

## Plant Conservation Australia response to 5-year Review by Commonwealth DAFF of the National Environmental Biosecurity Response Agreement (NEBRA)

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### Response to review questions:

#### ***Theme 1: Benefits and outcomes of the NEBRA***

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*Question 1 seeks to understand your awareness of what the NEBRA has achieved over the past five years, including outcomes delivered through individual responses and any broader benefits such as improved national coordination, consistency and capability.*

- 1. Are you aware of what the NEBRA has achieved in the past 5 years?***
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Plant Conservation Australia (PCA – formerly the Australian Network for Plant Conservation ANPC) has been informally aware, through public media, of eradication-focussed responses to Red Imported Fire Ant RIFA in various centres, although these are rarely if ever badged in those media as NEBRA-related. PCA has not received any communication from the biosecurity apparatus in relation to NEBRA or any of the other ‘*closed or ongoing responses*’ under NEBRA listed in the Discussion Paper (DP) at Appendix A – which is perhaps not surprising as to date these all concern faunal incursions, although not without some direct or indirect potential impacts for native flora. Our poor knowledge of these incursions and their

connection with NEBRA undoubtedly derives in part from our limited resources (as a largely volunteer-based community/professional crossover organisation) for conducting proactive research and monitoring outside our immediate area of remit, but we suggest that it may also reflect shortcomings in NEBRA stakeholder liaison and also the lack of environmental NGO representation in the NEBRA decision making and advisory areas. This sort of information simply does NOT make its way through the represented environmental agencies to the unrepresented non-governmental half of the environmental sector.

We have not been aware (as an organisation) of the Macao Paper Wasp response on the Cocos-Keeling Islands as a '*Response funded by the Australian Government*'. Given that the response was initiated in 2015, and thus post-dates the foundation of NEBRA as a distinct response mechanism, we are curious as to why this MPW response has been treated for funding and governance purposes as separate from the three principal mechanisms (EADRA, EPPRD, and NEBRA), what reasons and criteria underlie this distinction, and whether those causal factors and the separate line of funding are to be considered as a precedent for other incursions that may somehow not fit neatly into the parameters of the principal three mechanisms.

The Discussion Paper lists several plant incidents considered under NEBRA since 2018 that did not proceed to a response activation. These include Western Indian Pinkroot (*Spigelia anthelmia*) in 2019, Yellow Burrhead (*Limnocharis flava*) in 2021, and Water Primrose (*Ludwigia leptocarpa*) in 2022. Plant Conservation Australia (under our previous ANPC identity) was not involved in or informed about these decisions, despite being the main national NGO dedicated to native plant conservation. This suggests a substantial problem with DAFF stakeholder scanning in the conservation space, particularly for NGOs, and one unlikely to be limited to overlooking our organisation. The effect of stakeholder omission effectively equates to a lack of transparency. We recommend a review by DAFF, in consultation with the conservation NGO sector, of its stakeholder landscaping and the triggers for consultation with them (recognising that these will vary with situation).

In relation to the two '*Cost-shared NEBRA-like responses*', we have been aware in general terms of ongoing management actions around Electric Ant and the five tropical weeds (*Limnocharis flava* and *Miconia* species). We recognise that these responses were initiated prior to the inception of NEBRA in 2012. We also gather that the Electric Ant effort is approaching success, which is good news – this illustrates that extended eradication responses for difficult environmental incursions (this one was initiated in 2006), can have successful outcomes. This should be borne in mind for other environmental responses where eradicability decisions tend to be decided in a much shorter timeframe, sometimes precipitately so (as in the eventually unsuccessful on/off/on effort for Myrtle Rust in 2010).

We would like to know whether Government flexibility extends to considering other candidates for a 'NEBRA-like' post-emergency response with similar longevity of management funding, in cases where the principal three mechanisms lapse due to non-eradicability. This is not a pot-shot point – we would argue that that is EXACTLY what is needed for certain serious, broad-spectrum environmental pests and pathogens that naturalise despite a serious eradication attempt, but for which effective management and adaption funding and ongoing response arrangements (containment or other) are currently lacking or inadequate. Myrtle Rust is a case in point, Polyphagous Shot-Hole Borer may prove to be another. See our comments on mechanisms for this under Q24 below.

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*Question 2 examines the role of the NEBRA in shaping confidence among governments, stakeholders and the broader community in Australia's ability to respond to significant environmental biosecurity incidents.*

## 2. *How has the NEBRA influenced public confidence in Australia's environmental biosecurity response capability?*

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**Regarding confidence among the general public**, we think that consciousness of NEBRA is negligibly small, and hence as a mechanism it does not in itself inspire or sustain confidence. However, there is substantive public awareness of Red Imported Fire Ant RIFA eradication program and actions. Whether these have positively influenced public confidence in Australia's environmental biosecurity response capability is an open question, given the unresolved nature of the problem and the continual widening of the main affected zone. The eradication of RIFA at six point locations outside the main SE Queensland occurrence zone is undoubtedly good news, but the public can read the tea-leaves (especially given the Varroa mite experience) and the likelihood of eventual failure for RIFA looms large in the public mind. We acknowledge and applaud the work that is going into the effort, and we acknowledge that 'public' expectations can at times be unrealistic.

**Within the environmental sector, and specifically the non-government and community part of it**, our assessment is that NEBRA does not at this point in time provide a great deal of confidence in Australia's environmental biosecurity response capability. The advent of NEBRA in 2012, and its update in 2021, provided a general sense (for the minority that were aware of it) that there was progress on the huge environmental threat 'gap' left by the well-resourced agriculture-oriented EADRA and EPPRD mechanisms. However, the general experience to date seems to imply that an incursion with any potential to affect commercial interests (agriculture, horticulture, husbandry) will be administered under EADRA or EPPRD, not NEBRA, regardless of the potential scale of the threat to native biodiversity. That in turn implies (or almost guarantees) that actions, monitoring, and scoping research will be heavily geared to the commercial side of the threat, and this almost inevitably leads to a similar bias in any 'transition to management' (TtMP) actions and funding – again the clearest exemplar of this is for the Myrtle Rust response and TtMP in the period 2010-13.

The very limited or absent environmental voice in the EADRA and EPPRD mechanisms, and even under NEBRA, coupled with the confidentiality provisions that routinely (and sometimes counterproductively) apply during eradication responses, result in a situation where most people in the environmental sector, both government and non-, tend to be poorly informed during the response, and are not well resourced for eventual transition to management, yet are left to face the on-ground consequences if eradication fails.

