LEILA HUEBNER - **BIOSECURITY BILL 2012 SUBMISSION**

In the very brief time in which I have had available to familiarise myself with the content and context of the **Biosecurity Bill 2012** which is understood to replace the old Quarantine Act 1908, I cannot give complete justice in this Submission to what should be a very in-depth and comprehensive examination to satisfactorily cover the scope and limitations of all the Bill's various entities involved.

However, as a preliminary, I am taking the liberty of presenting and endorsing what is basically the summary discussed and explained in the Invasive Species Council's submission (Exposure draft of the Biosecurity Bill 2012 – A submission from Environment NGOs, Invasive Species Council).

Taking the positives first in support of the Biosecurity Bill 2012, these essentially cover the following:-

- The need for a 'one biosecurity' approach as recommended by the 2008 Beale Review that conceptualises a whole of continent, cross-jurisdictional modus operandi to national biosecurity;
- The Biodiversity Bill's power and tools in providing for more effective, more vigorous and tougher environmental biosecurity is acknowledged ('but is limited by inadequate institutional arrangements and deficient decision-making and review processes' - ISC);
- Inclusion of the Biodiversity Convention in the Objects providing direct legal basis for measures to 'prevent the introduction of, control or eradicate(ion of) those alien species which threaten ecosystems, habitats or species (Article 8(h)) through the operation of a national regulating system utilising other powers and tools which can be applied for achieving enormous environmental benefit;

The major flaw is that (in apparent opposition to the Beale review recommendations) this Bill will maintain all functions within the Department of Agriculture, Fisheries and Forestry (DAFF) instead of establishing a separately functioning, independent statutory authority, with the potential for conflicting roles in trade and industry promotion through having decision-making being made by a director who will be in charge of both Biosecurity and DAFF. It appears that those agencies preparing this extremely important Biosecurity Bill 2012 in its present draft do not appear to be aware of the seriousness of the environmental issues at stake.

Additional flaws are apparent in the following (as pointed out by the ISC):-

- Transparency lacking in most decisions without public scrutiny requirements or community consultation; auditing decisions will only cover processes, not decisions, which has the potential to allow possibly ill-conceived political and/or commercial influences;
- There appears to be no systems in place to ensure that environmental biosecurity will be prioritised in times of DAFF budgetary constraints; the involvement of the Environment Minister or Environment Department in environmental decision-making will be subsumed to the decisions of DAFF;
- There is apparently lacking any coherent, cohesive 'biosecurity partnership' with community in context of ensuring productive involvement in biosecurity policy setting and decision-

making. There is need for an equivalent body to that of the industrial bodies of Plant Health Australia and Animal Health Australia to establish priorities in environmental biosecurity;

The IRC Reform priorities outline that the structure implementation, as proposed by the Beale Review, should establish a statutory Biosecurity Authority, an expert Biosecurity Commission and an independent Director of Biosecurity (as recommended by the Hawke review of the EPBC Act).

There should be the requirement of using the Precautionary Principle in the Biosecurity Act.

[There is the risk of no 'wriggle-room' with the current aim for greater efficiencies. Neither DAFF nor Environmental Departments will be in any co-ordinated, flexible position for any biosecurity contingencies (the likelihood of which has been recently exponentially increased with accelerating, expanding global trade). The Precautionary Principle should be an essential applied risk aversion tool utilised by a Biosecurity Authority.]

Genuine partnership with community is another essential if feedback and free flow of communication underlies rights for access to information, consultation, representation in policy processes such as presently exists under the EPBC Act. Representation by NGO groups to all government committees focusing on environmental issues is also essential.

I note ISC's recommendation for an equivalent organisation to that of Animal, Plant health Australia bodies, by which 'to facilitate cross-jurisdictional, cross-sector collaboration to develop more ecologically informed approaches to biosecurity, improve biosecurity preparedness, promote effective responses to environmental incursions, enhance community awareness, and to monitor and report on progress in environmental biosecurity'. My comments follow:

[Essentially, what is lacking throughout our entire political, business-industrial, community, educational AND ENVIRONMENTAL agencies, organisations and systems is a basic understanding of ECOLOGICAL LITERACY. The great majority of state and federal Acts do not have the necessary inter-connectedness in processes to ensure common understanding of the basic levels of ecological functions. I quote from the University of South Australia's observations on the meaning of Ecological Literacy:

'Ecological literacy is one of the most important requirements for a functioning, sustainable society in the 21st Century. A growing worldwide concern is that increasing ecological illiteracy threatens the capacity of humankind to achieve a sustainable future. To date, however, no one has attempted to measure ecological literacy and establish baseline and target levels. The outcomes of (any such contemplated) work will contribute to a better understanding of our community ecological knowledge base and to global efforts to make more informed decisions.'

