



NEBRA Five Year Review

By email only: nebrareview@agriculture.gov.au

Thank you for this opportunity to provide a written submission to contribute to the review of the implementation and effectiveness of the National Environmental Biosecurity Response Agreement (NEBRA). As the Biosecurity Council of Western Australia (the Council) had representatives participate in the government and community stakeholder workshops delivered in Perth, this submission addresses strategic questions rather than implementation-level issues.

Given the limited use of the NEBRA and agencies shared experience that they are disinclined to even attempt to formalise a response agreement under the NEBRA (due to the lack of transparency and prior learning), then the overriding question is whether the NEBRA should continue.

With this in mind, the Council have identified the following issues:

- In Western Australia, government agencies do not feel that the NEBRA will help deliver an effective environmental biosecurity response. This is because of the potential time delays and costs, with low likelihood of achieving agreement under the NEBRA. Nearly all attempts to formalise a response have failed, without consistent reasons as to why — consequently, application of the NEBRA is avoided. There is a view that the Commonwealth applies the NEBRA criteria to limit or avoid financial exposure.
- Application of criteria to trigger the NEBRA are overly restrictive. For example, it does not cover deliberate introductions, will not be triggered if there are industry implications (which is highly likely, particularly in the aquatic environment) and the local authority has to do the initial incursion response before the NEBRA will consider funding.
- Cost-sharing with non-government beneficiaries is quite unrealistic — they are highly diverse; they lack discretionary resources and the ability to mobilise; and there currently is no appropriate and agreed way to determine public/private benefits and contributions.
- The NEBRA requires someone to 'own' it and therefore 'drive' environmental biosecurity (such as PHA owns the EPPRD; AHA owns the EADRA). The NEBRA falls between primary industry-oriented entities and environmental entities.

- Was the system working before NEBRA? Council is surprised at the lack of any experiential or case history information in the discussion paper. Why was NEBRA introduced in the first place; what deficiencies has it addressed; and has there been a better outcome? Council understands that the NEBRA was the first deliverable under the Intergovernmental Agreement on Biosecurity (IGAB); however, Council at least expected some evaluative content in the discussion paper, rather than simply consulting on anecdotal feedback.

If the NEBRA is to continue, there needs to be greater transparency so the different parties can make informed decisions:

- For agencies to make informed decisions on whether to proceed under the NEBRA, there must be greater clarity on how criteria are applied. Case history may be drawn upon to provide some of this clarity — for example, when was the NEBRA considered, and on what basis was the Agreement triggered or not triggered? What is the status of the current responses under the NEBRA? There is no learning experience to guide agency decision-making with regard to whether they should attempt to invoke the NEBRA or not.
- Non-government stakeholders do not know the NEBRA exists (and therefore may not understand what it is for), yet may be called upon to cost-share. For example, of the 15 organisational representatives present at the NEBRA review workshop in Perth, only one person was familiar with the NEBRA prior to the meeting. If non-government stakeholders are to be party to a NEBRA response and contribute funds, then they should be able to access information and also be represented on decision-making bodies (in line with the IGAB principles).
- For the NEBRA to work there needs to be a clear process for submission, consideration and decision (in a timely and effective manner) in which government stakeholders have confidence, with tracking in real time. This needs to be supported by:
 - the right tools for agencies to self-assess; and
 - categories of threats (and their characteristics) as opposed to lists of species. Species lists can become a logistical problem in themselves.

Overall the key agencies should adopt an action learning approach so that case history informs and prioritises future considerations by entities to apply for a NEBRA response or go down a non-NEBRA path. This calls for a decision-tree approach.

Once again, thank you for this opportunity to contribute and we welcome further discussion with you.

Yours sincerely



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