



Queensland

Biosecurity (Fire Ant Controls) Amendment Regulation 2020

Subordinate Legislation 2020 No. 60

made under the

Biosecurity Act 2014

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1 Short title

This regulation may be cited as the *Biosecurity (Fire Ant Controls) Amendment Regulation 2020*.

2 Commencement

This regulation commences on 27 May 2020.

3 Regulation amended

This regulation amends the *Biosecurity Regulation 2016*.

4 Amendment of s 66 (Establishing biosecurity zones— Act, s 128(1)(a))

(1) Section 66(3)—

omit.

(2) Section 66(4)—

renumber as section 66(3).

5 Replacement of s 68 (Moving soil from fire ant biosecurity zone 1 or fire ant biosecurity zone 2)

Section 68—

omit, insert—

68 Moving soil from fire ant biosecurity zone

A person must not move soil from a place (the *original place*) in a fire ant biosecurity zone to another place outside the biosecurity zone, unless—

(a) the original place is in fire ant biosecurity zone 1 and the other place is in fire ant biosecurity zone 2; or

(b) the person moves the soil under a biosecurity authorisation.

Note—

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

6 Amendment of s 69 (Moving another fire ant carrier from or within fire ant biosecurity zone 1 or fire ant biosecurity zone 2)

(1) Section 69, heading—

omit, insert—

69 Moving fire ant carrier other than soil from or within a fire ant biosecurity zone

(2) Section 69(1), ‘fire ant biosecurity zone 1 or fire ant biosecurity zone 2’, first mention—

omit, insert—

a fire ant biosecurity zone

(3) Section 69(1)(a)—

omit, insert—

(a) the other place is a waste facility in the same fire ant biosecurity zone as the original place and the person moves the carrier directly to the waste facility; or

(aa) if the original place is in fire ant biosecurity zone 1—the other place is a waste facility in fire ant biosecurity zone 2 and the person moves the carrier directly to the waste facility; or

(4) Section 69(1)(d), ‘for a special risk fire ant carrier’—

omit, insert—

the person

(5) Section 69(1)(d)(i) and (ii), ‘the person’—

omit.

(6) Section 69(1)(aa) to (d)—

[s 7]

renumber as sections 69(1)(b) to (e).

7 Omission of s 70 (Moving soil or other fire ant carriers from or within fire ant biosecurity zone 3)

Section 70—

omit.

8 Amendment of s 71 (Keeping a special risk fire ant carrier in a fire ant biosecurity zone)

(1) Section 71, heading, from ‘special’ to ‘carrier’—

omit, insert—

fire ant carrier other than soil

(2) Section 71(1), ‘special risk fire ant carrier’—

omit, insert—

fire ant carrier, other than soil,

(3) Section 71—

insert—

(3A) Also, the person need not comply with subsection (2) if—

(a) the carrier is a relevant fire ant carrier under section 71A; and

(b) the person complies with that section in relation to the carrier.

9 Insertion of new s 71A

After section 71—

insert—

71A Keeping a relevant fire ant carrier in a fire ant biosecurity zone

(1) This section applies to a person who puts or otherwise deals with a relevant fire ant carrier in a

place within a fire ant biosecurity zone, unless the person complies with section 71(2) for the carrier.

- (2) The person must—
- (a) ensure the relevant fire ant carrier is disturbed—
 - (i) at least every 21 days while the carrier is kept at the place; and
 - (ii) at least 24 hours before the carrier is moved to another place; and
 - (b) keep a written record stating how and when the relevant carrier was disturbed.

- (3) In this section—

disturb, in relation to a relevant fire ant carrier, means carrying out 1 or more of the following—

- (a) chipping the carrier;
- (b) crushing the carrier;
- (c) screening the carrier, including, for example, by passing the carrier through a screening bucket, grate or other sieve;
- (d) shredding the carrier;
- (e) turning the carrier;
- (f) washing the carrier.

relevant fire ant carrier means—

- (a) animal manure; or
- (b) material that is a product or by-product of mining or quarrying; or

Examples—

chitters, coal fines, coal stone, decomposed granite, gravel, overburden

- (c) material that is a product or by-product of the processing of a plant, or something that comes from a plant.

Examples—

mulch, sawdust, green waste, compost

10 Amendment of sch 11 (Dictionary)

(1) Schedule 11, definitions *fire ant biosecurity zone*, *fire ant biosecurity zone 3* and *special risk fire ant carrier—*

omit.

(2) Schedule 11—

insert—

fire ant biosecurity zone means the fire ant biosecurity zone 1 or fire ant biosecurity zone 2.

ENDNOTES

- 1 Made by the Governor in Council on 30 April 2020.
- 2 Notified on the Queensland legislation website on 1 May 2020.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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