup>

4.103 Biosecurity Tasmania's submission summarises lessons learnt as follows:

As with every response, Biosecurity Tasmania undertakes a process of evaluation to learn and improve its activities through a process of continual improvement. A number of lessons have been learned from the blueberry rust responses including:

- The need for a property register. A number of blueberry growing enterprises were unknown to both Biosecurity Tasmania and the industry peak bodies. Despite extensive communications and searching, a number of these properties only came to light in the early stages of the 2016 response. The TFGA, as part of their On-Farm Biosecurity Program, will develop a database that will detail the enterprises that farmers are growing and raising on their farm. This will be across all the agricultural industry sectors and will go some way to address this issue. At the national level the National Biosecurity Committee has also been considering options for addressing the issue more broadly for the plant based industries.
- Processes for compensation of producers for impacts of the emergency response were not available to Biosecurity Tasmania. The Biosecurity Bill under development has been designed to rectify this situation.
- Communications processes require improvement. Despite extensive communications in both responses, gaps were still identified in both systems and performance (eg. approvals processes for external communications and website updates sometimes resulted in slow and incomplete communications occurring). Ongoing work is aimed at rectifying this.<sup>94</sup>
- 4.104 Despite acknowledgement by Biosecurity of a need for improvement Ms MacFarlane states in her additional submission of 10 August 2018:

<sup>93</sup> Ibid., p. 19

<sup>&</sup>lt;sup>94</sup> DPIPWE (2017) Op cit., pp. 37-38

The Tasmania Biosecurity Alert System is still not working. I personally registered on the DPIPWE website online 16<sup>th</sup> August 2014...Update on two new infected properties March 2017 (not notified). Update on change from eradication to management May 2017 (not notified)... When IP5 was detected, no Alert was raised.<sup>95</sup>

<sup>&</sup>lt;sup>95</sup> Ms T MacFarlane (2018) op cit. p. 9

# Findings:

- 78. Biosecurity Tasmania failed to manage the eradication of blueberry plants at IP35[Barrington Schwind] in a structured, consistent, and sensitive manner.
- 79. The importance of the States "clean green" brand is not recognised as significant by all blueberry growers in Tasmania.
- 80. There was an incomplete property register identifying blueberry growers in the State.
- 81. There was no compensation mechanism in place under the current legislation.
- 82. Through the blueberry rust incursions the relationship between TFGA and Biosecurity Tasmania deteriorated.
- 83. As of 10 August 2018 the Biosecurity Tasmania Alert System was not current with incursion information for growers.

# **5.ATTACHMENTS**

### Thoughts related to Discovery of Blueberry Rust at Nine Mile, Tasmania

Dr. Bernadine Strik, Professor of Horticulture, Oregon State University and Strikly Berry Consulting, LLC October 2, 2016

Blueberry rust was recently identified on a Costa farm located at Nine Mile (hereafter "9-Mile") in Tasmania, Australia. I have been requested to provide my professional opinion as to the incidence and impact of blueberry rust in Tasmania, particularly with regard to my experiences in Oregon, USA, where we share as similar climate to that found at 9-Mile (refer to cover letter attached).

I am dividing this document into several sections: overview of berry industry in Oregon; my professional experience; brief description of blueberry leaf rust; the incidence and impact of leaf rust in Oregon; a comparison of Oregon and the Nine Mile region of Tasmania; management of rust; and a summary.

#### Berry industry in Oregon

Oregon is an internationally recognized berry crop production region with a high volume of diverse, high-quality crops produced. There are over 10,000 hectares of berry crops (blueberry, blackberry, red and black raspberry, cranberry, and strawberry) and 10,000 ha of wine grapes in Oregon. Over half of the berry crop area is planted to northern highbush blueberry (e.g., cultivars Duke, Draper, Liberty, Ozarkblue, Legacy, Aurora). We also grow some rabbiteye blueberry (less than 5% of our area), including the cultivars Powderblue and Ochlockonee. Our growers harvested over 45 million kilograms of blueberry fruit in 2016.

#### **Professional experience**

I have been a professor at Oregon State University (OSU) for over 29 years since obtaining my Ph.D. in berry crop physiology at the University of Guelph, Canada, in 1987. Here in the Department of Horticulture at OSU I am responsible for educational programs for the commercial berry crop industries (extension), research, and teaching. I teach undergraduate and graduate student courses on berry and grape physiology/production systems and recently developed an on-line blueberry course for an international industry audience. I have advised over 25 graduate students (Masters and Ph.D.) in my career to date. My research areas of focus include whole plant physiology, improving yield and quality, machine harvest efficiency, pruning, optimization of production systems, plant nutrition, and organic production systems in berry crops. Recently the economic impact of my programs for Oregon growers was estimated at \$10 million per annum. I have published over 105 refereed scientific journal articles, 36 scientific papers in the journal of the International Society for Horticultural Science, Acta Horticulturae, and 10 invited book chapters. In addition to many workshops, schools, and presentations to industry, I have authored 58 extension publications for a grower audience. I belong to many professional organizations and hold many leadership positions including being elected as chair of the Section for Vine and Berry Fruits in the International Society for Horticultural Science. My educational and research programs are world renowned and I am honored to have received many awards including being elected as a Fellow of the American Society for Horticultural Science, their highest honor, in 2007 and the OSU Alumni Association Distinguished Professor Award.

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In addition to my professor position at OSU, I am an independent consultant through my company, Strikly Berry Consulting LLC. For over 15 years I have advised various companies worldwide on berry crop production systems for improved yield and quality and on various problem solving or trouble-shooting issues. I am very familiar with the Costa blueberry farm at Nine Mile through my consulting relationship with the company.

I am a plant physiologist, not a pathologist. However, in my role at Oregon State University and through my consulting business I work with all issues related to yield and quality. When necessary, I contact discipline colleagues for more information on pests. I have certainly done so in the past on various diseases including blueberry rust; this has broadened my experience since I have been involved in rust management in several production regions worldwide. I have commonly been asked to provide an expert opinion by companies, universities, and federal agencies worldwide.

#### Blueberry leaf rust disease

Blueberry leaf rust is found in many production regions worldwide. The severity of this disease varies with climate, cultivars grown, and production system used.

Scientific name/types. When searching through the literature, one can get confused as the taxonomy of this pest (the latin name) has changed several times. Dr. Jay Pscheidt, OSU Extension Plant Pathologist, informed me that as recently as early September 2016 the taxonomic name was changed once again to: *Naohidemyces vaccinii* (Jørst.) S. Sato, Katsuya & Y. Hirats. ex Vanderweyen & Fraiture 2007 (Urediniomycetes, Uredinales) [the names after the scientific name are the authorities – those who deserve credit for naming it]. You will also see this same rust referred to by its older scientific names: *Pucciniastrum vaccinii* Jørst, 1952 and *Thekopsora vaccinii* (Jørst.) Hirats. f. 1955.

There has been surprisingly little scientific research done on this fungal pest and the various factors that affect its rate of development. In addition, there is some evidence there may be two forms of the fungus (an eastern north American and a western form), but this appears to relate to slight morphological differences in the fungi and not in the disease's growth or impacts on blueberry. The rust is not systemic in the plant.

<u>Alternate hosts.</u> Blueberry rust has a common alternate host, the hemlock tree (*Tsuga* sp.). There is information that blueberry rust can also infect other genera of plants, specifically: *Rhodondendron, Lyonia, Menziesia, Pernettya* (now known as *Gaultheria lanceolata* sp.), *Ugeria, Peirts, Leucothoe,* and *Oxycoccus.* The disease may also overwinter on native *Vaccinium* species that are evergreen (e.g. in Florida or in Oregon). In areas where hemlock trees or other hosts are not present, yet rust is prevalent, the rust may overwinter on non-senescent blueberry leaves (cultivars that are not fully deciduous, particularly in milder climates or in evergreen production systems where leaves are retained in adapted cultivars to get an early fruit crop). For example, rust may be an issue on susceptible varieties in Corindi, Australia and in areas of Mexico when evergreening; this is resolved, in my experience, by growing in tunnels (eliminates adverse impact of rainfall).

