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Mr Graham Millar
Executive Officer
Equine Influenza Inquiry
PO Box 72
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Dear Mr Millar

On behalf of Melbourne Airport I would like to take this opportunity to make a submission in relation to Exposure Recommendations of the Equine Influenza Inquiry currently under consideration.

In particular I would like to address Recommendation 21 as it relates to airport facilities and more specifically, Melbourne Airport.

In the first instance however, I would like to express my concern at the apparent weight given to the email and attached note of Ms Erika Rogers, then of the Australian Quarantine and Inspection Service. The fact that a Deputy Secretary of her employing agency was unable to verify either her identity or expertise [4100:23] should cast some doubt on the Commissioner's ability to rely on the efficacy of the officer's view. At best Ms Rogers view should be treated as those of an individual who may or may not have had the opportunity to witness the circumstances she described and that certainly did not correspond to the views of the organisation she represented.

To the best of my knowledge, Ms Rogers's email and attachments remain the only testimony before the inquiry supporting the proposal of the construction of a new facility at Melbourne Airport and as such it is imperative that efficacy be thoroughly tested.

The submissions of counsel assisting the inquiry as per paragraph 9:35 permit us to extrapolate that the critical factor in the spread, or lack thereof, a disease from the Sydney Airport Livestock Transfer Facility (LTF) should be considered less a feature of the existence of such a facility but rather the procedures in place within the facility. Specifically they indicate that the measures in place at the Sydney LTF would not prevent the outbreak of a virus. Whilst it is intuitively logical to suggest that the more stringent the applicable quarantine procedures involved in the landing of live animal (particularly horse) imports, the lower the likelihood of transfer and spread of such diseases, there is no evidence to suggest either that the operational conditions prevailing at Melbourne Airport (whether or not the responsibility of the Airport) contributed to the transfer of the disease, or that the existence of a purpose built facility mitigated against the spread.

While Melbourne Airport strongly supports the protection of Australia's biosecurity and has long enjoyed a constructive and positive working relationship with the Australian Quarantine and Inspection Service (AQIS) both operationally and in respect of policy, it

is imperative that any decisions taken in relation to this matter be evidence based and with the potential impact on the many relevant stakeholders in mind.

Deputy Secretary and Executive office of AQIS, Mr Stephen Hunter in his testimony before the Inquiry on 25 February 2008 does not agree with the position of Ms Rogers that 'ideally, Melbourne Airport should build a purpose built multi-species facility' [4098:26] but rather that 'there may be other methods to adequately manage the risks associated with animals on the tarmac at Tullamarine.' [4098:30]

Melbourne Airport strongly supports Mr Hunter's view that there may well be a number of proposals that will achieve the desired outcome and that any such question should be the subject of careful and reasoned analysis.

Council Assisting, Mr Tony Meagher SC seemed to support this view when he posited in his examination of Mr Hunter that the fact that during a 12 year period no 'well-reasoned and argued paper' [4099:15] canvassing options for the management of livestock on the tarmac at Melbourne Airport, constituted 'a failure in public administration.' [4099:16].

I would argue that a failure to carefully consider any options other than that put forward by an AQIS employee who was not even known to the Deputy Secretary of the Agency, by whom she was employed, would constitute an extension of that failure in public administration.

Whilst we certainly agree that it is imperative that there is a capacity in all such circumstances to enable adequate implementation of biosecurity measures and all necessary occupational health and safety requirements, it does not follow that the only manner in which to achieve this is through the construction of a discrete facility for the handling of livestock or horses in particular.

Given the lack of evidentiary support for the recommendation and its potential to adversely impact on such industries as thoroughbred racing, logistics service providers and on tourism more generally, it is also important to consider the wider implications of such a recommendation for a variety of industries. This is a point endorsed by Mr Hunter's testimony acknowledging that preventing the import of horses at Melbourne Airport would likely have a significant economic impact. [4097:05]

Melbourne Airport strongly urges the Inquiry to seek a detailed briefing or indeed recommend to Government that a detailed briefing paper be developed canvassing a suite of options for addressing the present situation of livestock handling at all Australian international airports. A failure to do so is likely to result in an *ad hoc* policy response that jeopardises the future importation of horses into Melbourne and generates significant downstream economic effects for the industries which rely on such trade.

In the interests of ensuring a balanced view in the preparation of such a briefing, I would suggest that consultation extend to those who would be most adversely effected by any decision to prevent the importation of horses at Melbourne Airport, including Cargo Terminal Operators, Handling Agents and Horse importers.

Should the Inquiry determine that it wishes to proceed with a recommendation to government to the effect that the landing of live horse imports be banned unless a new

facility is constructed, Melbourne Airport would request that it not be treated as distinct from other airports with the capacity to land livestock imports at present, whether or not they exercise that capacity.

At present horses may generally be landed at Melbourne, Sydney, Brisbane, Perth and Hobart airports. Only one of these airports presently has a dedicated livestock transfer facility. If the Inquiry has evidence to support that certain measures would prevent the spread of communicable diseases and would ensure the safety of livestock, handling staff and other airport users, and chooses to recommend that such measures be implemented, then it is imperative that every Australian airport that is capable of receiving livestock or horses in particular, be subject to the same standard.

To that end, should the Inquiry decide to proceed with the recommendation, that it be amended in a manner reflecting the intent of the following:

Airport Facilities

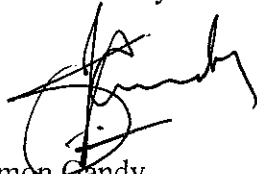
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21. When importing live horses, animals may only be landed at an Australian airport at which there exist appropriate procedures
~~Tullamarine Airport shall cease to be a place where the import of live horses may be landed unless a facility is constructed at that airport~~ for the transfer of live animals (specifically horses) which enables the adequate implementation of biosecurity measures and all necessary Occupational Health and Safety and animal safety requirements. Such procedures ~~That facility~~ should be provided in the same way and on the same basis of the consultations referred to in the previous paragraph.

It is the objective of these suggested amendments that all livestock being imported into Australia receive a similar quality of treatment irrespective of the airport at which they are landed and based on achieving the appropriate procedures rather than specifying the functionality requirements.

I thank you for the opportunity to make this submission and encourage you to contact Melbourne Airport's Government Relations Manager, Carly Phillips on (03) 9297 1804 or 0400 512 696 should you wish to discuss this submission further.

Yours sincerely



Simon Gandy
 General Manager
 Environment Strategy and Planning