A further instructive example relates to White Spot Disease (WSD) and its agent White Spot Syndrome Virus (WSSV), and the response to the threat since 1994. In this case, which appears to have altogether escaped the nominal Commonwealth mechanisms and has been handled by a chaotic set of ad hoc responses, the environmental dimensions of the threat to native crustaceans and the marine ecosystems in which they are crucial, has received very short shrift indeed (Parliament of Australia 2023, *White Spot Disease in Australia: an updated chronology to 2022*

([https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_departments/Parliamentary\\_Library/Research/Chronologies/2022-23/WhiteSpotDisease](https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/Research/Chronologies/2022-23/WhiteSpotDisease)). White Spot Disease is outside our immediate field of concern as a native plant conservation organisation, but we are not blind to what is happening in other sectors, and the wider implications.

Cases such as these mean that even in the rather small parts of the environment sector that are both engaged with and supportive of strong and sound biosecurity responses. Confidence in the system, its settings, and its assumptions, is low. Unless and until NEBRA

develops a more visibly effective track record in leading responses to organisms that represent significant environmental threats, that low level of confidence is unlikely to be reversed.

Representation and information flow are also crucial factors in confidence or lack thereof. Both are currently very limited for organisations other than the main government environment agencies under settings for the National Biosecurity Committee and its sectoral committees and expert groups (<https://www.agriculture.gov.au/biosecurity-trade/policy/partnerships/nbc>). The representation of environmental NGOs, First Nations interests, and the Natural resource management sector are all inadequate, and stakeholder outreach in the environmental space appears haphazard. Biosecurity is everyone's business, so a broader range of groups should have a seat at the table.

**At the point of initial response pathway setting, incursions with any potential to affect commercial interests are almost always allocated to the agricultural deeds rather than NEBRA.** This guarantees that actions and monitoring will be heavily geared towards commercial biases. Unless NEBRA leads more responses to organisms that represent significant environmental threats, this low level of confidence is unlikely to be reversed.

## ***Theme 2: Decision making and governance***

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*Questions 3 and 4 focus on decision making under the NEBRA, seeking views on the transparency and evidence base of decisions and how First Nations peoples' perspectives are currently incorporated.*

### ***3. In your view, are decisions made under the NEBRA transparent and evidence based? If not, how can this be improved?***

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We cannot give a directly experience-based response because few flora-impacting threats have been addressed under NEBRA. However, published summaries of NEBRA decision making lack detail on the scientific evidence used. We suggest the NEBRA apparatus look at the public reports generated for EPBC Threatened Species listings under the Common Assessment Methodology.

The feasibility of a Preliminary/Final Determination public report approach, as used by the NSW Threatened Species Scientific Committee, is also worth consideration, especially in the pre-arrival contingency planning phases which NEBRA is supposed to include.

These approaches can and do put all relevant information into the public domain in a measured and carefully constructed way, and provide a far better basis for public and professional awareness, confidence in decisions, feedback, and (where necessary) future adaptation.

Publication at similar levels of detail should apply also to referred incidents for which an eradication process is not approved.

Under both NEBRA and the other mechanisms, we would make the comment that 'transparency' means little if there is no-one there to see or hear what is going on, and that is the case for most of the non-government part of the environmental sector. Improved

representation and better environmental stakeholder liaison (two way!) is needed, under all three mechanisms – NEBRA, EADRA and EPPRD.

The decision as to which response pathway will apply (EADRA or EPPRD, vs NEBRA), should also be the subject of a detailed and prompt published justification. In cases where the potential for environmental impact is substantial, any decision to pursue the EADRA/EPPRD pathway should include measures to ensure that the environmental (or cultural) interested parties are adequately represented and the environmental (or cultural) impacts are addressed, given the known systemic biases of the two commercially oriented pathways.

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***4. In your view, how well are First Nations peoples' perspectives currently considered within the NEBRA's decision making and governance arrangements, and how could this be strengthened or better supported?***

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It is for First Nations organisations to answer this question, but as an organisation that does not fall under that head, we see little opportunity in NEBRA 2.0 for First Nations input at decision-making and governance level. We would suggest that the issue is not one to be solved only by single-person Indigenous representation on a few bodies. The problem is likely to relate straight back to shortfalls of capacity and expertise in the First Nations community organisations that ideally could participate, compared to their many other priorities in health, cultural preservation, education, and employment.

A standing and supported Indigenous reference panel (or perhaps two or three such, for different regions of the continent likely to be impacted), should be considered.

We would also tentatively suggest that among other mechanisms, programs of supported paid internships and secondments in both the agriculture-oriented biosecurity organisations, and in the threat/response sections of the environment agencies could, if well-designed and culturally sound, result over time in significant expertise transfer back to home organisations, and perhaps infusion of Indigenous perspectives into the host agencies. We recognise the existence of such placements already in those departments at large, but they seem to be less common in the biosecurity related sections, except in Northern Australia.

Greater links between the environmental biosecurity apparatus, and the various Indigenous advisory committees attached to many State and Commonwealth departments and agencies, could also help.

Support funding for Indigenous-led conferences and workshops at appropriate scales and locations would also be likely to help, as long as the input from the biosecurity agencies is consistent and long-term. For starters, a co-led workshop series aimed at revising the national significance criteria in NEBRA and the other frameworks to more adequately reflect Indigenous cultural values and economic interests, and at making recommendations for adequate representational mechanisms, should be a priority.

At a deeper level, NEBRA is not in our view structured or worded in ways that adequately recognise potential cultural impacts as triggering factors for a response. The national significance criteria do not yet adequately reflect the value of culturally significant species, places, landscapes, and practices.

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*Questions 5, 6 and 7 examine the clarity and suitability of the NEBRA's governance arrangements, including how well roles and responsibilities are understood, how interests are represented in decision making, and whether current governance settings are fit for purpose for environmental biosecurity responses*

**5. Should the NEBRA governance committees include specialist environmental policy and technical expertise?**

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NEBRA governance committees should include, or have regular access to, specialist environmental policy and technical expertise. They should tap people with suitable expertise from agencies, research institutions, and the private and community sectors where appropriate.

Policy committees might well consider organisational or sub-sectoral representation (as distinct from individuals, as long as the representatives are individually competent).

Technical committees should be based primarily on the technical expertise and subject experience of individuals, regardless of organisation. The technical and project review committees maintained by agencies like Saving Our Species NSW, and the NSW Environmental Trust, provide potentially suitable models. Suitable sitting and reading fees should apply.

Observer status for a wider range of organisations on the NMBCCs would be good in principle, although we doubt the effectiveness of observers who are not allowed to speak (NEBRA 4.2.c.i); this is likely to lead more to frustration than to confidence-building and constructive input. If this provision is maintained, then an alternative arrangement of External Reference Groups might prove more productive, as long as these are convened regularly, fully informed, and are enabled to engage in collective discussions (not just bilaterals with a DAFF liaison).

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**6. What induction, training or professional development would best support those responsible for delivering responses under the NEBRA?**

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Plant Conservation Australia has in various forums over the last decade advocated for funded annual or biennial 'war-gaming' of incursion scenarios, using real-world threats such as those on the National Priority Plant Pests (NPPP) and EEPL Lists (both of which remain poorly known in environmental circles). Such exercises should include environmental and NRM subsectors and organisations currently excluded from actual decision-making roles, as a familiarisation and confidence-building measure. These organisations, especially the government ones, are often expected to contribute people and time to the eradication response, but for best effect their prior familiarisation with the processes and assumptions could only be beneficial.