Introduction/spread. This disease can spread on clothing, equipment, and packing materials, but spreads most easily by wind. According to a very recent update (in press) of the Compendium of Blueberry and Cranberry Diseases published by the American Pathological Society, authored by Dr. Phil Brannen, Professor of Pathology, University of Georgia, outbreaks of rust in Maine and

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occasional outbreaks in the mid-Atlantic states of the USA are likely caused by spores blown a long distance by wind from the southern USA; experts from the Cornell (New York) are of the same opinion regarding outbreaks that occasionally occur in New York (

http://www.fruit.cornell.edu/berry/ipm/ipmpdfs/BB%20leaf%20rust%20fast%20fact.pdf ). According to a news report (NZ Herald, 2004;

http://www.nzherald.co.nz/nz/news/article.cfm?c\_id=1&objectid=3574202), this disease was most likely introduced into New Zealand from windborne spores (from Australia).

According to Dr. Annemiek Schilder, Plant Pathologist at Michigan State University, infections of blueberry rust are quite rare in Michigan (even though hemlock trees are prevalent), but it can occur and require control in fields that are affected when rainy weather occurs during the summer ( http://msue.anr.msu.edu/news/beware\_of\_blueberry\_leaf\_rust\_).

I have not seen direct research papers on the climatic requirements of this fungus. The required conditions for spread/growth appear to be 48 hours of leaf wetness (Univ. Cornell; see citation above) with spore germination between 20 °C (for infections to start in spring; University of Cornell; see citation above) and 30°C (upper limit; (<u>http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/plant-diseases/fruit-and-nuts/berry-diseases/blueberry-rust/about-blueberry-rust</u>). The report of "optimal germination temperature of 21 °C" as reported by Agriculture Victoria Australia (see citation) is not supported by other literature that I have found.

As mentioned earlier, this pest can overwinter on blueberry leaves – when infected leaves do not fall from the bush (as is the case in an evergreen system or in mild climates), these overwintering uredinospores can re-infect new leaves in spring (when temperatures and weather ideal). It is possible that infection may occur from leaves on the ground (infected ones); however, there has been no research on this that I am aware of and blueberry leaves decompose quickly over winter in most climates (I'm not aware of the impact of this on the overwintering fungus). In areas with other host plants, re-infection of new growth on deciduous blueberry plants may occur in spring from these alternate hosts.

#### Oregon and rust

Blueberry rust has been present in Oregon for some time. It has been listed in our Pacific Northwest Disease Control Handbook as a "rare disease" for as long as I can remember while working here at OSU. Just this past month, the section on blueberry rust in this handbook was revised. The main reason for this is the recent discovery of blueberry rust on an evergreen, ornamental blueberry cultivar (Peach Sorbet) at a commercial nursery in Oregon. Blueberry rust has been positively identified on a blueberry farm on the Oregon coast – the disease was not causing any economic loss to the plant/fruit at the time. Less than 1% of our blueberry production is on the Oregon coast. The revision in the Handbook now says "leaf rust is usually of minor importance, being a problem on lowbush blueberry or ornamental blueberries that do not shed their leaves in autumn".

Despite the fact that hemlock trees are <u>very</u> widespread in Oregon and are common near many blueberry farms and we have many native *Rhododendron* and *Gaultheria* species here which are reported to serve as alternate hosts (see above), rust is not a problem in commercial blueberry fields in Oregon. In addition, we have one cultivar, Legacy, that does not typically shed all of its leaves in autumn. This cultivar behaves similarly at 9-Mile. All of our other cultivars lose their leaves in autumn (with the exception sometimes of some very minute, late-growing leaves at the tips of

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vigorous shoots in late autumn in some over-fertilized cultivars). Legacy is very widely planted in Oregon. The oldest fields are over 13 years. Despite having all the necessary hosts and some cultivars of blueberry that retain leaves, the OSU Plant Clinic's identification of blueberry rust from the aforementioned nursery, was the first finding of rust on a submitted sample in 60 years. This is not a reflection of a recent introduction as rust has been reported in Oregon since blueberry production began in the 1950s; it is a reflection of the low level of concern by growers (no samples sent in for identification).

I asked Dr. Pscheidt why he thinks we do not have a problem with blueberry rust in commercial blueberry fields here in Oregon. The most likely scenarios are: 1) Legacy may be resistant or not highly susceptible. Cultivars of northern, southern, and rabbiteye blueberry differ in their sensitivity to blueberry rust. The sensitivity of Legacy has not been tested scientifically. While rust has been identified on Legacy at 9-Mile the susceptibility of the cultivar is not known; 2) the fungicides our growers use may also control rust. This is certainly possible. However, we have also not seen this disease in certified organic fields where little to no fungicides are used; and 3) our climate is likely not very conducive to good infection of blueberry rust. Note that we have never had a significant commercial outbreak of blueberry rust in the main blueberry growing region of Oregon (the Willamette Valley) despite having variable weather over the 65 years blueberries have been grown here. We have a temperate climate with warm summers and relatively little rain in summer. This seems to be the most likely reason, as blueberry rust is most prevalent in warm, humid climates and areas with summer rain (e.g., Florida and Georgia, USA).

#### **Comparing Oregon and Tasmania**

Tasmania also has alternate hosts (Tasmania Herbarium, Dept. of State Growth, 2014 Census of Vascular Plants via Tasmania Government web site; link provided below) that would support blueberry rust: *Rhododendron ponticum* is reported as an introduced and naturalized species; *Pernettya lanceolata* (now called *Gaultheria lanceolata*) is considered endemic within the State; and there are many other endemic species of *Gaultheria* which would likely be a good host for blueberry rust. Source:

http://www.tmag.tas.gov.au/ data/assets/pdf file/0008/137276/2016 Census of Tasmanian\_Vasc ular Plants.pdf

In addition, the climate of Tasmania (area of Nine-Mile) and Oregon's Willamette Valley (where most of our blueberries are grown) are very similar. The enclosed graphs show long-term averages (15+ years) for minimum and maximum average temperature and total rainfall by month for Burnie and Devonport Tasmania (most similar weather to the 9-Mile location) and Aurora, Oregon (representative of the Willamette Valley). The months in Oregon have been shifted so the seasons in the Northern hemisphere correspond to the southern hemisphere.

Our climate is a little more continental with colder winters than in Tasmania. However, this should have no impact on rust as it is overwintering during this time. Our minimum temperatures are quite similar in spring through autumn. When we look at the average monthly maximum temperature, the Willamette Valley has a warmer average summer and early autumn. Early spring temperature averages are similar between the regions. Note that temperatures in Oregon are higher and would appear to be more within the range considered ideal for germination/spread of blueberry rust (reported to be between 20 to 30 °C). In fact, the average maximum temperature at Burnie and Devonport is quite cool and is rarely above 20 °C – I realize this is an average maximum, but this

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cool weather would not be expected to lead to rapid, large outbreaks. With regard to rainfall, it is clear that the regions differ little in spring (Oct – Dec) rainfall. There is more average rain in Tasmania in January and February than in Aurora, Oregon, but it is difficult to know if this would have much if any impact. Autumn rainfall is very similar among regions.

When we consider summer rain, it is important to consider that growers in Oregon often use overhead irrigation for watering plants (older fields), but more commonly for evaporative cooling. Use of this common technique would essentially lead to leaf wetness ideal for rust development. However, we do not have blueberry leaf rust of any commercial significance. This overhead irrigation or cooling is not used at 9-Mile in Tasmania thus reducing incidences of the required 48 hour leaf wetness for blueberry rust.

#### Management of rust

We have not needed to control blueberry rust in Oregon other than in a commercial nursery where judicious use of fungicides has effectively controlled the pest. However, much can be learned from other production regions. Growers in regions where rust is prevalent have had success managing this disease using production systems (including tunnels), cultivar resistance, and fungicides. We do have insecticides registered and effective for control (per Phil Brannen), if needed in the USA. For example in the Pacific northwest: https://pnwhandbooks.org/plantdisease/host-disease/blueberry-yaccinium-corymbosum-rust; the northeast:

http://msue.anr.msu.edu/news/beware\_of\_blueberry\_leaf\_rust; and the southern production regions: http://www.smallfruits.org/SmallFruitsRegGuide/Guides/2010/2\_19\_10BlueberrySprayGuide.pdf. In a recent report by Melinda Simpson, Wollongbar Primary Industries, NSW, at the International Society for Horticultural Sciences Vaccinium Symposium in Florida, USA in April 2016 (in press) all six of the fungicides tested significantly reduced blueberry leaf rust.

