



# Annual Report 2011

## Statement of compliance

For the year ended 30 June 2011

**THE HONOURABLE TERRY REDMAN MLA**

**MINISTER FOR AGRICULTURE AND FOOD; FORESTRY; CORRECTIVE SERVICES**

In accordance with section 63 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament, the Annual Report of the Agricultural Practices (Disputes) Board for the financial year ended 30 June 2011.

The Annual Report has been prepared in accordance with the provisions of the *Financial Management Act 2006* and any other relevant written law.

A handwritten signature in blue ink, appearing to read "Rob Delane".

Rob Delane  
Director General, Department of Agriculture and Food  
**Accountable Authority**

27 September 2011

Copyright © Western Australian Agriculture Authority, 2011

Western Australian Government materials, including website pages, documents and online graphics, audio and video are protected by copyright law. Copyright of materials created by or for the Department of Agriculture and Food resides with the Western Australian Agriculture Authority established under the *Biosecurity and Agriculture Management Act 2007*. Apart from any fair dealing for the purposes of private study, research, criticism or review, as permitted under the provisions of the Copyright Act 1968, no part may be reproduced or reused for any commercial purposes whatsoever without prior written permission of the Western Australian Agriculture Authority.

## Table of contents

<b>1</b>	<b>Overview.....</b>	<b>3</b>
1.1	<i>Executive summary.....</i>	3
1.2	<i>A note about this Annual Report.....</i>	3
1.3	<i>Operational Structure.....</i>	3
1.4	<i>Performance management framework.....</i>	4
<b>2</b>	<b>Board Performance .....</b>	<b>5</b>
<b>3</b>	<b>Significant Issues Impacting the Board .....</b>	<b>6</b>
<b>4</b>	<b>Disclosures and legal compliance.....</b>	<b>7</b>
4.1	<i>Financial statements .....</i>	7
4.2	<i>Ministerial Directives.....</i>	8
4.3	<i>Other financial disclosures.....</i>	8
4.4	<i>Governance disclosures .....</i>	8
4.5	<i>Other legal requirements.....</i>	8
4.6	<i>Government policy requirements .....</i>	8



## 1 Overview

### 1.1 Executive summary

A review of the *Agricultural Practices (Disputes) Act 1995* and the Agricultural Practices Board established under it found there was no need for its continuation and recommended repeal in March 2002. Drafting of a Bill to repeal the Act was approved by Cabinet; however because of the many Bills with higher priority, this Bill has not progressed.

The term of office of all Board Members expired on 30 June 2006. The Treasurer appointed the Director General Department of Agriculture and Food Western Australia as the Accountable Authority of the statutory authority under Section 55(2) of the *Financial Management Act 2006*. The Department of Agriculture and Food, Western Australia continues to provide all services required of the Agricultural Practices Disputes Board. The Registrar received three enquiries during the year concerning disputes. None of the enquiries resulted in an application for mediation being lodged.

### 1.2 A note about this Annual Report

As all services provided and costs incurred by the Board have been provided by the Department of Agriculture and Food since the term of office of all Board Members expired on 30 June 2006, there is no budget allocation, expenditure or revenue transacted in the name of the entity. In addition, the Auditor General has advised that there is no requirement for independent auditing of the entity's financial statements on the basis that there would be no public interest served in regard to the costs incurred. While there remains a requirement to provide an annual report in line with the requirements of the *Financial Management Act 2006*, there is no financial information or performance indicators presented in this report.

### 1.3 Operational Structure

#### Enabling Legislation

The Agricultural Practices Board of Western Australia is established under the *Agricultural Practices (Disputes) Act 1995*.

#### Responsible Minister

The Honourable Terry Redman MLA, Minister for Agriculture and Food; Forestry; Corrective Services.

#### Mission

The *Agricultural Practices (Disputes) Act* was proclaimed in June 1996 to provide a fair and equitable process to resolve farm disputes.