Scenario development and war-gaming should also include a heavy loading towards the 'transition to management' end of the process (i.e. what happens if eradication fails), to test preparedness and weaknesses in the organisations that will be expected to pick up the ball.

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**7. In your view, does the NEBRA governance model suit the nature of environmental biosecurity responses in practice, and why or why not?**

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Schedule 8 of NEBRA 2.0 includes at section 2.1 (*General roles [of the National Biosecurity Management Consultative Committee NBMCC] in relation to a national response*), the following responsibility:

*“2.1.h. when an Emergency Eradication Response is judged to be no longer technically feasible or cost beneficial, provide advice and recommendations to the NMG on:*

- i) whether a Transition to Management Response is appropriate and if so, the scope of the activity for the response and required amendments to the Response Plan, or*
- ii) whether the NMG should determine that a national response should cease and should consider options for alternative arrangements outside this agreement”*

It is at this hand-off point in the response/fail/transition pathway that current arrangements and representation are seriously derelict under all three response frameworks. The very limited representation of the environment sector in the decision-making chain (single individuals within large agencies; little or no non-agency representation) means that an NBMCC is unlikely to be able to make a fully informed decision about either needs or possibilities for TtM or alternatives, unless sectoral representation or input is substantially increased, at least around this phase of the process. The failure of the Myrtle Rust NBMCC in 2010-11 to generate any meaningful actions, or even recommendations, for an environment sector response, led directly to a seven year hiatus during which no effective steps were taken to capture germplasm of species in catastrophic decline, to launch systematic monitoring, or to prepare the ground for the selective-breeding strategy for recovery that is today the primary recovery pathway. We remain even now several years behind where we should be in that environmental response, because of that failure.

NEBRA Schedule 8 2.3.e of provides that

*“The Chair of the NBMCC, and parties to the agreement, should consider if there is a relevant Non-Government Entity that should be invited to participate in the NBMCC for a particular incident.”*

We note the use of the singular, ‘a non-Government Entity’. This reflects a rather grudging and unrealistic view of what the non-government environmental sector has to offer, and of the potential complexity of an environmental response, both during the NEBRA cost-sharing eradication phase and in the development of a Transition to Management or ‘alternative arrangements’. The regular agency reps may in some cases be unlikely to have the requisite knowledge to scope, let alone shape, the necessary or possible post-NEBRA response actions. Myrtle Rust in the 2011-13 period again provides an instructive example – none of the funded TtMP actions related directly to meeting the environmental threat (although all were necessary at other levels), and no-one involved at that time scoped the pathways to recovery later elaborated in the National Action Plan for Myrtle Rust – a gap of seven years ensued from the start of the TtMP until the first meaningful species recovery actions could occur, largely because the TtMP did not mandate any options in that direction.

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*Questions 8, 9 and 10 consider the appropriateness of the key assessment criteria used to determine whether incidents proceed under the NEBRA – including national significance, technical feasibility and cost–benefit – and how well these criteria support robust, inclusive and well-informed decision making.*

**8. In your view, are the criteria for assessing the national significance of a pest or disease appropriate in the current risk environment?**

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The NEBRA ‘National significance criterion: environment’ (NEBRA sect. 2, 2.1–2.6) contain problematic elements.

**In relation to 2.2 ‘Impacts on nationally important species’**, the subcriteria are listed as

*2.2 a: A ‘nationally important species’ is a native species that has a particular significance to the Australian community across the nation because it is:*

- i) relevant to the national identity; or*
- ii) nationally listed; or*
- iii) the subject of an international obligation.*

*For example, kangaroo species, koala, whale species and painted snipe.*

The cultural loading and highly subjective nature of ‘relevant to the national identity’ should be obvious. In a country of 28 million people, with many ethnic, linguistic, and philosophical cultures and subcultures, there are going to be differences about what is perceived as relevant to the national identity. Who then arbitrates? Government? On what basis? To collapse the term back to a few cliched examples does not assist with meaningful decision making. Prior to 1978 whales were certainly not relevant to the national identity, and there is a good argument that they are still not, whatever the degree of affection in which most of the population may hold them. ‘Politically sensitive’ and ‘relevant to the national identity’ are not the same thing. We also note that all the listed examples are of animals, primarily mammal species, and believe this is reflective of a ‘plant blindness’, despite plants accounting for the majority of listed threatened species in Australia.

‘National listed’ makes marginally more sense, or would do so if the EPBC list of threatened species and ecological communities were comprehensive and up to date., Despite the best efforts of under-resourced departments, and the adoption of the CAM methodology for threat listing assessment, the EPBC list remains significantly behind reality in its attempt to reflect actual extinction risks; many species that will qualify, (and many of them already recognised on State-level lists), remain subject to biosecurity threats but lack this trigger for action.

‘The subject of international obligation’ is a relatively straightforward sub-criterion, although the extent to which Australia may now be obliged under international agreements to actively protect ALL biodiversity should be re-examined; the situation has changed since 2012 when these criteria were first formulated.

**In relation to 2.3 ‘Impacts on ecologically valuable species’**, the subjectivity of the definitions is again a problem – what constitutes ‘a significant contribution to national

biodiversity' is a question begging for an arbitrary answer. The 'ecological significance' of a great many species is simply not yet known. For a small committee to make a decision on what is 'in or out' under this criterion, is problematic. This is especially so given the trend towards more holistic recognition in recent policy documents, and away from a simplistic cleavage into 'valuable' and 'not valuable'.

For example, the Australian Government's *Australia's Strategy for Nature 2024–2030*, under Goal 2: 'Care for nature in all its diversity', notes that "*Caring for nature in all its diversity embodies First Nations wisdom by recognising nature as a sacred inheritance essential for the collective wellbeing of all Australians.*" It further notes (p. 12) that threat management should include "*The precautionary principle, which involves taking actions against likely environmental threats, without waiting for full scientific certainty*". That 'certainty', we would argue, is not best ensured by small committees making ad hoc judgements about ecological value in a high-pressure situation.

We note also that 2.3.a only defines an 'ecologically valuable species' by the use of two examples:

*"a) An 'ecologically valuable species' is a native species that makes a significant contribution to national biodiversity due to factors such as:*

*i) it being a keystone species, meaning a species that provides an essential role in the ecosystem in which it resides ... or*

*ii) the phylogenetic distinctiveness of the species."*

Without going into any detail here, we would comment that definitions of 'keystone' in this connection vary considerably in the scientific literature; the term 'foundational species', more narrowly defined, is sometimes preferred. But neither is an absolutely clear category in the scientific literature, although both are of some conceptual use.

