

Information notice for granting a biosecurity instrument permit on conditions

Dear Morton Bay City Council Resident

Information notice under section 132(9) of the *Biosecurity Act 2014*

A biosecurity instrument permit under section 132 of the *Biosecurity Act 2014* (the Act), has been assessed to allow the movement of a fire ant carrier, that is free of live fire ants, to be transported **DIRECT** from a place within fire ant biosecurity zone 2 located within Moreton Bay Regional Council (MBRC) area to either Bunya waste management facility or Dakabin waste management facility.

I advise that I, James Sinclair, an inspector appointed under the Act, am authorised under section 132 to grant a biosecurity instrument permit on conditions.

Decision

I have considered the application to allow persons who reside or operate within biosecurity zone 2 of Moreton Bay Regional Council (MBRC) area to move a fire ant carrier, that is free of live fire ants, and transport it **DIRECTLY** from a place within fire ant biosecurity zone 2 located within MBRC area to either Bunya waste management facility or Dakabin waste management facility. I have decided to grant a biosecurity instrument permit(BIP-RIFA -20G003) on these conditions.

The biosecurity instrument permit is enclosed with this information notice and the reasons for my decision are outlined below.

For the purposes of this information notice: –

- a reference to “regulated biosecurity matter” means a *fire ant carrier*, as defined in the Biosecurity Regulation 2016 (the Regulation); and
- a reference to “biosecurity instrument” means the biosecurity zone regulatory provisions for red imported fire ant, as set out in the Regulation.

This decision relates only to the regulated biosecurity matter a fire ant carrier.

Information taken into account

In arriving at this decision, I have taken into account the following:

- The application for a biosecurity instrument permit, dated 11 August 2022
- Section 132(4) of the Act which requires that I am satisfied in the circumstances that granting the permit:
 - a) Will not increase the level of the biosecurity risk posed by the regulated biosecurity matter; and
 - b) Will not otherwise be detrimental to the effectiveness of the biosecurity instrument.
- Site risk factors – The source site inside the Morton Bay Council area of Biosecurity Zone 2.
- Risk mitigation processes – Combined risk migration processes by the MBRC and aerial treatment of the Dakabin and Bunya Waste management facilities will be carried out by the fire ant program.
- Destination risk factor – Even though the destination site is outside the fire ant biosecurity zone, the risk mitigation process will deem the spread of fire ants to be unlikely.

Reasons for decision

I am satisfied in the circumstances, having particular regard to the conditions imposed by the permit that on granting this biosecurity instrument permit section 132(4) (listed above) will be satisfied.

I am therefore issuing a biosecurity instrument permit which allows persons who reside or operate within fire ant biosecurity zone 2 in MBRC to move a fire ant carrier direct to either Dakabin or Bunya Waste management facility, prior to participating in the activity, the person must read and understand the permit so that all aspects of the permit are followed. Biosecurity Queensland authorised officers may at any time conduct compliance checks to verify that the conditions of the permit are being met.

The permit is not transferable and does not remove, override or negate legislative obligations other than the stated biosecurity instrument. The permit may be cancelled at any time in accordance with section 132(8) of the Act.

Review rights

As a person to whom this information notice is given, you may apply under section 362 of the Act for an internal review of the decision to make the entry and declarations. Under section 363 of the Act an internal review application must be:

- made in the approved form;
- supported by enough information to enable the review decision to be made; and
- made within 14 days of you being given this decision notice.

As an internal review application does not stay the original decision, an applicant may apply to the Queensland Civil Administrative Tribunal (QCAT) for an immediate stay of the original decision.

Under section 365 of the Act, an internal review decision will be made within 20 days of Biosecurity Queensland receiving an application. An applicant will be notified of the outcome within 10 days of the internal review decision being made.

The internal review will be conducted by someone other than myself. If you are dissatisfied with the outcome of the review, you may seek an external review of the decision. The internal review decision will detail your rights in this regard. Further information regarding the review process, including an Application for Internal Review Form may be obtained by visiting the Department of Agriculture and Fisheries website at www.daf.qld.gov.au or by contacting the Customer Service Centre on 13 25 23.

If you require any further information regarding this matter, please do not hesitate to contact the compliance unit at fireantcompliance@daf.qld.gov.au

James Sinclair

Biosecurity Queensland Inspector
National Fire Ant Eradication Program

31 August 2022