Human civilisation has only come about through two interactive human abilities: literacy in language skills and literacy in numeracy, both which have advanced our civilisation to the levels of communication and technology experienced today. There is the third component upon which these two functional human advances depend upon for every sustainable resource commodity for survival – the environment. The underpinning of sustaining a healthy and productive environment is through understanding that we also need ecological literacy.

That these three components should be given at least equal weight appears obvious, yet as a society we subsume and accord little regard for the very underlying foundation for and by which our very existence and quality of life depends.

Degrees of considerable ecological illiteracy is present throughout the length and breadth of our societal strata, from primary education through to tertiary levels, the latter from whence most of our professional people are absorbed into government and corporate bureaucracies – as well as those becoming socio-politico-economic advisors. Ostensibly, these qualified professionals help administer and run this country. But the greater majority are invariably illiterate in essential fields of ecology – the very process that underpins and generates the health and wealth of this country and by extrapolation, the global commons.

What is urgently needed now, and not tomorrow, is a paradigm shift in consciousness with the necessary hard decisions that must be made by which to elevate the notion of elemental ecological literacy as an equal necessity in people's knowledge and understanding of why and how the environment matters.]

Environmental roles in decision-making and policy direction in important environmental biosecurity guidelines and priorities should be provided for the Secretary of the Environment Department and Environment Minister (should the biosecurity agency remain within DAFF's authority);

Biosecurity participants should be required to exercise a general biosecurity obligation to minimise biosecurity risks, and to ensure that new imports are transparently based on defined risk assessment methodologies, including evidence inputs from the public (with reviews). Should the Beale-recommended model of an independent authority and expert commission be rejected, that a Risk Assessment Authority needs to be established to undertake and handle risk assessments.

Defining the environment in terms of biodiversity indigenous to Australia, including ecosystem, species and genetic diversity, and ecological processes is fundamental to being included in a Biosecurity Act.

Climate change and tracking recognised changes through time needs to be included as a recognised biosecurity risk.

A national approach is needed to 'implement a 'one biosecurity' approach by adopting a national risk assessment protocol for pre-border and post-border application and establish a listing process for nationally significant invasive species to provide for risk-based management across the biosecurity continuum.' and the establishment of conservation zones of high value conservation areas with high biosecurity risks as a basis for implementing biosecurity measures, plans and monitoring be declared as biosecurity zones; that these operations extend to outlier islands.

Importantly, because of the increase of international and domestic traffic, an adoption of a national regulatory body should cover all Australian waters.

[The recent discovery of the Tiger Mosquito (*Aedes albopictus)* found in imported plants puts the focus on how vulnerable our vast Australian shoreline is to foreign organisms. Merely by coincidence I had recently read author Andrew Nikiforuk's 2006 publication 'Pandemonium – how globalization and trade are putting the world at risk', in which he writes a section of a chapter to the diseases these particular mosquitos carry (including in their eggs), amongst them Dengue Hemorrhagic Fever. Tiger Mosquito and the diseases they carry, according to researchers, favours higher temperatures. This aggressive species is a veritable "Darwinian blitkreig' crowding out local mosquito species. What was significant was the fact the Tiger Mosquito had not yet been detected in Australia when Andrew Nikiforuk researched his book.

The cost to the economy in hospitalizations, medications, lost economic activity etc. will be enormous should this Tiger Mosquito successfully establish itself in our warming climate.

Along our southern Discovery Bay coastline from Portland to the Victorian–South Australian border, foreign algaes have encroached, displacing dozens of unique indigenous coastal algael species (personal communication, John Eichler, marine biologist). It is doubtful whether the full implications of the loss of biodiversity on fish and other benthic organisms can be determined at this stage. Certainly, there is no current procedure that can control the extent and range these alien organisms, without their natural controls, can reach.

The questions that are largely dodged by the World Trade Organisation, the World Bank, TRIPS and WIPO and every global economic activity are...

"Is the pace and scale of global trade endangering our livestock, hospitals and waterways? How vulnerable is our food to bacterial, viral and fungal invaders? Do certain trade goods cause more biological trouble than others? And – most importantly – HOW CAN WE DO THINGS DIFFERENTLY?"

We have changed the face and nature of our world so dramatically and so far-reaching, more so in Australia across the breadth of the country. There is little inkling or even consideration of the tide gathering apace in realising the repercussions of our ecologically illiterate actions, yet the political powers, their agencies and economic interests are literally 'sleep-walking into disaster' as witnessed by the present absence of more effective policies and processes in this draft Biosecurity Bill 2012 – unless there is a consensual realisation, a common sense of the urgency that must be responsibly faced, to make the final Biosecurity Act functionally effective into the future.

Please reconsider and do what is necessary and right to secure this country from foreign organisms invading our shores. Include the basic tenets of the Invasive Species Council to make the Biosecurity Act a powerful means toward protecting our health and our future.

IT'S ALL ABOUT SURVIVAL IN THE END.