The 'phylogenetic distinctiveness of the species' is a debated criterion for a species' prioritisation in conservation management; but however it is valued in this regard, it has nothing to do with a species' 'ecological value', and its inclusion as a sub-criterion here is misconceived.

The use in 2.3.a of the words "*factors such as*" leaves open the question of what OTHER factors might legitimately be considered under this criterion.

**In relation to 2.4 'Impacts on nationally important places'**, the definition reads:

*"a) A 'nationally important place' is any place that has a particular significance to the Australian community or because it is relevant to the national identity. For example, nationally important places may include National Heritage Places included in the National Heritage List under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) and Regulations and Australian properties included on the World Heritage list."*

This too is a highly culturally loaded and subjective definition and examples; no-one would seriously propose that either the National Heritage List or the current World Heritage list are the end points of recognition of nationally important places, or that either yet capture adequately the spread of values that might be placed upon the term 'national identity' in inclusive cultural terms (Indigenous and non-Indigenous). Some qualification to the wording is needed, to reflect the diversity of the 'Australian community' (add 'or parts thereof?'), and the evolving nature of our collective relationship with country.

**In relation to 2.5 ‘Impacts on ecologically valuable places’,** sub-criterion i) “*makes a significant contribution to Australia’s natural environment*” saves the overall criterion from the restricted nature of the other two sub-criteria. However, what constitutes ‘significant’ remains problematic if only a small committee is to make the decision, unless they err strongly towards a precautionary approach.

**In relation to 2.6 ‘Extensive impacts’,** this criterion is admirably inclusive and non-problematic, in our view.

**The NEBRA sect. 3 ‘National significance criterion: people, including social amenity and human infrastructure’** is in our view suitably comprehensive and well worded.

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**9. In your view, to what extent do the national significance criteria reflect First Nations peoples’ perspectives, knowledge and cultural values, and are any updates needed?**

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See response to Q4 above, and Q12 below.

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**10. In your view, how well do the criteria for assessing technical feasibility and cost–benefit support decisions to commence an eradication response?**

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**In relation to technical feasibility:**

NEBRA Schedule 3 ‘*Technical Feasibility And Benefit:Cost*’ provides, at Sect 4.2 ‘*Technical feasibility criteria*’, some 15 criteria that “must be considered and advice provided [to the NBMCC]”. None of the 15 are stipulated as obligate, although two (‘b’ and ‘e’) are phrased in such a way that they could be read as requiring ‘unconditional go ahead’ answers right at this starting stage of the response process.

4.2.b requires consideration of “*the effectiveness of the control technique options, including a recommendation on the control technique(s) likely to be the most cost-effective in eradicating the pest or disease*”. While we fully agree with this being considered, it may be unrealistic to expect an unconditional answer to this at the very start of the response. For example, some new molecular techniques, such as dsRNA technology, offer the possibility of very rapid development of host-specific control techniques, which in some circumstances are likely to be very effective tools in relation to eradication or containment; but the tailoring of these to the specific target organism, and solving problems of deployment, will still need some time. This should not stand in the way an eradication attempt using other means in the interim.

4.2.e requires “*confirmation [sic] that the recommended control technique(s) are publicly acceptable (taking into consideration cultural and social values, humaneness, public health impacts, non-target impacts and environmental impacts)*”. If read literally, it is unrealistic to expect this at a point in the process where ‘the public’ is likely to know nothing of the

incursion, its impacts, or the technicalities of projected control techniques and any side-effects. Who exactly stands in for ‘the public’ in making this decision? And how are conflicted views (actual or expected, well-founded or not) to be arbitrated? What may be acceptable to one interest-group – environmental, agricultural, Indigenous – may not be acceptable to others. A greater degree of frankness around this criterion might be advisable, e.g. wording such as ‘recognising the potential for divergent public opinions, but having regard to the severity of the overall environmental threat’.

Overall, the technical feasibility criteria appear near-satisfactory to us, as long as they are regarded as contributory to the feasibility analysis, and not individually automatically ruling out an emergency response unless this can be very strongly substantiated.

We recommend some review of the wording of 4.2.b and 4.2.e to take account of matters raised above.

### **In relation to cost/benefit support decisions:**

The current NEBRA 2.0 (2021) does not, in our view, handle the issue of cost/benefit analysis very well. The formulations clearly derive from the agricultural Deed arrangements, and some aspects do not sit well with the realities of environmentally impacting pests and diseases.

Section 5.3 does provide for the use of qualitative assessments of impact and derived costs where quantitative assessments are lacking (as they all too often are in the environmental space), and this is welcome. But in the absence of a standardised methodology (perhaps unrealistic), and in the absence of disclosed ad hoc methodologies (never published with NEBRA decisions as far as we are aware), it is hard to have any automatic confidence that asset valuations, incursion impacts, and derived costs are well founded, and hence that the overall BCA is sound.

Methods for the valuation of environmental assets are notoriously contested, and their development in recent decades has often been strongly influenced by prevailing economic philosophies and ideologies – not necessarily a good basis for the evaluation of intergeneration assets under emergency conditions, especially when (as is the case for most Australian native biota) their comprehensive values as genetic, biological, and cultural resources have never been catalogued.

For these reasons, we suggest that for pests and diseases with a substantial environmental impact, it is inappropriate to have an absolute requirement for eradication to be cost beneficial in strictly dollar terms, as there is no satisfactory and agreed method for quantitatively assessing and comparing most environmental costs and benefits. Instead, we suggest a combination of

- (a) qualitative assessment as provided for in the present NEBRA 2.0, but with explicit methodology and reasoning publicly available at the same time as decisions;
- b) quantitative cost/benefit where available and reasonably uncontentious (e.g. estimates of tourism impacts; estimates of restoration costs for specific areas); and
- c) a default assumption that eradication of an environmental threat serious enough to warrant an emergency eradication response on other grounds, would be a benefit above costs.

In short, a requirement that costs and benefits be identified to the best level possible on current knowledge, and for the response assessment to then proceed from an assumption that an environmental BCA will be positive, unless there is strong evidence to the contrary.

This is consistent with the precautionary principle recognised and recommended in many biodiversity policy documents.

A failing in NEBRA's current scope in relation to cost/benefit is its exclusion of nationally funded and coordinated support for **ongoing containment** as a possible strategy where the eradication attempt has failed. This represents a major failing in capacity to seek the best outcome, where eradication may not be achievable, but containment would have significant benefits, including cost-benefit.

### **Theme 3: Delivery, coordination and implementation**

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*Question 11 invites views on how the NEBRA supports timely, coordinated and efficient national responses in practice, including how quickly responses are initiated, how jurisdictions work together, and how well arrangements operate during complex or long-running incidents.*

**11. In your view, does the NEBRA effectively support timely, coordinated and efficient national biosecurity responses, and why or why not?**

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NEBRA has not been the governing framework for responses to some of the most important environmental pest and disease incursions since its inception. The responses to the Myrtle Rust pathogen, and the Polyphagous Shot Hole Borer (PSHB) pest/pathogen diad, were both caught up in the Plant Pest Response Deed (EPPRD).

