

Impact Analysis Statement

Summary IAS

Details

Lead department	Department of Agriculture and Fisheries
Name of the proposal	Amendment of the Biosecurity Regulation 2016 - Electric Ant Biosecurity Zone Extension
Submission type (<i>Summary IAS / Consultation IAS / Decision IAS</i>)	Summary IAS
Title of related legislative or regulatory instrument	Biosecurity Regulation 2016
Date of issue	1 July 2024

What is the nature, size and scope of the problem? What are the objectives of government action?

The National Electric Ant Eradication Program (the Program) is a nationally cost-shared eradication program that has been operating since 2006 and is administered by Biosecurity Queensland, Department of Agriculture and Fisheries.

In 2016, a biosecurity zone (the electric ant zone) was established under the Biosecurity Act 2014 around known areas of infestation within the Cairns Regional, Cassowary Coast Regional, Douglas Shire, Mareeba Shire, and Tablelands Regional local government areas in Far North Queensland. The zone also encompasses areas at risk of spread of electric ant predominately through human movement pathways.

Since the implementation of the zone, the extent of the known electric ant infestation has increased, and additional locales are now at risk of becoming infested.

The biosecurity zone allows for program activities to be conducted under the relevant biosecurity programs. It allows for movement controls to be easily implemented under Section 75 of the Biosecurity Regulation 2016 (the Regulation).

Government action looks to anticipate the spread of electric ants outside the current EA zone and provide a flexible and timely framework to react to spread.

What options were considered?

Option 1: Status quo

This option will retain the status quo and not implement any changes to the existing electric ant zone. This option will not require any changes to messaging or operational requirements. This option will not address the risks presented by electric ants moving outside the current electric ant zone.

Option 2: Expand the electric ant zone

The intent of this proposed change to the Biosecurity Regulation 2016 (the Regulation) is to ensure the electric ant biosecurity zone is appropriate to allow the department to impose movement controls swiftly in the event of an electric ant detection. The proposed extension areas include:



- the Yarrabah Aboriginal Shire Council local government area (Yarrabah Shire) and adjacent lots in the Cairns Regional Council local government area locality of Coral Sea,
- the locality of Dunk (including the Family Islands National Park), in the Cassowary Coast Regional local government area, and
- the locality of Low Isles in the Douglas Shire local government area.

The amendment will be a change to section 74(2) of the Regulation to reference a new electric ant biosecurity zone map that includes the above-mentioned areas. A map showing the proposed new biosecurity zone is provided as Attachment 5 of the Legislative Proposal. The reference to the map is proposed to be called the ‘Electric ant biosecurity zone map—EA03’.

What are the impacts?

Option 1: Status quo

This option will have no direct costs to residents or businesses currently within or outside the electric ant biosecurity zone.

If infestation is detected in the proposed area, Program staff would require landowner consent to be obtained each time delineation surveillance, the application of bait, or the surveillance to determine the efficacy of the bait treatment. This has historically proven time consuming and runs the risk of landowners denying entry for Program activities, electric ant infestation not being dealt with in a timely manner and further spread of infestation. A General Biosecurity Obligation (GBO) would apply.

The Office of Best Practice Regulation was notified of the proposed amendments, and a Summary Impact Analysis Statement was prepared to ensure that the regulatory review requirements were met. Although it is acknowledged that the proposed amendment extends the electric ant biosecurity zone to include additional areas, the mere extension of the biosecurity zone in itself, is unlikely to result in significant adverse impacts on persons in those additional areas covered by the zone. This is particularly so as everyone already has a GBO under section 23 of the *Biosecurity Act 2014*. It is evident that if there are no infestations of electric ants in the extended area of the biosecurity zone, there will be no impacts at all. If subsequent infestations of electric ants are detected in the extended area of the biosecurity zone, it would however be difficult to determine the incremental costs associated with those detections in any event.

Option 2: Expand the electric ant zone

There will be no impacts to residents and businesses in the extension area unless an electric ant infestation is detected and the Chief Executive approves a notice lessening restrictions in particular areas of the zone. If this occurs, the Program has established facilities where electric ant carriers can be taken if carriers are needed to be disposed of. Residents and businesses are encouraged to apply for a Biosecurity Instrument Permit to enable the movement of carriers to occur if not taken to an established facility. The Program works with the applicant to enable the movement of the carriers while mitigating the risk of spread of electric ant. Movement controls, under section 75 of the Biosecurity Regulation 2016, can be applied in an area of the biosecurity zone not in the lesser restrictions area.

Who was consulted?

The Program consulted with Yarrabah Aboriginal Shire Council, Cairns Regional Council, Cassowary Coast Regional Council and Douglas Shire Council as the affected councils of the proposed amendments. All four of the affected Councils were supportive of the proposal to progress an amendment and none raised an objection.



What is the recommended option and why?

Option 2 is the preferred option because:

- 1) If infestation is detected, it will allow timely entry, in accordance with entry conditions defined in the Biosecurity Act 2014, onto a property within the delineation area to check for infestation, for bait treatment and surveillance to verify the efficacy of the bait regime.
- 2) It will allow timely implementation of movement controls to mitigate the risk of spread of electric ant infestation, if it is detected.

The establishment of a lesser restrictions area within the biosecurity zone means there are no impacts unless an infestation is detected. Establishing facilities that accept electric ant carriers and the use of Biosecurity Instrument Permits reduces the impacts of the movement restrictions in the event infestation is found and the Chief Executive removes the lesser restrictions area. These actions significantly reduce the impact on persons affected by the biosecurity zone extension.

Option 1: Status quo was not considered appropriate because it will not address the government objective of providing a flexible and timely response to electric ants spreading outside the existing EA zone.

The Regulator Model Framework was used to determine if other options to achieve the same purpose were feasible. It was determined that continuing to educate affected persons and businesses through multiple engagement strategies will enhance the efficacy of the extension to the biosecurity zone.

Impact assessment

All proposals – complete [do not delete]:

	First full year	First 10 years**
Direct costs – Compliance costs*	Zero	Zero
Direct costs – Government costs	Zero	Zero

* The *direct costs calculator tool* (available at www.treasury.qld.gov.au/betterregulation) should be used to calculate direct costs of regulatory burden. If the proposal has no costs, report as zero. **Agency to note where a longer or different timeframe may be more appropriate.

Signed

Graeme Bolton
Director-General

Department of Agriculture and Fisheries

Date: 23/09/2024

Mark Furner MP
Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities

Date: 23/09/2024