No growers, worldwide, that I am aware of control the fungus through management of dropped leaves (on the ground) although this is mentioned in some publications, or through forcing defoliation (on varieties that do not naturally senesce) – these might be possible options in Tasmania. I'm not aware of any trials on these methods (mainly because other methods have been successful for growers I think).

I do not recommend eradication of infected plants as a viable method of control. When the disease is found on a cultivar (e.g. Legacy at 9-Mile), spores are likely present in alternate hosts around the farm or there may be another source of infection (distance infected source). Spores are easily spread by wind and alternate hosts are present. It would very likely be the equivalent of closing the barm door after the horse has fled.

Eradication of a cultivar within a blueberry farm may have serious economic consequences. At 9-Mile for example, Legacy is required as a cross pollinator for Brigitta to get good fruit set and yield and is planted in alternating rows. While one might argue that an alternative cultivar could be chosen/planted, these are not readily available in Australia, would be much younger than the existing plants, and replanting into existing beds and in an otherwise mature field is not a successful commercial practice. Instead, I would recommend various proven control methods be adopted to manage the disease.

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Climate figure comparators.

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#### Summary

Blueberry rust is an important disease, requiring management, in warm, humid areas and where blueberry plants are grown in evergreen production systems (e.g. Georgia and Florida, USA, Mexico, and Corindi, Australia). These conditions do not apply to production in Tasmania or Oregon's Willamette Valley. While blueberry rust may be spread on clothing, equipment, and packing materials, it spreads very easily by wind. In most regions, the pest is thought to have been introduced by wind over very long distances. Blueberry rust can be retained (survive) even in areas where blueberry plants are deciduous on alternate hosts. Some of these alternate hosts are endemic in Tasmania.

Considering how widespread blueberry rust is throughout most blueberry production regions, including in Australia and New Zealand, it seems highly likely that this pest is already at other locations in Tasmania (e.g. other blueberry farm(s) or alternate hosts that are endemic); this is more likely if blueberry rust has been identified previously in the State.

Based on experience in a similar climate (Oregon), blueberry rust is not expected to be a significant commercial problem on the blueberries grown in Tasmania (no evergreen production systems). Regardless, proven economical control methods could be used in years when the pest appears, as has been illustrated in similar production regions.

End of report

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## **ATTACHMENT 2 – CORRESPONDENCE VICTORIAN MINISTER FOR AGRICULTURE**



Ref: MIN000352 File-THE CONTRACTOR IN A REPORT OF 8 Nicholson Street East Melbourne Victoria 3002 Australia PO Box 500 East Melbourne Victoria 8002 Australia DX 210598

Mr Jeremy Rockliff MP **Deputy Premier** Minister for Primary Industries and Water Tasmanian Government Level 10. Executive Building 15 Murray Street HOBART TAS 7000

0 6 MAY 2015

Dear Mr Rockliff

#### **BLUEBERRY RUST INCURSION**

Thank you for your letter dated 14 January 2015 regarding the recent Blueberry rust (BBR) detection.

I am advised that the Department of Economic Development, Jobs, Transport and Resources' (DEDJTR) Biosecurity Regulation and Compliance Unit had previously undertaken surveillance to confirm freedom and enacted legislation aimed at preventing entry of BBR.

Victoria takes these matters very seriously and accordingly responded to the initial BBR detection by implementing immediate quarantine measures, commencing an investigation into the matter and conducting extensive tracing and area freedom surveys. Whilst the investigation is continuing, the tracing survey has confirmed the source of the incident to be a single business accredited under an Interstate Certification Assurance (ICA) protocol to consign nursery stock to Tasmania. Once the investigation is finalised, the outcomes will be discussed with Tasmania's Chief Plant Health Manager, Mr Andrew Bishop.

I can confirm preliminary feedback gathered from the investigation undertaken on the business has identified procedural elements within the ICA protocol that may have contributed to the recent BBR outbreak in both states as well as relevant improvements to prevent a recurrence and relevant corrective actions implemented as a matter of priority. Biosecurity Officers are continuing to actively monitor the situation and are assisting industry in implementing appropriate on-farm biosecurity measures.



Victoria has taken this matter very seriously as the incursion has impacted blueberry and nursery stock producers across both our states. I look forward to the opportunity to meet you to discuss issues of mutual biosecurity interest.

Yours sincerely

Hon Jaala Pulford MP Minister for Agriculture

MIN000352

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# ATTACHMENT 3 – 2014 INFECTED PREMISES LIST

'Residential Premises'	Name	Town/Suburb	Confirmation date
IIP	Fresh Freight	Bridgewater	04/9/2014
2IP	Bunnings	Moonah	05/09/2014
3IP	Stonemans Nursery	Newtown	09/09/2014
4IP	Legana Plants Plus	Legana	16/9/2014
5IP	9 Fleet Street	Moonah	25/9/2014
6IP	112 Jansens Road	South Riana	30/09/2014
7IP	2 Water Street	Ulverstone	30/09/2014
8IP	Becks	Devonport	01/10/2014
9IP	5 Minallo Ave	West Hobart	02/10/2014
IOIP	16 Bourneville Crt	Claremont	3/10/2014
IIIP	999 Clifton Vale Rd	Hunting Ground	3/10/2014
I 2IP	2 Chauncy Vale Rd	Bagdad	6/10/204
I 3IP	28 Pultney St	Longford	7/10/2014
I4IP	62A Mission Hill Rd	Penguin	7/10/2014
I 5IP	57 Plisser St	Somerset	8/10/2014
16IP	241 Rosevears Dr	Legana	8/10/2014
I 7IP	31 Bermuka Rd	Moonah	9/10/2014
18IP	Bunnings Store	Invermay	13/10/2014
19IP	2/48 Racecourse Rd	Brighton	14/10/2014
20IP	51 Mill Rd	Collinsvale	14/10/2014
21IP	39 Payne St	Beaconsfield	15/10/2014
22IP	7 luck Court	Akaroa (St Helens)	17/10/2014
23IP	198 Norwich Dr	Pateena (Longford area)	21/10/2014
24IP	14 Lasswade Av	Sandy Bay	21/10/2014
25IP	217 Gravelly Beach Rd	Gravelly Beach	22/10/2014
26IP	63 Brickport Rd	Burnie	22/10/2014

# Appendix 3 – 2014 Infected Premises List (As of July 2015, after Area Freedom had been declared)

1
'Residential Premises'	Name	Town/Suburb	Confirmation date
27IP	11 Irky Boulevard	Sisters Beach	22/10/2014
28IP	2 Birkdale Court	Devonport	22/10/2014
29IP	220 Jeffreys Rd	Lachlan	24/10/2014
30IP	47 Grinter St	Burnie	24/10/2014
31IP	3 Macoma Place	Don (Devonport)	27/10/2014
32IP	2 Victoria Street	Pontville	27/10/2014
33IP	10 Pauline Ave	Mt Nelson	31/10/2014
34IP	466 Churchill Ave	Lower Sandy Bay	4/11/2014
35IP	Schwind	Barrington	4/12/2014
36IP	1/99 Letitia Street	Hobart	9/12/2014
37IP	685 Ridgley Road	Ridgley	17/12/2014
38IP	Riverview Nursery	Don	5/01/2015
39IP	192 Bakers Lane	Northdown	06/01/2015
40IP	29 Scott's Rd	Mole Creek	07/01/2015
411P	90 Cornicks Rd	Tarleton	07/01/2015
42IP	I2A Rundle Rd	Devonport	13/01/2015
43IP	2 Victoria Street	Sheffield	13/01/2015
44IP	West Park Plants Plus Nursery	Burnie	ТВС
45IP	Howth Nursery	Howth	20/01/2015
46IP	Devonport Plants Plus Nursery	Devonport	15/01/2015
47IP	Susan Street	Turners Beach	13/01/2015
48IP	76 Katelyn Drive	Wynyard	16/01/2015
49IP	1837 Wilmot Rd	Wilmot	28/01/2015
50IP	157 Knox Drive	Spreyton	27/01/2015
51IP	38 Turton Street	Devonport	17/02/2015
52IP	233 Melrose Rd,	Aberdeen, (Devonport region)	17/02/2015
53IP	142 The Boulevard	Shearwater	17/02/2015
54IP	29 MacPhee St	Burnie	04/5/2015