This has meant that for some of the most important environmental pests and diseases managed under the EPPRD, and even under NEBRA, the environment sector has not had an effective seat at the decision table, even in an observation capacity, and decisions taken have not in our view been as fully informed by environmental considerations and forward planning insights as would have been possible.

Even for Category 1 Emergency Pests, the environment sector is inadequately represented. Category 1 emergency pests are defined in the Emergency Plant Pest Response Deed EPPRD, Schedule 3.1 (<https://www.planthealthaustralia.com.au/wp-content/uploads/2025/12/EPPRD-Full-16-December-2025.pdf>) in the following terms:

*“Category 1: These are EPPs which if not eradicated would:*

- cause major environmental damage to natural ecosystems; and/or*
- potentially affect human health or cause a major nuisance to humans; and/or*
- cause significant damage to amenity flora; and*
- have relatively little impact on commercial crops.*

*This category also covers situations where the EPP has a wide range of hosts including native flora and there is considerable uncertainty as to the relative impacts on crops. In short, it is almost impossible to properly determine which cropping*

*sectors benefit from eradication and to what extent, and in any case the incursion primarily affects native flora and/or amenity plants, and/or is a major nuisance if not a health risk to humans. The eradication of Category 1 EPPs would have very high public benefits”*

Even in such clear cases of high environmental impact and low commercial impact, industry interests not contributing finances to the response, still have a seat at the Consultative Committee Stages and can influence decisions, while Environment is reliant on the lead Agricultural agency to conduct due diligence and represent environmental and agricultural industry interests and priorities at the same time. Where money caps may apply, this dual role risks veering into a conflict of interest area.

For the limited number of strictly NEBRA responses to date, timeliness and efficiency appear to be satisfactory. The problem is that so few incursions with significant environmental impacts have been addressed under NEBRA, as EADRA or EPPRD usually take precedence regardless of the degree of projected environmental (or cultural) impact. This hampers evaluation.

NEBRA is not engaged if one of the industry agreements is triggered, even if there are significant environmental impacts. Concerns about this include:

- An industry bias in decision-making
- Lack of environment sector representation in decision making and information mining
- Failure to fully account for the environmental benefits of an eradication
- A greater likelihood of not commencing or stopping an eradication if environmental benefits are not comprehensively assessed and accounted.
- The potential for industry parties to effectively veto an eradication effort.

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*Question 12 considers how response approaches are developed and how First Nations peoples' knowledge and perspectives inform them.*

***12. Are First Nations peoples' knowledge systems and perspectives appropriately considered in the development of response options?  
How could this be improved?***

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**First Nations peoples have profound connections to Country, health, and wellbeing that must inform response options.** Currently, there is little opportunity for this vital input. We strongly advocate for collaborative response designs. These designs should carefully pair traditional ecological knowledge with botanical conservation and environmental biosecurity.

Please see also our response to Q4 above for further perspectives on this issue.

## **Theme 4: Review, assurance and improvement**

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*Question 13 focuses on how outcomes from the NEBRA's responses are tracked, reviewed and communicated, and where opportunities exist to strengthen these arrangements.*

**13. In your view, how well are the NEBRA's outcomes currently monitored, evaluated and communicated, and what improvements could be made?**

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Given the paucity to date of NEBRA responses to plant pests and diseases, we cannot comment directly on monitoring and evaluation.

On communication, the same qualification applies, but our general observation would be that RIFA eradication efforts have generally been well-communicated. To what degree this has been driven specifically by NEBRA actions and arrangements is not clear.

## **Theme 5: Funding, cost sharing and resourcing**

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*Questions 14 and 15 invite views on what information is currently available, whether it's easy to find and understand, and what additional information or communication would help improve transparency and confidence in how nationally coordinated responses are funded and resourced. This may also include perspectives on whether current funding settings are appropriate for contemporary environmental biosecurity responses.*

**14. How clear and accessible is information on how NEBRA responses are funded and resourced, and how could this be improved?**

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The information is clear enough, and accessible enough for those who need it. We ask however for much greater public visibility regarding exactly how funding is allocated and shared. This transparency is crucial for building trust in the biosecurity system.

**15. Is the \$5 million annual overall funding limit for managing modern environmental biosecurity responses appropriate, and why or why not?**

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A \$5 million cap is NOT appropriate. No such cap applies to responses under EADRA and EPPRD, which often have a quite narrow spectrum of organisms affected by a pest/disease compared to many broader-spectrum environmentally impacting incursions.

We, and much of the environmental sector, remain aware of the \$570+ Million spent on the response to the Horse Flu outbreak of 2007. Capping environmental responses simply reinforces the persistent sectoral and public view that environmental biosecurity is a token add-on in the overall biosecurity system, which negatively affects confidence in it.

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*Questions 16, 17 and 18 seek views on whether current custodial arrangements are sufficient to support confidence in, and effective administration of, nationally coordinated environmental biosecurity responses.*

**16. In your view, how clear is the role of the NEBRA Custodian, and why or why not?**

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The defined role of the Custodian seems clear in NEBRA 2.0

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**17. In your view, are there any specific improvements to the Custodian function that will improve the administration and operation of the NEBRA?**

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None at present for the role in its strict governance sense as defined in the Agreement itself. In relation to the effect of those functions, see next.

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**18. In your view, who is best placed to perform the Custodian role, and why or why not?**

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We note elsewhere in this submission the negative effects for environmental biosecurity of overly strong silo-ing of responsibilities and expertise within the agriculture-oriented agencies, as distinct from the environmental agencies. A transfer of the Custodian role from the Department of Agriculture Fisheries and Forestry (DAFF) to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) could be a meaningful step towards remedying this asymmetry and the heavy agricultural bias present in the biosecurity space, and is worth examining.

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*Question 19 explores whether the NEBRA's funding and participation settings enable appropriate and effective involvement of non-government organisations in nationally coordinated environmental biosecurity responses.*

***19. Do current funding and participation arrangements support the involvement of non-government entities in environmental biosecurity responses, and how could this be improved?***

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Current funding and participation arrangements do NOT adequately support the involvement of non-government entities in environmental biosecurity responses.

**In relation to funding:** Current funding arrangements do not adequately support non-government entities. Many environmental groups have scant resources and rely on volunteer labour and expertise inputs, and tied project funding. Very few environmental NGOs can afford dedicated a staff resource around biosecurity and related work. Yet these same NGOs may be contributory knowledge holders or facilitators for the biological and ecological information needed for effective response, and very often they are essential facilitators for the environmental stakeholder networks that the biosecurity apparatus lacks.