#### Organisational chart/senior officers

Mr Rob Delane, the Director General of the Department of Agriculture and Food Western Australia is the Accountable Authority of the Statutory Authority. Ms Kerry Dunn fulfils the role of Registrar of the Statutory Authority. There have been no (NIL) meetings of the Statutory Authority during the financial year.

### Administered Legislation & key legislation impacting on activities of the Agricultural Practices Board

The Minister for Agriculture and Food also administers a number of related Acts. A complete list is presented in the Department of Agriculture and Food Western Australia Annual Report 2011 ([www.agric.wa.gov.au](http://www.agric.wa.gov.au)).

Other key legislation impacting on the activities of the Agricultural Practices Board are also presented in the Department of Agriculture and Food Annual Report 2011.

## 1.4 Performance management framework

### Outcome based management framework

Government goal	Agency level government desired outcome	Service
Social and environmental responsibility – ensuring that economic activity is managed in a socially and environmentally responsible manner for the long-term benefit of the state.	Land managers and producers using best management practices.	Encourage harmonious co-existence of agriculture and other land uses. This output contributes to improving the ecological sustainable development of agri-industry by: <ul style="list-style-type: none"> <li>Assisting and encouraging farmers to minimise and/or eliminate adverse environmental nuisances that may result from production and processing systems; and,</li> <li>Assist farmers to adopt business decision making processes that enable risk minimisation</li> </ul>

### Changes to Outcome based management framework

The Agricultural Practices (Disputes) Board's outcome based management framework did not change during 2010-11.

### Shared responsibilities with other agencies

All services of the Agricultural Practices (Disputes) Board are provided by the Department of Agriculture and Food Western Australia. This includes all administrative and reporting responsibilities as well as operational activities such as the provision of independent mediation services.



## 2 Board Performance

Activity	2011	2010
General enquiry	3	3
Information kits/brochures distributed	1	2
Applications for mediation	0	0
New mediations	0	0

All costs associated with services provided under the *Agricultural Practices (Disputes) Act 1995* are absorbed within the normal operations of the Department of Agriculture and Food. As there is no budget allocation, expenditure or revenue transacted in the name of the entity, and with the Auditor General having advised that there is no requirement for independent auditing of the entity's financial statements, there are no financial tables or performance indicators presented in this annual report. (Expenditure reported in the 2009-10 annual report related only to the independent audit of financial statements, controls and key performance indicators undertaken by the Office of the Auditor General for that year.)

### Financial targets 2010-11

	Target	Actual	Variation
	\$	\$	\$
Total cost of services (expense limit)	0	0	0
Net cost of services	0	0	0
Total equity	0	0	0
Net increase / (decrease) in cash held	0	0	0
Approved full time equivalent (FTE) staff level	0	0	0

### 3 Significant Issues Impacting the Board

In providing the services formerly provided by the Agricultural Practices (Disputes) Board, the Department of Agriculture and Food Western Australia addresses the following significant issues relevant to the former Board and *Agricultural Practices (Disputes) Act 1995*:

- There are continuing strong pressures on both extensive and intensive agricultural land uses to control environmental and community impacts, and concerns over the loss of productive agricultural land will necessitate innovative management solutions for sustainable development. The management of risks will continue to become increasingly critical for agricultural operations, particularly those that operate in the vicinity of life style property developments. Producers will need to develop and implement more robust risk management techniques.
- There are increasing numbers of small landholdings and lifestyle property developments being established on the fringes of the cities and major towns in Western Australia. These are usually developed in areas zoned rural and often adjoin commercial agricultural enterprises. For example, the rapid spread of urban housing developments on the Swan Coastal Plain has resulted in many intensive agricultural enterprises relocating from areas such as Wanneroo/Wangara, Caversham and Baldivis. Often re-zoning of the area is not concurrent with the change in land use.
- Increasingly people are not prepared to compromise in situations where the activities of their neighbour results in a nuisance (such as odour, noise, dust, smoke, fumes, or spray drift) and impacts on their quality of life. Local Government Authorities now employ Environmental Officers who have responsibility to investigate these types of disputes.
- There were no changes in any written law that affected the Board during the financial year.