# ATTACHMENT 4 – 2016 INFECTED PREMISES LIST

Infected Premises (IP)	Address	Confirmation Date
1IP	315 Zig Zag Rd, Sulphur Creek, TAS 7316	10 August 2016
2IP	161 Rawlings Road, Upper Stowport, TAS 7321	6 March 2017
3IP	380 Glance Creek Road, Upper Stowport, TAS 7321	8 March 2017
4IP	2764 Sheffield Rd, Sheffield, TAS 7306	27 October 2017
5IP	70 Wandering Gully Rd, Milabena, TAS 7325	22 May 2018

# ATTACHMENT 5 – LIST OF SUBMISSIONS

1	Blueberry Boost Tea
2	Lalla Natural Selection – Grant Carter
3	Michelle Walters
4	SCALZI Produce – Pat Scalzi
5	Mountain Fruit – Ronald Schwind
6	Andrew Ricketts
7	Robert Shearer
8	Blue Berry Barn Café – Stuart& Deborah Morice
9	PRIVATE WITESS
10	St Marys Seaview Farm - Frank Giles
11	River Fossil Farm – Cameron Brooke
12	Bilambi Berry Farm – Kent & Alyssa Mainwaring
13	PRIVATE WITNESS
14	Rosemary Jones
15	Primary Industry Biosecurity Action Alliance
16	Dazzler Range Organic Berry Farm – Steve Beams & Adelle Lynch
17	Costa
18	PRIVATE WITNESS
19	Woodlea Nursery – Tony Waites
20	Aviemore Farm – Rachel de Wit & Steve Clements
21	Dromana Blueberries – Rhyllon Sykes
22	Tasmanian Farmers and Graziers Association
23	Tasmanian Institute of Agriculture
24	Karen Brock
25	Trish Macfarlane
26	Department of Primary Industries, Parks, Water and Environment
	(Biosecurity Tasmania)

	<b>ATTACHMENT 6</b>	- DETAILS (	<b>DF PUBLIC</b>	HEARINGS.	AND SIT	E VISITS
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Thursday 2 No	ovember 2017
Legislative Co	uncil Offices, Henty House, 4th Floor, One Civic Square, Launceston
9:00am	Mountain Fruit - Mr Heinz Schwind and Mr Ronald Schwind
9:30am	St Marys Seaview Farm – Mr Frank Giles
10:00am	Aviemore Farm – Ms Rachel de Wit and Mr Steve Clements
10:45am	Brocklands Nursery – Ms Karen Brock
11:30am	Mr Andrew Ricketts
From	12:00pm the Committee went on a site visit to Bilambil Berry
Farm,	Turners Marsh
2:00pm	Bilambil Berry Farm Kent and Alyssa Mainwaring
2:30pm	DazzlerRange Organic Berry Farm Steve Beams and Adelle Lynch
3:00pm	Ms Trish MacFarlane
Monday 13 No	ovember 2017
Committee Ro	oom No. 1, Parliament House, Hobart
12:30pm	Ms Rosemary Jones
1:00pm	Tasmanian Farmers & Graziers Association – Mr Peter Skillern CEO
	and Ms Ellen Davis (Policy Officer)
2:00pm	Costa Group - Mr Michael Toby, Corporate Affairs Manager and
	Mr David Bardon, Horticultural Manager
2:45pm	Department of Primary Industries, Parks, Water and Environment -
	Dr John Whittington, Secretary and Mr Lloyd Klump, General
	Manager, Biosecurity Tasmania
Monday 22 Ja	nuary 2018
Committee Ro	oom No. 1, Parliament House, Hobart
10:00am	Fruit Growers Tasmania - Mr Phil Pyke, Business Development
	Manager, Mr Nic Hansen, President and Dr Dean Metcalfe, Board
	Member
11:45am	Australian Blueberry Growers Association - Mr Anthony Poiner
2:15pm	Woodlea Nursery - Mr Tony Waites
3:00pm	Tasmanian Institute of Agriculture - Dr Katherine Evans

Friday 13 July	Friday 13 July 2018		
Committee Ro	oom No. 2, Parliament House, Hobart		
10:30am	Department of Primary Industries, Parks, Water and Environment -		
	Mr Lloyd Klump, General Manager, Biosecurity Tasmania		
11:30am	Mr Phil Pyke – former Business Development Manager, Fruit Growers		
	Tasmania		

**ATTACHMENT 7 –** MEETING MINUTES

## LEGISLATIVE COUNCIL SESSIONAL COMMITTEE

#### **GOVERNMENT ADMINISTRATION COMMITTEE 'B'**

#### SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

#### **MINUTES OF MEETING**

#### Wednesday, 20 September 2017

The Committee met at 8.47am in the Ante-Chamber, Legislative Council, Parliament House, Hobart.

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray Mr Willie

#### In Attendance:

Ms Natasha Exel (Assistant Committee Secretary)

#### **Business**

#### **Blueberry Rust Tasmania Inquiry**

• Election of Inquiry Chair The Committee unanimously elected Mr *Dean* as Inquiry Chair

Mr Dean took the Chair

- **Election of Deputy Inquiry Chair** The Committee unanimously elected Mr *Finch* as Deputy Inquiry Chair.
- **Terms of Reference** *Resolved*, that the draft terms of reference be adopted.
- Advertisement *Resolved*, that the advertisement calling for submissions be inserted in the three daily newspapers on Saturday 23 September 2017.

# • Closing date for submissions

*Resolved*, that the closing date for submissions be 13 October 2017.

# • Stakeholder Invitation List

A discussion took place regarding the Stakeholder invitation list.

*Resolved*, to contact the following stakeholders and invite them to give evidence:

- TFGA
- Fruit Growers Tasmania
- Government of Tasmania; Minister for Primary Industries and Water
- Costas
- Rachel de Witt
- Growers affected in the 2014 outbreak of blueberry rust
- Consultant referred by Phil Pyke (Phil Pyke to advise)
- **Publication of submissions and transcripts to the Inquiry website** *Resolved*, that submissions and transcripts be published to the Inquiry website.

## Next meeting:

Tuesday 17 October 2017 at 9.00 am.

Adjournment: At 9.58 am the Committee adjourned.

DATE CONFIRMED

17 October 2017

CHAIR

## LEGISLATIVE COUNCIL SESSIONAL COMMITTEE

#### **GOVERNMENT ADMINISTRATION COMMITTEE 'B'**

## SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

#### **MINUTES OF MEETING**

## Tuesday 17 October 2017

The Committee met at 9.00am in Committee Room No. 1, Parliament House, Hobart.

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray Mr Willie

## In Attendance:

Ms Natasha Exel (Assistant Committee Secretary) Ms Julie Thompson (Executive Assistant)

## **Business**

## Inwards correspondence

- 1. Email received 13 October 2017 from Trish Macfarlane, Three Peaks Organics requesting an extension for submission.
- Email received 16 October 2017 from Karen Steenhuis, Manager (Policy Branch), Strategic Services Division, Department of Primary Industries, Parks, Water and Environment requesting an extension for their submission to 28/10/17.

The Committee **resolved** to grant the extensions as requested, as well as to Karen Brock.

