

Rural and Regional Affairs and Transport Legislation Committee
Answers to questions on notice
Agriculture, Fisheries and Forestry Portfolio

Inquiry: Agriculture (Biosecurity Protection) Levies Bill 2024
Question No: IQ24-000042
Hearing Date: 23 April 2024
Division/Agency: Biosecurity Strategy and Reform Division (BSRD) G3
Topic: Inquiry QoN 5 – PII claim
Hansard Page: 47
Question Date: 24 April 2024
Question Type: Spoken

Senator Pocock asked:

Senator DAVID POCOCK: So you're exploring other models but proposing something that is being criticised by experts in this area. One of the alternatives proposed, which we've obviously been discussing here, is for the risk creators to fund biosecurity. Earlier you talked about not being able to do that because it could be seen as a tax and could be in breach of some of our international obligations. Have you sought written advice about whether or not raising additional revenue would breach our international obligations?

Ms Ireland: Yes. The department sought advice on the WTO and free trade agreement issues associated with revenue measures in relation to biosecurity.

Senator DAVID POCOCK: Are you able to table that advice for us?

Ms Ireland: No. We'd have to talk to the minister about a potential PII claim in relation to the tabling of that sort of advice, so I can't commit to tabling that advice today, but we can take that on notice.

Senator DAVID POCOCK: Thank you. We'll wait to hear back from the minister. I'd really hope they'd provide it, if this whole thing is hinging on you telling us that. I'd love to see it.

Answer:

Ms Saunders provided evidence at the hearing, which provided information on this matter, refer pages 38 and 39 of the Hansard proof copy, extract below.

ACTING CHAIR: I have one final question before I hand over to the deputy chair. In light of some commentary today, why is it that we can't put a container levy on top of a formal cost recovery?

Ms Saunders: I do have a couple of comments I can make on this issue, but I should make the point, from the outset, that we don't have primary responsibility for international trade law and, as you'd be aware, those questions should be directed to the Department of Foreign Affairs and Trade. However, one of my observations, having reflected on the evidence of other witnesses today, is that any reforms to our border charging models would need to be consistent with Australia's trade law obligations, and, while my observation is that a container levy seems simple on the face of it, it's not a simple solution. With every levy we have, our trade obligations have to be kept in mind, and I think that's been acknowledged by others.

In short and simple terms, we need to comply with our international trade obligations, which come from the World Trade Organization and our free-trade agreements, and they provide the discipline with regard to the kinds of charges we can levy on imports. As a principle, we cannot treat imports differently from domestically produced goods to raise internal revenue, so this is a two-way street. These obligations significantly benefit Australia, with over 70 per cent of all

Australian agricultural produce being exported and with a forecast value of \$71.6 billion in 2023-24.

That's the first point, that this is a two-way street. Any decisions we make, as they relate to imports and additional levies, need to be considered in the context of implications for us in our exports of goods from this country. But, as I said, DFAT can give you—I know there have been questions about the technical aspects under the treaties, which I'm not in a position to give evidence on today.

The second point I'd make, noting the intent and what's trying to be achieved through the concept of a container levy, is the fact that the actions that I've just outlined, in terms of the government funding that's been allocated, in fact, in many ways, remove the need to consider the option as the government's biosecurity funding measure has expanded and strengthened cost-recovery arrangements for importers. As I indicated previously, we're now recovering the actual cost of biosecurity measures at the border to the quantum of \$390 million in the next financial year.

Rural and Regional Affairs and Transport Legislation Committee
Answers to questions on notice
Agriculture, Fisheries and Forestry Portfolio

Inquiry: Agriculture (Biosecurity Protection) Levies Bill 2024
Question No: IQ24-000043
Hearing Date: 23 April 2024
Division/Agency: Biosecurity Strategy and Reform Division (BSRD) G3
Topic: BPL Levy
Hansard Page: 48
Question Date: 23 April 2024
Question Type: Spoken

Senator Pocock asked:

Senator DAVID POCOCK: I take that point. To pick up on one of the questions that Senator Whish-Wilson was asking about the BPL: was it the department's advice to government to go down the path of this levy on farmers, to raise \$50 million, or was it a decision of government to go with the BPL levy?

Mrs Jagers: We wouldn't be disclosing our advice to government. It was in the context of budget considerations last year.

Senator DAVID POCOCK: Do you want to take it on notice again, and see if you want to claim PII on that as well?

Mrs Jagers: Yes, we can.

Answer:

As part of the Sustainable Biosecurity Funding proposal the department provided advice to government about a range of potential funding options. This included a potential new contribution from primary producers.