**In relation to participation:** We note that NEBRA 2.0 provides, in principle, more possibilities for non-governmental entities to be involved in decision-making than do either EADRA or EPPRD. There is provision (NEBRA 4.2.2.k) requiring NEBRA incident parties to cooperatively “*engage with, and negotiate contributions from, Non-Government Entities in accordance with this agreement, as part of preparedness activities and in advance of an emergency response*”. The ‘in advance of’ is a welcome provision, although we are not aware of it having been used to date (but it should be, and the Review report should address this).

There is provision in NEBRA (Schedule 7) for non-government entities to be appointed to membership of an NMG “*as either voting or non-voting members*”, although this seems through other provisions to be so strongly tied to negotiated financial contributions that it seems unlikely that many, or any, environmental organisations with a relevant remit would be able to afford it.

The Schedule 8 options for flexible membership of an NBMCC, including co-option of NGOs, seems very positive to us, and we hope that as the number of incidents managed under NEBRA expands, full use will be made of this option (along with, we suggest, external technical panels or advisory pools, as discussed elsewhere in this submission). We also suggest that this degree of flexibility at this level could beneficially be ‘exported’ from NEBRA into the other two response frameworks (EADRA and EPPRD).

Nevertheless, as per our response to Q7 above, we feel that the representation of the environment sector in the decision-making chain remains a problem, in practice if not in theory. Under-utilisation of the co-option and advisory options will mean that an NBMCC is unlikely to be able to make either an optimal contribution to an emergency response (awareness-raising, facilitation of sector contacts, ecological knowledge), or the knowledge and networks that should be part of any informed decision about Transition to Management or other elements of an ongoing response.

Environmental, NRM, and Indigenous sectoral representation and outreach should be substantially increased.

The current provision at NEBRA Schedule 8.2.3.e allows the Chair of an NBMCC to “consider if there is a relevant Non-Government Entity that should be invited to participate in the NBMCC for a particular incident.” As mentioned above, the use of the singular (one entity only) seems an unnecessary and potentially counterproductive restriction, that could be relaxed without any loss of departmental control or oversight. The complexity of an environmental incursion response, and transition arrangements, require areas of expertise and community linkage that the current biosecurity apparatus largely lacks.

We note in this regard a possible discrepancy between Schedule 8.2.3.e, and provisions under 4.2.b.v and vi, which seems to imply the possibility of multiple entities being involved.

We have advanced above (see response to Q5) some options:

- Policy committees might well consider organisational or sub-sectoral representation (as distinct from individuals, as long as the representatives are individually competent).
- Technical committees should be an option on both a standing and contingency basis. These should be populated based on the technical (or cultural) expertise and subject experience of individuals, regardless of organisation. The technical and project review committees maintained by agencies like Saving Our Species NSW, and the NSW Environmental Trust, provide potentially suitable models. Suitable sitting and reading fees should apply.

Observer status for a wider range of organisations on the NMBCCs would be good in principle, although we doubt the effectiveness of observers who are not allowed to speak (NEBRA 4.2.c.i); this is likely to lead more to frustration than to confidence-building and constructive input. If this provision is maintained, then an alternative arrangement of External Reference Groups might prove more productive, as long as these are convened regularly, fully informed, and enabled to engage in collective discussions (not just bilaterals with a DAFF liaison).

**In relation to communication and advance planning:** Lead agencies in each state have a responsibility, in the absence of engagement mechanisms for non-government or non-traditional actors in biosecurity response (e.g. local governments), to bring these voices and interests to bear in decision making. The capacity of these lead agencies to do so is not always clear (e.g. lack of maintenance of integrated stakeholder networks can be a problem, as is a restricted view of what constitutes liaison), nor on our reading are responsibilities for this clearly assigned in NEBRA itself (and probably not in those agencies either).

**We note in relation to this Question, the ‘Ten Principles’ underlying the three response frameworks (NEBRA, EADRA, EPPRD).** These Principles have only been publicly released in the course of the present Review (*‘Summary of current emergency deed principles’*. Internal DAFF document – to support EBAG understanding of principles; undated, access provided by reviewing body, March 2026).

**Principle 3 ‘Beneficiary contributes’ has explanatory text which states:**

*“Under the NEBRA the degree of benefit to each government party and therefore their contribution to the response plan is measured by the relative number of people in the potentially affected area of the jurisdiction.”*

This seems to us to be an inappropriate means of allocating contribution. Something that disproportionately threatens (e.g.) rainforests in Far North Queensland nevertheless has national significance, and in terms of representation it is not only Queenslanders who have a stake, or expertise. While re-visiting these Principles is explicitly stated to be out of scope for this Review, we draw attention to this one as needing re-examination.

**Principle 8 ‘Stakeholders who share the costs of incursion management should have a role in decision-making’** has explanatory text which states:

*“This is a key principle of each agreement. Only those parties that fund the response partake in decision making. Decision making occurs at two levels – 1) Setting the pre-agreed policies through the provisions of each agreement. These are reviewed from time to time with changes only becoming operational if all parties agree unanimously in writing and 2) Decision making at the time of incursion. This occurs through the relevant technical committees (NBMCC/CCIMPE) and policy/funding decision making committee (NMG). Pre-agreed terms of reference, meeting processes and membership for these committees facilitates timely decision making.”*

There are a couple of issues here that relate to representation issues.

a) The explanatory formulation seems quite incompatible with some of the (albeit very limited) participatory provisions in NEBRA 2.0 for non-financial partners, and it is in any case inappropriate to use for environmental threats, whether or not handled under NEBRA or one of the other two pathways. There is an assumption, in this Principles document and in NEBRA 2.0 itself, that in the absence of industry levies or other inputs, the environment agencies make the financial contributions on behalf of the environmental (and cultural?) sectors as a whole. This leads to a default assumption that only they, as financially contributing bodies, should be substantially represented (adding to the other structural constraints on non-government representation noted above).

b). However, in contrast, the explanatory text for Principle 8 also raises a very good point, recognising that stakeholders should have a role in “Setting the pre-agreed policies [for an incursion] through the provisions of each agreement” – i.e. a role in pre-arrival contingency planning. This recognition is welcome, but it is quite inappropriate to restrict representation in it to financially contributory bodies. We draw attention to the degree to which public and environment sector awareness of the Myrtle Rust threat has been driven since 2010 by non-government organisations, principally Plant Conservation Australia (formerly ANPC), and the Invasive Species Council ISC. Their contribution on the awareness and training fronts has been very substantial, and if translated to dollar terms would challenge that of government departments for these activities – yet they did not qualify under this principle for recognition or representation.