# **Submissions**

1	Blueberry Boost Tea
2	Lalla Natural Selection – Grant Carter
3	Michelle Walters
4	SCALZI Produce – Pat Scalzi
5	Mountain Fruit –Ronald Schwind
6	Andrew Ricketts
7	Robert Shearer
8	Blue Berry Barn Café – Stuart & Deborah Morice
9	In-camera
10	St Marys Seaview Farm - Frank Giles
11	River Fossil Farm – Cameron Brooke
12	Bilambi Berry Farm – Kent & Alyssa Mainwaring
13	In-camera
14	Rosemary Jones
15	Primary Industry Biosecurity Action Alliance
16	Dazzler Range Organic Berry Farm – Steve Beams & Adelle Lynch
17	Costa
18	In-camera
19	Woodlea Nursery – Tony Waites
20	Aviemore Farm – Rachel de Wit & Steve Clements
21	Dromana Blueberries – Rhyllon Sykes
22	Tasmanian Farmers & Graziers Association
23	Tasmanian Institute of Agriculture

The following submissions were received :

## Site visits

It was agreed to visit Kent and Alyssa Mainwaring's farm at Turner's Marsh.

It was agreed not to visit the farm of Submission No. 9 as the submission had been made on a confidential basis.

*Resolved,* the Secretary was requested to write to these farms to advise.

It was agreed to conduct one hearing in northern Tasmania and possibly two hearings in the south.

# Witnesses for hearings

A discussion took place regarding the witnesses to be invited to appear at public hearings.

**Resolved**, to contact the following stakeholders and invite them to appear as witnesses:

- Andrew Ricketts
- Frank Giles
- Ken and Alyssa Mainwaring, Bilambil Berry Farm
- Rosemary Jones
- Primary Industry Biosecurity Action Alliance
- Steve Beams and Adelle Lynch, Dazzler Range Organic Berry Farm
- Costa
- Submission No. 18 (in-camera)
- Rachel de Wit and Steve Clements
- TFGA
- Government

#### Possible hearings

- Tony Waites, Woodlea Nursery?
- Tasmanian Institute of Agriculture?

**Resolved** to contact Phil Pyke to clarify whether Small Berries intended to put in a submission by 30 October.

**Resolved** to table the Blueberry Rust study.

## **Other business**

Mr *Finch* advised that Trish McFarlane will forward additional suggestions for site visits.

## Next meeting:

Thursday 2 November 2017 in Launceston to include hearings in the morning, site visit to Turner's Marsh at lunchtime and more hearings in the afternoon. Mr *Finch* advised that he will be an apology.

It was **agreed** to conduct an additional hearing in Hobart on the afternoon of Monday 13 November 2017 from 12.00 – 4.00 pm.

## Adjournment:

At 9.58 am the Committee adjourned.

## **DATE CONFIRMED**

2 November 2017

CHAIR

# SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

# MINUTES OF MEETING

# THURSDAY, 2 NOVEMBER 2017

The Committee met at 8.55am in the Conference Room, Legislative Council Offices, Henty House, One Civic Square, Launceston.

#### Members Present:

Mrs Armitage Mr Dean Ms Rattray

#### **Apologies**

Mr Finch was recorded as an apology

## In Attendance:

Mr Stuart Wright (Acting Inquiry Secretary) Ms Julie Thompson (Executive Assistant)

## **Confirmation of Minutes**

The Minutes of the Meeting from the Meeting on Tuesday, 17 October 2017 were confirmed as a true and accurate record.

## **Inwards correspondence**

The following correspondence was received:

1. Email received 30 October 2017 from Dixie Emmerton, Chair, Primary Industry Biosecurity Action Alliance declining the invitation to present verbal evidence and specific legislative reference for the non-disclosure of a submission. (GAB/BRT 15)

# **Outwards Correspondence**

The following correspondence was endorsed:

- 1. Email sent 23 October 2017 to Karen Steehuis, Manager (Policy Branch), Strategic Services Division, Department of Primary Industries, Parks, Water and Environment advising the Sub-Committee resolved to grant extension until 30/10/2017.
- 2. Letters sent 20 October 2017 acknowledging receipt of submissions to the following persons and organisations :

GAB/BRT 1 Blueberry Boost Tea	GAB/BRT 2 Lalla Natural Selection
GAB/BRT 3 Michelle Walters	GAB/BRT 4 SCALZI Produce
GAB/BRT 7 Robert Shearer	GAB/BRT 8 Blue Berry Barn Cafe
GAB/BRT 9 In-Camera	GAB/BRT 11 River Fossil Farm
GAB/BRT 13 In- Camera	GAB/BRT 19 Woodlea Nursery
GAB/BRT 21 Dromana Blueberries	GAB/BRT 23 Tasmanian Institute of
	Agriculture

3. Letters sent 24 October 2017 acknowledging receipt of submissions and extending an invitation to present verbal evidence to the following persons and organisations :

GAB/BRT 5 Mountain Fruit	GAB/BRT 6 Andrew Ricketts
GAB/BRT 10 St Marys Seaview Farm	GAB/BRT 12 Bilambil Berry Farm
GAB/BRT 14 Rosemary Jones	GAB/BRT 15 Primary Industry
	Biosecurity Action Alliance
GAB/BRT 16 Dazzler Range Organic Berry	GAB/BRT 17 - Costa
Farm	
GAB/BRT 18 In- Camera	GAB/BRT 20 – Aviemore Farm
GAB/BRT 22 Tasmanian Farmers and	GAB/BRT 23 Tasmanian Institute of
Graziers Association	Agriculture

4. Letters sent 30 October 2017 confirming public hearing times in Launceston to the following persons and organisations :

GAB/BRT 5 Mountain Fruit	GAB/BRT 6 Andrew Ricketts
GAB/BRT 10 St Marys Seaview Farm	GAB/BRT 12 Bilambil Berry Farm
GAB/BRT 16 Dazzler Range Organic Berry Farn	GAB/BRT 20 – Aviemore Farm
GAB/BRT 24 Karen Brock	GAB/BRT 25 Trish Macfarlance
GAB/BRT 22 Tasmanian Farmers and	GAB/BRT 23 Tasmanian Institute of
Graziers Association	Agriculture

- 5. Letter sent 30 October 2017 to Kent & Alyssa Mainwaring, Bilambil Berry Farm confirming site visit.
- 6. Email sent to Dixie Emmerton, Chair, Primary Industry Biosecurity Action Alliance regarding specific legislative reference for the non-disclosure of a submission. (GAB/BRT 15)

# Late Submissions

The Committee *resolved* to receive the following submissions :

24	Brocklands Nursery – Karen Brock
25	Trish Macfarlane
26	DPIPWE

Mr Willie took her place at 8.58am

#### **Invitations for Public Hearings**

The Committee *resolved* to invite the following stakeholders to present evidence:

5	Mountain Fruit – Ronald Schwind
24	Brocklands Nursery – Karen Brock
25	Trish Macfarlane

## Tabled Document

The Committee *resolved* to table the following document:

• DPIPWE Biosecurity Tasmania Blueberry Rust and Economic Study – October 2016

#### **Public Hearings**

At 9.05am HEINZ SCHWIND AND RONALD SCHWIND, MOUNTAIN FRUIT were called, made the statutory declaration and were examined. (GAB/BRT 5)

The witnesses withdrew at 9.33am.

At 9.33am FRANK GILES, ST MARYS SEAVIEW FARM was called, made the statutory declaration and was examined. (GAB/BRT 10)

The witness withdrew at 9. 52am.

At 9.52am RACHEL DE WIT and STEVE CLEMENTS, AVIEMORE FARM were called, made the statutory declaration and were examined. (GAB/BRT 20)

The witnesses withdrew at 10.35am.

The committee suspended at 10.35am.

The Committee resumed at 10.51am.

At 10.45am KAREN BROCKLANDS, BROCKLANDS NURSERY was called, made the statutory declaration and was examined. (GAB/BRT 24)

The witness withdrew at 11.32am.

At 11.33am ANDREW RICKETTS was called, made the statutory declaration and was examined. (GAB/BRT 6)

## Tabled Document

- 1. Copy of letter dated 14 June 2017 to Allison Woolley, Senior Policy Officer, Biosecurity Tasmania regarding Draft Biosecurity Bill Legislation Review. (GAB/BRT 6)
- Copy of email dated 10 September 2017 to Dr Lloyd Klump, General Manager, Biosecurity Tasmania regarding biosecurity for blueberry growers workshops. (GAB/BRT 6)
- 3. Copy of email dated 5 Augsut 2017 to Dr Lloyd Klump, General Manager, Biosecurity Tasmania regarding the second incursion of blueberry rust. (GAB/BRT 6)
- 4. Copy of email dated 19 June 2017 to Dr Lloyd Klump, General Manager, Biosecurity Tasmania regarding blueberry rust updated (GAB/BRT 6)

The witness withdrew at 12.07pm.