## 4 Disclosures and legal compliance

### 4.1 Financial statements

#### For the year ended 30 June 2011

As all services provided and costs incurred by the Board have been provided by the Department of Agriculture and Food since the term of office of all Board Members expired on 30 June 2006, there is no budget allocation, expenditure or revenue transacted in the name of the entity. As such, no financial statements or associated notes to the financial statements are presented in this report.

At the date of signing we are not aware of any circumstances which would render any particulars included in this statement misleading or inaccurate.

#### Additional Key Performance Indicator Information

Following a review of the *Agricultural Practices (Disputes) Act 1995* it was decided to transfer the functions of the Act to Consolidated Funds of the Department of Agriculture and Food Western Australia.

A Bill to repeal the Act has been drafted and will be presented to Parliament at a date to be determined. Given that the functions of the Act are reduced and the legislation is waiting to be repealed it was inappropriate to complete Performance Indicators for the fiscal year ending 30 June 2011.

A handwritten signature in blue ink, appearing to read 'Rob Delane'.

Rob Delane  
Accountable Authority  
27 September 2011

A handwritten signature in blue ink, appearing to read 'Joe Murgia'.

Joe Murgia  
Chief Finance Officer  
27 September 2011



### 4.2 Ministerial Directives

No Ministerial directives were received during 2010-11.

### 4.3 Other financial disclosures

The Department of Agriculture and Food Western Australia is responsible for all the information requirements for the Agricultural Practices Board. The role of Registrar is provided free of charge by the department to ensure the service stipulated by the *Agricultural Practices (Disputes) Act 1995* is provided until such time as the legislation is repealed. Refer to the Department of Agriculture and Food Annual Report 2010 regarding Pricing policies of Services Provided, Capital Works and Employment and Industrial Relations ([www.agric.wa.gov.au](http://www.agric.wa.gov.au))

### 4.4 Governance disclosures

At the date of reporting, no Senior Officers, firms of which Senior Officers are members, or entities in which Senior Officers have substantial interests had any interest in existing or proposed contracts with the Department and Senior Officers.

### 4.5 Other legal requirements

Services provided by the Department of Agriculture and Food Western Australia on behalf of the Agricultural Practices Board are conducted in accordance with that Department's policies, procedures and initiatives in relation to Advertising, Disability Access and Inclusion Plan Outcomes, Compliance with Public Sector Standards and Ethical Codes, and Recordkeeping Plans. Refer to the Department of Agriculture and Food Western Australia Annual Report 2011.

### 4.6 Government policy requirements

Services provided by the Department of Agriculture and Food Western Australia on behalf of the Agricultural Practices Board are conducted in accordance with that Department's policies, procedures and initiatives in relation to Substantive Equality, and Occupational Safety and Health. Refer to the Department of Agriculture and Food Western Australia Annual Report 2010 ([www.agric.wa.gov.au](http://www.agric.wa.gov.au))



### Contact Details

**Postal**

Locked Bag 4  
Bentley Delivery Centre  
6983

**Street**

3 Baron-Hay Court  
South Perth WA  
6151

**Electronic**

Internet: [www.agric.wa.gov.au](http://www.agric.wa.gov.au)  
Email: [enquiries@agric.wa.gov.au](mailto:enquiries@agric.wa.gov.au)  
Telephone: 61 8 9368 3333  
Facsimile: 61 8 9368 1205

Copies of this document are available in alternative formats upon request. Should you have a hearing or speech impairment you can contact the department through the National Relay Service:

TTY or computer with modem users phone 133 677

Speak and listen users phone 1300 555 727

If you require the assistance of an interpreter, please contact the department through TIS National on 131 450.