The proposal was informed by stakeholder consultation undertaken in late 2022 which invited submissions on a range of potential funding sources, including increased contributions from beneficiaries of the biosecurity system.

Rural and Regional Affairs and Transport Legislation Committee
Answers to questions on notice
Agriculture, Fisheries and Forestry Portfolio

Inquiry: Agriculture (Biosecurity Protection) Levies Bill 2024
Question No: IQ24-000044
Hearing Date: 23 April 2024
Division/Agency: Biosecurity Strategy and Reform Division (BSRD) G3
Topic: Inquiry QoN 7 –Biosecurity Funding allocations
Hansard Page: 48
Question Date: 24 April 2024
Question Type: Spoken

Senator Pocock asked:

Senator DAVID POCOCK: Thank you. Maybe on notice could you let us know how much all of those additional things you outlined come to?

Ms Saunders: Of course.

Answer:

The department responded to a similar Question on Notice from Senator D. Pocock in February 2024, which provides additional detail on this matter (Attachment A - SQ24-000040).

Environmental biosecurity outcomes are delivered as part of the overall national biosecurity system. The Sustainable Biosecurity Funding package, of which the Biosecurity Protection Levy is a part, strengthens and improves biosecurity measures at the border.

Primarily through the Environmental Biosecurity Project Fund (EBPF), funding of over \$4.6 million has been allocated to 38 environmental biosecurity related projects. A list of projects funded through the EBPF is at: <https://www.agriculture.gov.au/biosecurity-trade/policy/environmental/projects>.

Other examples include national preparedness and response activities for High Pathogenic Avian Influenza, by supporting Wildlife Health Australia (WHA) together with the Office of the Australian Chief Veterinary Officer (OCVO) and relevant areas of the Department of Climate Change, Energy, the Environment and Water. WHA have been funded \$181,500 for additional wild bird sampling for the Avian Influenza Wild Bird Surveillance Program over three years.

The Department's Environmental Biosecurity Office is currently supported by a departmental operating budget of over \$4 million with 24 funded positions in 2023-24. This is an increase¹ from a budget of \$886,000 with 5 staff in 2018, when the office was established. Current funding supports a range of outcomes including:

- Australian Government oversight of the National Fire Ant Eradication Program delivered by the Queensland Government,
- A review of the National Priority List of Exotic Environmental Pests, Weeds and Diseases (EEPL) and development of Action Plan that will outline priority implementation activities to support preparedness,
- Projects that support the continued investigation of biological control tools for carp, and the development of a national strategy to guide future weed biocontrol investment,

¹ Additional positions and functions previously funded from within the department joined the office in 2021 which also led to an increase in staff and funding.

- Implementation of the National Environment and Community Biosecurity Research, Development and Extension Strategy (NECBRDES) through a funded national coordinator role till May 2025.

Rural and Regional Affairs and Transport
Answers to Questions on Notice
Agriculture, Fisheries and Forestry Portfolio

Hearing: Additional Estimates
Question No: SQ24-000040

Outcome: Outcome 2
Division/Agency: Plant Protection and Environmental Biosecurity Division
Topic: Last 5 years of Commonwealth Funding and preparing for 42 Species - Exotic Environmental Priority List

Hansard Page: 85
Question Date: 13 February 2024
Question Type: Spoken

Senator Pocock asked:

Senator DAVID POCKOCK: Could I just ask on notice for the last five years of Commonwealth funding for those 42 species? I'm interested also to learn how much funding is dedicated specifically for preparing for these major environmental threats like new ant species, myrtle rust strains or wildlife diseases. You mentioned avian influenza.

Dr Hennecke: Again, there is a range of different sources where the funding is coming from. If it's an exotic species and we're preparing for it we can get more information so we can prevent it from coming into the country, which is the best investment. That comes mostly through that environmental biosecurity program fund that you highlighted at the beginning. But with any others established past the border, as I said, there are different avenues for how we provide those funds. We are providing some of the funding again to universities on myrtle rust, for example. We're working with Indigenous communities in particular on the impacts of myrtle rust on native species. There are a lot of different projects that we are investing in. The funding is spread out across those elements. What we're looking for, as I said, is a seeding-type approach and hopefully some sort of sustainable funding movement or approach will be applied to that seeding fund and other shareholders will come on, because it could be important for them to deal with these particular species. That's the approach we have at the moment, rather than solely funded through the Commonwealth or states and territories.

Senator DAVID POCKOCK: Maybe the same on notice, the last five years of spending on that preparedness for these potential threats? I'm interested if you think that by having that approach you run the risk of it being when it's everyone's responsibility it's really no-one's responsibility to be driving it? It sounds like it's diffuse and there are lots of different things, but are we investing enough in preparing for these threats?