The Committee suspended at 12.07pm to visit Bilambil Berry Farm, Turners Marsh.

The Committee resumed at 2.07pm

At 2.07pm KENT AND ALYSSA MAINWARING, BILAMBIL BERRY FARM were called, made the statutory declaration and were examined. (GAB/BRT 12)

The witnesses withdrew at 2.37pm.

At 2.38pm STEVE BEAMS and ADELLE LYNCH, DAZZLER RANGE ORGANIC BERRY FARM were called, made the statutory declaration and were examined. (GAB/BRT 16)

#### **Question on Notice**

• Copy of emails from Lloyd Klump, General Manager, Biosecurity Tasmania. The witnesses withdrew at 3.07pm.

At 3.07pm TRISH MACFARLANE was called, made the statutory declaration and was examined. (GAB/BRT 25)

#### Tabled Document

• Speaking notes Trish Macfarlane

The witness withdrew at 3.44pm.

At 3.44pm KENT MAINWARING, BILAMBIL BERRY FARM was re-called, and was examined. (GAB/BRT 12)

The witness withdrew at 3.46pm.

#### **Other Business**

The Committee *resolved*, that the public hearings scheduled for Monday, 13 November be broadcast.

# Next meeting:

Monday, 13 November at 12.00pm in Committee Room No. 1, Parliament House, Hobart.

# <u>Adjournment:</u>

At 3.48pm the Committee adjourned.

# DATE CONFIRMED

13 November 2017

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CHAIR

## SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

#### MINUTES OF MEETING

#### MONDAY, 13 NOVEMBER 2017

The Committee met at 12.00pm in Committee Room No. 1, Parliament House, Hobart.

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray Mr Willie

#### In Attendance:

Mr Stuart Wright (Acting Inquiry Secretary) Ms Julie Thompson (Executive Assistant)

#### **Private Hearing**

At 12.00pm PRIVATE WITNESS was called, made the statutory declaration and was examined. (GAB/BRT 18)

#### **Tabled Document**

Supplementary notes (GAB/BRT 18) (In-camera)

The witness withdrew at 12.35pm

Ms Armitage left her seat at 12.35pm

At 12.35pm ROSEMARY JONES was called, made the statutory declaration and was examined. (GAB/BRT 14)

Ms Armitage took her place at 12.40pm

The witness withdrew at1.15pm

At 1.15pm PETER SKILLERN, CEO and ELLEN DAVIS, POLICY OFFICER, TASMANIAN FARMERS AND GRAZIERS ASSOCIATION were called, made the statutory declaration and were examined. (GAB/BRT 22)

The witnesses withdrew at 2.05pm.

The Committee suspended at 2.05pm The Committee resumed at 2.24pm

At 2.25pm MICHAEL TOBY, CORPORATE AFFAIRS MANAGER and DAVID BARDON, HORTICULTURAL MANAGER, COSTAS were called, made the statutory declaration and were examined. (GAB/BRT 17)

#### **Question on Notice**

- Provide an economic impact figure if you were to sit out a season;
- Provide the advice or reading your organisation received from Biosecurity Tasmania when blueberry rust was identified on your property; and
- Provide records of meetings with the Minister and Biosecurity Tasmania when blueberry rust was identified on your property.

The witnesses withdrew at 3.19pm

At 3.20pm DR JOHN WHITTINGTON, SECRETARY, DPIPWE and MR LLOYD KLUMP, GENERAL MANAGER, BIOSECURITY TASMANIA were called, made the statutory declaration and were examined. (GAB/BRT 26)

#### **Questions on Notice**

- Further information as to why Biosecurity Officers didn't complete a property inspection at Deep Bay in the one day?
- Has anyone ever been charged through the *Plant Quarantine Act 1997*?
- A copy of the response received in relation to Biosecurity Tasmania's investigation into contaminated plants from Victoria.
- To provide a detailed answer regarding the TFGA's submission, page 2, and last paragraph.

## Tabled Document

• Tasmanian Agri-Food ScoreCard 2015-16 (GAB/BRT26) The witnesses withdrew at 4.46pm.

## **Confirmation of Minutes**

The Minutes of the Meeting from the Meeting on Thursday, 2 November 2017 were confirmed as a true and accurate record.

## Inwards correspondence

The following correspondence was received:

2. Email received 7 November 2017 from Steve Beams, Dazzler Range Organic Berry Farm providing question on notice from public hearing (GAB/BRT 16)

# **Outwards Correspondence**

The following correspondence was endorsed:

- 1. Letter sent 6 November 2017 to the Hon Jeremy Rockliff MP, Minister for Primary Industries and Water regarding public hearing details. (GAB/BRT 26)
- 2. Letters sent 8 November 2017 confirming public hearing times :

GAB/BRT 18 In-camera	GAB/BRT 14 Rosemary Jones
GAB/BRT 22 TFGA	GAB/BRT 17 Costa
GAB/BRT 26 Government	

## Next meeting:

To be advised.

## Adjournment:

At 4.51pm the Committee adjourned.

# **DATE CONFIRMED**

7 December 2017

CHAIR

# SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

## MINUTES OF MEETING

#### THURSDAY, 7 DECEMBER 2017

The Committee met at 11.00am in Committee Room No. 2, Parliament House, Hobart.

#### Members Present:

Mr Dean Ms Rattray Mr Willie

#### Apologies

Mrs Armitage

#### In Attendance:

(Acting Inquiry Secretary Ms Gabrielle Woods) Ms Julie Thompson (Executive Assistant)

#### **Confirmation of Minutes**

The Minutes of the Meeting held on 13 November 2017 were confirmed as a true and accurate record.

#### <Moved TR/JW Carried>

#### **Inwards Correspondence**

The following correspondence was received :

- 1. Email received 28 November 2017 from Michael Toby, Corporate Affairs Manager providing answers to questions. (GAB/BRT 17)
- 2. Email received 1 December 2017 from Rosemary Jones providing additional information. (GAB/BRT 14)

## <Moved JW/TR Carried>

The Committee *resolved,* to receive the additional information as a supplementary submission.

3. Email received from Kirsten Woolley, Communications Manager, Tasmanian Farmers & Graziers Association providing a copy of media release – "Fruit growing industry gets a State Budget boost', 26 May 2017. (GAB/BRT 22)

# **Outwards Correspondence**

The outgoing correspondence was endorsed:

- 1. Letter sent 15 November 2017 to the Hon Jeremy Rockliff MP, Minister for Primary Industries and Water regarding Questions on Notice. (GAB/BRT 26)
- 2. Letter sent 16 November 2017 to Michael Toby, Corporate Affairs Manager, Costas regarding Questions on Notice. (GAB/BRT 17)

# <Moved TR/KF Carried>

# Future Program

The Committee discussed potential witnesses.

The Chair MOVED THE MOTION that:

Mr Phil Pyke of Fruit Growers Tasmania be invited to present verbal evidence at an upcoming public hearing. If Mr Pyke declines the invitation, the Sub-Committee will arrange for the issuance of a summons requiring his attendance.

## <Moved ID/TR Carried>

The Committee *resolved,* to invite the following persons to present verbal evidence at a public hearing to be scheduled for 22 January 2018:

- Phil Pyke, Fruit Growers Tasmania (60 mins)
- Tony McConnell, Grove Blueberries (45mins)
- Australian Blueberry Growers Association (45 mins)
- Primary Industry Biosecurity Action Alliance (45 mins)
- Tony Waites, Woodlea Nursery (45 mins)
- Tasmanian Institute of Agriculture (45 mins)
- Dr Rosalie Daniels include link to inquiry page for background information (45 mins)

# <u>Media Release</u>

The Committee *resolved*, that:

- The standard media release regarding the hearing of 22 January is to be drafted and circulated to Members once attendees have been confirmed.
- Following the hearing of 22 January 2018 a media release is to be drafted to provide an update on the progress of the Inquiry.