**Principle 9 ‘Accountability to stakeholders who fund incursion management’** has explanatory text which states:

*“Under this principle, there is transparency in expenditure of approved funds, providing funding parties with confidence that their contributions have been used effectively and efficiently ... Accountability and transparency in how funds have been expended, also provides a mechanism to evaluate the management of an emergency response, so that lessons can be learned and applied to bring about more effective response management in the future.”*

Again, we recognise that the Principles are out-of-scope for this Review, but insofar as their wording contributes to limiting effective communication and engagement across the entire environmental sector, and in limiting confidence as to how public money is spent, we think

that the currency or otherwise of the Ten Principles should be part of the reflective process arising from this Review for DAFF and the other biosecurity agencies. Our view is that environmental biosecurity should be not only a whole-of-government, but a whole-of-society effort.

We note also the definition of 'affected' in the NEBRA Glossary (p. 5), which states:

*"In relation to Non-Government Entities it means those entities that the NMG has determined to be 'affected' and has appointed as voting members at the NMG."*

This is a circular definition. The co-conditionality imposed by the word 'and' excludes the vast bulk of genuinely affected Non-Government Entities. Many more are in reality 'affected' than will ever be appointed by and to the NMG. Both the glossary definition and the thinking behind it require attention.

## **Theme 6: Supporting effective use of the NEBRA**

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*Questions 20 and 21 seek views on how awareness and understanding of environmental biosecurity and the NEBRA could be improved, including whether publicly available information on NEBRA decision making and response outcomes is sufficient and what communication approaches would be most effective.*

### **20. How clear and accessible is information on current and previous decision-making processes and response outcomes?**

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Information in the public domain is generally inadequate. The methodology of assessment is not made explicit in relation to each decision, nor is the reasoning pathway that leads to the decision.

We re-state here our comment under Q3 above: In examining the published summaries of NEBRA decision-making, we are struck by the brevity of the statements and the lack of detail on the scientific evidence weighed in arriving at the decisions. This is not a recipe for effective communication and confidence building, nor does it provide much of a basis for meaningful feedback. We suggest that the NEBRA apparatus look at the kind of public reports generated for threatened species listings under the Common Assessment Methodology, or the Preliminary/Final Determinations public reports generated by the NSW Threatened Species scientific Committee. These approaches can and do put all relevant information into the public domain in a measured and carefully constructed way, and provide a far better basis for public awareness, confidence in decisions, feedback, and (where necessary) future adaptation. A Preliminary/Final approach, where time allows, also allows effective peer review and critique, which can only benefit the biosecurity effort in the long run.

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**21. What actions are needed to raise public awareness of the NEBRA and environmental biosecurity?**

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As noted in earlier responses, the term 'public' needs unpacking; the question as posed invites simplistic answers.

Improved awareness among the general public of environmental biosecurity and its implications is urgent and ongoing, but does not require a specific awareness of NEBRA. Information flow from NEBRA to organisations who are in a better position to communicate to the general public would be beneficial to improve awareness, but first they need to be invited to the table.

The environmental and land management sectors, and their organisations (including NRM bodies, local councils, and Indigenous land management bodies) are all integral to effective environmental biosecurity and to the downstream processes (in cases where eradication fails) of 'management' and other forms of response. Awareness levels in these sectors of biosecurity issues, and of biosecurity structural arrangements, vary widely. These sectors do need some understanding of the decision-making chain, including NEBRA, and absolutely need more supported preparation for, and pre-arrival awareness of, looming environmental biosecurity threats.

Because of the very strong siloing of biosecurity responsibilities in the agricultural agencies, those parts of these environmental and NRM sectors that rub closely with the DPI agencies are perhaps better informed than others, although that should not be assumed. The siloing of information is perhaps stronger than its custodians in the biosecurity apparatus realise.

Other parts of these sectors, including within the environmental agencies themselves, are all well-disposed towards proactive biosecurity and strong incursion responses, but are often (unless directly involved in an NBMCC) not well-informed about current incidents, and even less about the structures and decision-making arrangements that underlie the current system. Information flow is generally poor, and the stakeholder management and outreach of most biosecurity agencies in relation to the environmental sector leaves a lot to be desired. Ignorance in the sector of NEBRA and of the response chain in general is reinforced by the very restricted level of representation of the sector (especially its non-government sub-sector) on biosecurity bodies, by the sometimes unnecessary level of secrecy that is applied, and by funding arrangements that impose a hard barrier (an activity 'cliff') between the emergency response phase and the post-establishment management phase when eradication fails.

Transitions to 'management' of intractable environmental pests and diseases are often far more complex than the corresponding transitions in the agricultural sector. It is a widespread perception in the environmental sector that the agriculture-centred biosecurity apparatus lacks insight into this, and the dominance of agricultural agencies in pest/pathogen expertise, funding, and decision-making reinforces and the problem. Their over-dominance in relation to environmental biosecurity (or at least an inadequate transfer of expertise, information, and lead responsibilities) means that Environment sector bodies remain under-resourced and under-prepared for post-response transitions.

## **Theme 7: Keeping the NEBRA effective**

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*Question 22 invites views on which aspects of the NEBRA work well and should be preserved as the agreement evolves to ensure it continues to provide a stable, effective and trusted foundation for nationally coordinated environmental biosecurity responses in the future.*

### **22. Which aspects of the NEBRA work well and should remain in place?**

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In the context of the current Australian biosecurity structures, we support the existence and greater use of NEBRA as a governing framework for incursions of environmental pests and diseases.

As noted above, we are concerned by the degree to which even limited economic potential impacts result in a default governance of response by EADRA or EPPRD, frameworks heavily geared to primary industry and commercial priorities, in which environmental priorities and interests are structurally under-represented. This seems to regularly occur regardless of the relative levels of commercial vs environmental (or cultural) impact, and regardless of the ability of commercial vs natural systems to ‘recover’ from that impact. Loss of assets or income streams from crop or herd animal impacts can, in most cases, be mitigated either by a switch of production to alternatives, or by well-established and well-funded resistance breeding responses. In contrast, environmental impacts, particularly those with existential implications for species or ecosystems, represent a permanent loss of national and cultural assets, with no adequate established structures, funding, or bodies of expertise for ongoing adaptive management and the pursuit of long-term recovery options.

We look forward to an ideal near-future in which the hard barriers between a NEBRA response *versus* a response under EADRA/EPPRD are broken down, with environmental issues more adequately recognised under the latter and greater crossover of NEBRA’s approach with them.

We also look forward to closer integration of the ‘commanding heights’ of all three response frameworks with the environment agencies at Commonwealth and State levels, to increase expertise transfer and retention in the environment agencies, and to encourage and support increased funding allocations for them to pursue both environmental emergency response and subsequent ‘transition’ arrangements. We see this as essential if environmental biosecurity and response are ever to be adequately prioritised in Australia’s biosecurity system.

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*Question 23 considers whether the NEBRA’s current eradication focus is appropriate or whether there are circumstances where nationally coordinated action beyond eradication may be warranted. This is distinct from Transition to Management, which applies where eradication is initially pursued but later determined to be unfeasible.*

**23. Should the NEBRA's focus extend beyond eradication, and in what circumstances?**

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**We feel strongly that the scope of NEBRA should be expanded to allow for funding and coordination of a continued response beyond the point at which an eradication effort is terminated, whether successful or not** (and whether an *ultimate* eradication is regarded as feasible or not). Failing this, we suggest that there is an immediate and urgent need for a supplementary arrangement of similar strength.