Answer:

The national biosecurity system is critical to prevent, respond to and recover from pests and diseases that threaten the economy and environment. The department works in partnership with state and territory governments, production industries and many other organisations and stakeholders to prevent the entry of new pests, diseases and weeds, and prepare and respond to incursions. Within the Department of Agriculture, Fisheries and Forestry activities to prepare for environmental biosecurity threats is undertaken by a range of areas, as part of the departments core business.

Preparedness plans and activities contribute to managing the likelihood and consequence of the establishment or spread in Australia of pests and diseases of biosecurity concern. They may also identify actions required to build Australia's capability to prepare for exotic pests and diseases.

Environmental biosecurity prevention and preparedness activities, together with associated research and development focus on risk identification and mitigation measures, pathways, control tools, pre border and at the border detection, and surveillance capabilities that build capability of the whole system across multiple pest species. Activities are not always specifically targeted at individual exotic pest species.

Table 1 lists funding provided by the department specifically targeting the 42 priority EEPL species (note there are 168 exotic species on the EEPL with the 42 priority species being a compilation of the top 5-6 species in each biological pest group). This table also shows which species have preparedness plans in place that can guide specific investment either from the department or other stakeholders, which ensures a level of coordination of investment.

In addition, and primarily through the Environmental Biosecurity Project Fund (EBPF), funding of over \$4.6 million has been allocated to 38 environmental biosecurity related projects. A list of projects funded through the EBPF is at:

<https://www.agriculture.gov.au/biosecurity-trade/policy/environmental/projects>.

Table 1: Project funding and pest specific preparedness plans for the top 42 higher-risk EEPLs.

EEPL (or category of EEPL)	Preparedness plan*	Species specific/category funding # (\$ to nearest \$5,000)
Aquatic animal diseases		
Crayfish plague (Infection with <i>Aphanomyces astaci</i>)	✓	
Megalocytivirus (Infection with infectious spleen and kidney necrosis virus (ISKNV) and red sea bream iridovirus (RSIV))	✓	60,000
White spot syndrome virus (Infection with WSSV)	✓	

EEPL (or category of EEPL)	Preparedness plan*	Species specific/category funding # (\$ to nearest \$5,000)
Yellow head disease (Infection with yellow head virus 1, YHV1)		40,000
Plant diseases		
Ceratocystis wilt (<i>Ceratocystis manginecans</i> and other exotic <i>Ceratocystis</i> spp.)		25,000
Exotic strains of myrtle rust (<i>Austropuccinia psidii</i>)	✓	440,000
Polyphagous shot hole borer associated fusarium wilt (<i>Fusarium euwallaceae</i>)	✓	
Ramorum shoot dieback and leaf blight (<i>Phytophthora ramorum</i>)	✓	275,000
Xylella (<i>Xylella fastidiosa</i>)	✓	530,000
Freshwater invertebrates		
Asian gypsy moth (<i>Lymantria dispar</i>)	✓	
Giant African snail (<i>Achatina fulica</i>)	✓	350,000
Invasive ants: red imported fire ant (<i>Solenopsis invicta</i>) and electric ant (<i>Wasmannia auropunctata</i>)	✓	905,000
Marine pests		245,000
Asian green mussel (<i>Perna viridis</i>)	✓	
Black-striped false mussel (<i>Mytilopsis sallei</i>)	✓	
Carpet sea squirt (<i>Didemnum vexillum</i>)	✓	
Chinese mitten crab (<i>Eriocheir sinensis</i>)*	✓	
Lady crab / Asian paddle crab (<i>Charybdis japonica</i>)	✓	
Vertebrate pests		
Asian black-spined toad (<i>Duttaphrynus melanostictus</i>)	✓	
Corn snake (<i>Pantherophis guttatus</i>)		35,000
Red-eared slider turtle (<i>Trachemys scripta elegans</i>)		260,000
Native animal diseases		165,000
White nose syndrome of bats (<i>Pseudogymnoascus destructans</i>)		620,000

EEPL (or category of EEPL)	Preparedness plan*	Species specific/category funding # (\$ to nearest \$5,000)
Weeds and freshwater algae		
Didymo (<i>Didymosphenia geminata</i>) - freshwater diatom (alga)	✓	
Mikania (<i>Mikania micrantha</i>)	✓	
Mouse-ear hawkweed (<i>Hieracium pilosella</i>)	✓	

* Preparedness plans are often combined with or named contingency and/or response plans

Funding only includes EBPF funds and other funds from across DAFF that focus only on the specific species or group of species (ie not risk mitigation measures for native species)