# Next Meeting

The Committee *resolved*, to hold the day of public hearings on Monday, 22 January 2018 at Parliament House at 10.00am.

# Adjournment:

At 11.56am the Committee adjourned.

# DATE CONFIRMED

22 January 2018

CHAIR

# SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

## MINUTES OF MEETING

#### MONDAY, 22 JANUARY 2018

The Committee met at 9.50 am in Committee Room No. 1, Parliament House, Hobart.

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray Mr Willie

#### In Attendance:

Inquiry Secretary Ms Jenny Mannering

#### **Confirmation of Minutes**

The Minutes of the Meeting held on 7 December 2017 were confirmed as a true and accurate record.

#### <Moved TR/JW Carried>

#### **Inwards Correspondence**

The following correspondence was received :

1. Email received 13 December 2017 from Karen Steenhuis, Manager (Policy Branch), Strategic Services Division, DPIPWE regarding providing answers to questions on notice and supplementary information. (*Emailed QON to Members* 14/12/17 and posted hard copies of supplementary info to Members 21/12/17)

## <Moved JW/TR Carried>

## **Other Business**

The Committee had a discussion about witnesses that had been in contact with Mr Dean and Mr Finch regarding threats received to people who provide evidence to the Sub-Committee. The Sub-Committee agreed to keep the identities of these witnesses private.

# Public Hearings

At 10.08 am PHIL PYKE, NICK HANSON and DR DEAN METCALFE, FRUIT GROWERS' ASSOCIATION were called, made the statutory declaration and were examined. (No submission provided).

Tabled document:

• FGT Blueberry Members 2012-2018

[Mr Willie left his seat at 11.08 am] [Mr Willie resumed his seat at 11.10 am]

The witnesses withdrew at 11.14 am.

At 11.16 am PRIVATE WITNESS was called, made the statutory declaration and was examined. (Submission made in confidence).

[Mr Willie left his seat at 11.20 am] [Mr Willie resumed his seat at 11.21

am]

The witness withdrew at 12.00 pm.

At 12.00 pm ANTHONY POINER, AUSTRALIAN BLUEBERRY GROWERS ASSOCIATION was called (via teleconference), made the statutory declaration and was examined. (No submission provided).

The witness withdrew at 12.51 pm.

The Committee suspended at 1.15 pm The Committee resumed at 2.15 pm

At 2.15 pm TONY WAITES, WOODLEA NURSERY was called, made the statutory declaration and was examined. (Submission No. 19).

The witness withdrew at 3.00 pm.

At 3.08 pm DR KATHERINE EVANS, TASMANIAN INSTITUTE OF AGRICULTURE was called, made the statutory declaration and was examined. (Submission No. 23).

**Question on Notice:** 

- Please confirm whether anyone within TIA was asked for input into the 2014 decision by BT to eradicate blueberry rust.

The witness withdrew at 4.00 pm.

The Committee RESOLVED to write to Biosecurity New Zealand to seek advice on how blueberry rust has been dealt with in New Zealand.

The Committee RESOLVED to write to a witness on a confidential matter.

The Committee RESOLVED to write to Biosecurity Queensland to seek advice on how banana spot has been dealt with.

The Committee RESOLVED to seek advice from the Clerk regarding the threatening of witnesses by unknown persons.

Next Meeting TBC

Adjournment: At 4.15 pm the Committee adjourned.

#### **DATE CONFIRMED**

20 June 2018

**CHAIR** 

## SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

#### MINUTES OF MEETING

#### WEDNESDAY, 20 JUNE 2018

The Committee met at 9.30 am in Committee Room No. 2, Parliament House, Hobart.

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray Mr Willie

#### In Attendance:

Ms Natasha Exel (Inquiry Secretary) Ms Allison Waddington (Executive Assistant)

#### **Election of Inquiry Chair**

The Inquiry Secretary called for nominations for the Chair. Mr *Dean* being the only nominee, the Inquiry Secretary declared Mr *Dean* to be duly elected Chair. The Inquiry Secretary yielded the Chair and Mr *Dean* took the Chair.

#### **Election of Deputy Inquiry Chair:**

The Chair called for nominations for Deputy Chair. Mr *Finch* being the only nominee, the Chair declared Mr *Finch* to be duly elected Deputy Chair.

#### **Confirmation of Minutes**

The Minutes of the Meeting held on Monday, 22 January 2018 were confirmed as a true and accurate record.

#### **Future Program**

A discussion took place regarding future program.

The Committee **RESOLVED** to conduct additional hearings and invite the following witnesses to appear:

Lloyd Klumpp, Biosecurity Tasmania Phil Pyke Trish MacFarlane – in camera

Next Meeting Friday 13 July 2018 from 9.00 am to 1.00 pm.

Adjournment: At 9.55 am the Committee adjourned.

# **DATE CONFIRMED**

13 July 2018

CHAIR

## SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

# MINUTES OF MEETING

# **FRIDAY, 13 JULY 2018**

The Committee met at 8.58 am in Committee Room No. 2, Parliament House, Hobart.

## Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray Mr Willie

#### In Attendance:

Ms Jenny Mannering (Inquiry Secretary) Ms Allison Waddington (Executive Assistant)

## **Confirmation of Minutes**

The Minutes of the Meeting held on Wednesday, 20 June 2018 were confirmed as a true and accurate record.

## **Outgoing Correspondence**

The following correspondence was endorsed and noted:

• Letters dated 3 July 2018 to stakeholders inviting attendance at 13 July 2018 public hearings.

## **Private Hearing**

At 9.09 am PRIVATE WITNESS was called (sworn in 22 January 2018) and was examined. (Submission made in confidence).

The witness withdrew at 10.22 am

The Committee suspended at 10.22 am The Committee resumed at 10.32 am

## **Public Hearings**

At 10.32 am LLOYD KLUMPP AND DEIDRE WILSON, BIOSECURITY TASMANIA were called, made the statutory declaration and were examined. (Submission No 26)

(Mrs Armitage took her seat at 10.36 am)

## **Question on Notice**

• What was the number of blueberry rust inspections following alert in June 2018?

(Mr *Dean* left his seat at 11.39 am) (Mr *Dean* took his seat at 11.41 am)

The witnesses withdrew at 11.44 am

The Committee suspended at 11.45 am The Committee resumed at 11.49 am

At 11.49 am PHIL PYKE, FORMER CEO, FRUIT GROWERS TASMANIA was called (sworn in 22 January 2018) and was examined. (No submission provided)

(Mr *Finch* left his seat at 12.13 pm) (Mr *Finch* took his seat at 12.17 pm)

The witness withdrew at 12.31 pm

#### **Other Business**

A discussion was held regarding evidence taken *in camera* and the process to be undertaken by the Committee. The Committee **Agreed** the Chair would further discuss the matter with the witnesses.

A discussion took place regarding report deliberations and draft recommendations.

(Mr *Dean* left his seat at 12.34 pm) (Mr *Dean* took his seat at 12.36 pm)

The Committee **Agreed** that the next meeting date is to be advised.

<u>Next Meeting</u> To be advised.

<u>Adjournment:</u> At 12.40 pm the Committee adjourned.

**DATE CONFIRMED** 

13 August 2018

**CHAIR** 

# SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

# MINUTES OF MEETING

# MONDAY, 13 AUGUST & TUESDAY, 14 AUGUST 2018

The Committee met at 9.00 am in the Conference Room, Henty House, Launceston.

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray Mr Willie

#### In Attendance:

Ms Gabi Woods (Inquiry Secretary)

#### **Confirmation of Minutes**

The Minutes of the Meeting held on Friday, 13 July 2018, with amendment, were confirmed as a true and accurate record.

#### **Correspondence**

The following correspondence was endorsed and noted:

## Incoming

• Email dated 1 August 2018 from Karen Steenhuis, Manager (Policy Branch), DPIPWE regarding response to question on notice.