**Either option (within NEBRA or supplementary) should establish a mechanism to trigger and facilitate adequate funding and appropriate cost sharing and participation arrangements for:**

**1) ongoing adaptation to and management of severe and fast-moving environmental incursions for which eradication has failed or been deemed unfeasible, to support urgent interim actions and transfer-of-responsibility arrangements;**

**AND/OR**

**2) cases where either ultimate eradication or an ultimate transition to effective management remains moot or dependent on further feasibility planning or research, BUT WHERE urgent interim actions outside the eradication framework are necessary to preserve maximum asset-protection options for the future;**

**AND/OR**

**3) continued pathway analysis and surveillance (where eradication has succeeded but re-incursion is deemed likely).**

**'Interim actions' under these scenarios should include (but not be restricted to) such options as nationally coordinated and supported ongoing containment of the incursion, and emergency germplasm capture and conservation for affected species undergoing or likely to undergo rapid and severe decline.**

Such ongoing response strategies may offer the best outcome consistent with national policies and values, where eradication has failed or is not immediately feasible with current methods. Containment alone may well have significant benefits, including under a cost/benefit analysis.

The design of such mechanisms, whether as changes to NEBRA or as a supplementary mechanism, should be thoroughly co-designed with the environmental agencies and stakeholders in the non-government environment sector, to ensure fair representation of varying value-propositions and to ensure scientific and logistical practicality.

Both eradication and successful 'replacement' or recovery of lost assets are, in general, far less feasible for environmental incursions than for most industry incursions. Environmental impacts of incursions tend to be permanent, and may contribute heavily to the cumulative load of threatening processes that a species faces. For many newly adventive threats, such as those NEBRA is meant to address, the biodiversity management agencies and the conservation sector under current arrangements lack the funding, expertise, and systemic settings to respond to these effects in a timely and effective way.

The over-focussing of the conservation dollar on legislatively listed threatened species can also lead to dangerous delays in the initiation of efforts for species recovery, as evidenced in

the Myrtle Rust case where none of the severely affected native host species were EPBC-listed (or in most cases State-listed) at the time of the incursion in 2010 or for many years after (the first such listing was only made in 2019).

We feel that either a modified NEBRA or a supplementary mechanism that supports ongoing containment efforts and/or ongoing work towards recovery from environmental impacts of an incursion (not restricted to legislatively listed species) would add greatly not only to Australia's ability to protect its natural heritage assets in the long term, but to public awareness of and confidence in the environmental biosecurity system.

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*Question 24 invites views on emerging challenges and changing circumstances that may affect the operation of the NEBRA in the future and how the agreement may need to adapt to remain fit for purpose within Australia's evolving environmental biosecurity system.*

**24. What changes or challenges may impact the efficacy of the NEBRA in the future, and how can we prepare or adapt to these?**

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Apart from funding restrictions for NEBRA responses, and for post-response management under all three schemes, the principal problem for NEBRA and indeed all environmental biosecurity challenges is the need to broaden the base of expertise and involvement, prepare for known and novel challenges, and to overcome jurisdictional, departmental, and disciplinary silos and inflexibility.

There is a continuing need for **reform of institutional and funding arrangements for environmental biosecurity in all stages** – pre-border planning, emergency response, and post response surveillance and/or ongoing management where eradication fails.

There is scope to look beyond NEBRA, to see how we make the Deeds and Governance of all three frameworks (NEBRA, EADRA, EPPRD) contain more common and appropriate elements for the environmental biosecurity challenges ahead.

**Specifically, we call for the establishment of a Joint Framework Triage Protocol.** A major future challenge is that complex incursions will increasingly cross both environmental and agricultural boundaries. To adapt, we propose a formal triage protocol for all new incursions. When a threat like a Category 1 Emergency Pest impacts both sectors, it should not automatically default to the commercially focused agricultural deeds. There must be a mandated co-chairing model or an integrated framework that guarantees environmental agencies and non-government organisations a voting seat at the decision table.

**There is a need to introduce a Transition Funding Trigger.** We highlight the dangerous activity cliff that occurs when an eradication effort fails and the transition to management falls on an agency and sector that is ill-prepared and underfunded to meet it. A critical challenge for the future is managing the compounding costs of these prolonged environmental responses. We propose that NEBRA modification includes a built-in transition funding mechanism. If a decision is made to abandon or not undertake eradication of an environmentally threatening incursion (under whichever response framework), this trigger

would automatically result in and fund a rapid consultative appraisal of transition needs and the release of short-term funds for urgent transitional actions (e.g. containment, vital germplasm capture) that will enable an effective environmental response, or the nearest feasible approximation. This would act as an environmental insurance policy. It would effectively prevent such 'dropped ball' situations as the catastrophic seven-year hiatus for species recovery action that occurred after the Myrtle Rust eradication effort failed.

**There is a need to mandate Climate Shift Contingency Planning.** Climate change will drastically alter ecosystems and create entirely new pathways for pest introductions. PCA argues that NEBRA must aggressively fund proactive pre-arrival contingency planning. This means developing predictive risk models to anticipate how shifting climate and weather patterns will alter host ranges and improve pest survivability or naturalisation potential. Instead of merely reacting to an incursion, NEBRA should be used to identify and monitor our most vulnerable species and ecosystems right now.

**In conclusion, NEBRA must evolve rapidly to better represent the environmental sector, and the realities of responding to incoming environmental biosecurity threats. Meaningful inclusion of environmental non-government organisations, the integration of First Nations ecological knowledge, and robust funding for post eradication management are all urgently needed to protect Australia's unique and irreplaceable biodiversity.**

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*This final question gives you the opportunity to share any additional comments, observations or suggestions that have not been covered in your earlier responses. It is a chance to highlight gaps, clarify your views, or raise issues you consider important to the review.*

**25. Do you have any other feedback you wish to share on the discussion paper?**

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We would draw the Review's and DAFF's attention to apparent discrepancies in section numbering in the NEBRA 2.0 as posted on the DAFF website at <https://www.agriculture.gov.au/biosecurity-trade/policy/emergency/nebra>

- In both the PDF and Word versions, Schedule 6 (p 85) starts with a section '1. Introduction', followed immediately by a section headed '7.1 Emergency response'. It is unclear if this is just misnumbering, or if text is missing.
- In both the PDF and Word versions, Schedule 7 (p. 7) starts with a section '1. Introduction to the NMG', followed immediately by a section headed '8. Terms of reference of the NMG'. It is again unclear if this is just misnumbering, or if text is missing.

If there is in fact text missing from these posted versions of NEBRA, we would appreciate prompt advice and corrected versions, to enable further comment.