#### TR/KF

- Additional Submission received 9 August 2018 from Karen Brock (Sub No. 24)
- Additional Submission received 9 August 2018 from Trish MacFarlane (Sub No. 25)

The Committee **Agreed** to receive these documents as they are supplementary to original submissions

TR/KF

## Outgoing

• Letter dated 16 July 2018 to Lloydd Klumpp, General Manager, Biosecurity Tasmania regarding question on notice

KF/TR

## **Report Deliberations**

The Committee considered the draft report.

## **Other business**

The Committee discussed an email received by the Chair and Mr *Finch* from Mr Phil Pyke (formally of FGT). The Committee **Agreed** that no further action is to be taken on the matter as the email is one of clarification.

The Committee suspended at 1.10pm until 9.00 am on Tuesday, 14 August 2018.

The Committee resumed at 9.07 am in the Conference Room, Henty House, Launceston

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Ms Rattray

## Apologies:

Mr Willie

## In Attendance:

Ms Gabi Woods (Inquiry Secretary)

## **Other business**

The Chair raised the fact that he spoke to the President with regard to a matter disclosed to the Committee *in camera*.

The President has provided suggested wording to the Committee for considered inclusion within the Report.

Upon further discussion the Committee **AGREED** that as this matter had been raised *in camera* the consent of the witnesses was required before any comment would be made in the Report.

The Committee **RESOLVED** that the Chair will speak to the witnesses seeking their consent for disclosure within the Report.

## **Report Deliberations**

The Committee considered the draft report.

Next Meeting 24 August 2018 at 9.30am.

Adjournment: At 12.04 pm the Committee adjourned.

# DATE CONFIRMED

24 August 2018

>

CHAIR

## SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

# MINUTES OF MEETING

# FRIDAY, 24 AUGUST 2018

The Committee met at 9.40 am in Committee Room 3, Parliament House, Hobart

#### Members Present:

Mrs Armitage Mr Dean Mr Finch Mr Willie Ms Rattray from 11.20am

#### In Attendance:

Ms Gabi Woods (Inquiry Secretary)

#### **Confirmation of Minutes**

The Minutes of the Meeting held on Monday, 13 August and Tuesday 14 August 2018

#### <Moved RA/KF Carried>

#### **Correspondence**

The following correspondence was endorsed and noted:

## Incoming

• Letter from DPIPWE with response to additional queries dated 22 August 2018

#### Outgoing

• Email dated 15 August 2018 to Karen Steenhuis, DPIPWE regarding additional information

#### <Moved KF/RA Carried>

**Report Deliberations** 

The Committee considered the draft report.

## **Other business**

The Committee had a discussion regarding the consent received to make reference to an *in camera* matter in general terms within its Report.

The Committee **RESOLVED** to redact the reference to an *in camera* matter in the additional submission provided by Brocklands Pty Ltd (Ms Karen Brock) prior to publishing it to the Inquiry website

<u>Next Meeting</u> Wednesday 5 September 2018 at 1pm

Adjournment: At 12.30pm the Committee adjourned.

**DATE CONFIRMED** 

5 September 2018

CHAIR

## SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

## MINUTES OF MEETING

#### WEDNESDAY, 5 SEPTEMBER 2018

The Committee met at 1.15 pm in Committee Room 1, Parliament House, Hobart and Henty House Conference Room, Launceston

#### Members Present:

Mrs Armitage (HH) Mr Dean (CR1) Mr Finch (HH) Mr Willie (CR1) Ms Rattray (HH)

#### In Attendance:

Ms Gabi Woods (Inquiry Secretary)

#### **Confirmation of Minutes**

The Minutes of the Meeting held on Friday, 24 August 2018 **Moved JW/TR Carried>** 

#### Correspondence

The following correspondence was received and endorsed:

#### Incoming

- Letter from Ms T MacFarlane re in camera matter
- Letter from Mr T O'Connell
- Email from Mr Greg McCulloch dated 24 August 2018
- Emails from Ms T MacFarlane re market access dated 24 August 2018 and 27 August 2018
- Letter from Mr Toby, Costa Group (with response to Chairs letter of 24 August 2018) dated 31 August 2018
- Email from Karen Brock providing further information to inquiry

#### <Moved TR/JW Carried>

# Outgoing

- Letter dated 24 August 2018 to Mr Toby, Corporate Affairs Manager Costa Group seeking additional information
- Email dated 24 August to Ms T MacFarlane seeking additional information

# <Moved TR/RA Carried>

# **Report Deliberations**

The Committee considered the draft report.

# Next Meeting

Thursday 13 September 2018, 9am Henty House and CR2 Hobart.

## Adjournment:

At 4.11pm the Committee adjourned.

# DATE CONFIRMED

13 September 2018

CHAIR

#### SUB COMMITTEE ON BLUEBERRY RUST IN TASMANIA

#### **MINUTES OF MEETING**

#### **THURSDAY, 13 SEPTEMBER 2018**

The Committee met at 9.08 am in Committee Room 2, Parliament House, Hobart and via VMR/Skype

#### Members Present:

Mrs Armitage (CR2) Mr Dean (CR2) Mr Finch (VMR/skype) Mr Willie (CR2) Ms Rattray (VMR)

#### In Attendance:

Ms Gabi Woods (Inquiry Secretary)

#### **Confirmation of Minutes**

The Minutes of the Meeting held on Wednesday, 5 September 2018

<Moved TR/KF Carried>

#### **Correspondence**

The following correspondence was received and endorsed:

#### Incoming

• Email dated 11 September 2018 from DPIPWE providing additional information.

#### Outgoing

• Letter dated 5 September 2018 to Biosecurity Tasmania seeking additional information

#### <Moved JW/RA Carried>

#### **Report Deliberations**

The Committee considered the draft report.

The committee deliberated on the in-camera evidence received from several witnesses alleging that they had been threatened with reprisal by unidentified individuals should they participate in the inquiry. Given the lack of substantive detail provided by the individuals making the allegations and because the witnesses were unwilling to confirm their evidence through a statutory declaration or similar, the Committee concluded there was insufficient information available to warrant a referral to Tasmania Police or the Legislative Council Privileges Committee. The Committee noted its unanimous concern with the information provided but did not believe the allegations had in anyway
hindered the inquiry or the quality of the evidence received and noted the witnesses in question participated in the inquiry process through providing in-camera evidence.

The Chair put the MOTION that no reference be made to the *incamera* evidence received in relation to the harassment and intimidation in the Report.

The Committee voted on the MOTION

Yes – ID/TR/RA No – KF/JW

MOTION was carried

The Chair moved the MOTION that page 5 to Foreword as amended be agreed to. Unanimously agreed

The Chair moved the MOTION that page 9 to 10 as read be agreed to.

Unanimously agreed

The Chair moved the MOTION that page 11 Recommendations as amended be agreed to. Unanimously agreed

The Chair moved the MOTION that page 12 to 19 Findings as amended be agreed to. Unanimously agreed

The Chair moved the MOTION that page 20 to 23 Background as read be agreed to. Unanimously agreed

The Chair moved the MOTION that page 24 to 55 TOR 1 as read be agreed to. Unanimously agreed

The Chair moved the MOTION that page 56 to 67 TOR2 as read be agreed to. Unanimously agreed

The Chair moved the MOTION that page 68 to 74 TOR3 as read be agreed to. Unanimously agreed

The Chair moved the MOTION that page 75 to 87 TOR4 as amended be agreed to. Unanimously agreed

The Chair moved the MOTION that page 88 to 97 TOR5 as read be agreed to. Unanimously agreed

The Chair moved the MOTION that page 9 to 10 as read be agreed to. Unanimously agreed

The Chair moved the MOTION that the Attachments as read be agreed to. Unanimously agreed

The Chair moved the Report be the Report of the Sub-Committee.

Unanimously agreed

The Committee **RESOLVED** to publish the correspondence of August and September 2018 with witnesses to the Committee website

## Next Meeting

Government Administration 'B' is to meet Tuesday 18 September 2018 at 1:00pm to review the report of the Sub-Committee

## Adjournment:

At 11:47am the Committee adjourned *sine die*.

## **DATE CONFIRMED**

18 September 2018

**CHAIR**