

Biosecurity – Aquatic pests and diseases – Responding to reports

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Scope:

The *Biosecurity Act 2015* (the Act) promotes biosecurity as a shared responsibility between government, industry, and the community. This procedure is a State Priority for NSW and applies to staff of the NSW Department of Primary Industries (NSW DPI), and Local Land Services (LLS). It should be read in conjunction with the policy ‘Aquatic Biosecurity Pests and Diseases’.

This procedure covers management of significant aquatic pests and diseases that include marine vegetation, marine and estuarine and freshwater fish. This procedure also includes management of the potential emergent freshwater pest diatom didymo (*Didymosphenia geminata*).

This procedure excludes mammals, reptiles, birds, amphibians, and any other animal excluded from the definition of *fish* under the *Fisheries Management Act 1994* (the FMA), or regulations made under that Act. Freshwater pest plants or weeds are also excluded from this procedure. Reports of algal and cyanobacterial species (collectively considered as “toxic algae” species) impacting on water quality will be forwarded to the NSW Office of Water. Reports of fish mass mortality incidents where significant aquatic pests or diseases are not believed to be the cause are to be forwarded to NSW DPI Fisheries and, where pollution is thought to be a factor, also to the Environment Protection Authority (EPA).

Management of the biosecurity risk

The purpose of this procedure is to detail how NSW Department of Primary Industries (NSW DPI) and Local Land Services (LLS) will manage aquatic biosecurity in relation to prohibited matter, notifiable pests and diseases and other biosecurity events.

Biosecurity legislation summary

Prohibited matter

Duty to notify suspicions immediately to an authorised officer, call 1800 675 888

A number of aquatic pests and diseases are listed as prohibited matter under Schedule 2 of the Act. This means that a person who owns or is in charge of aquatic animals or marine vegetation, or a person working with aquatic animals or marine vegetation in their professional capacity, has a duty to immediately notify an authorised officer if they suspect, or are aware of prohibited matter aquatic

pests and diseases. Aquatic pests and diseases listed as prohibited matter are generally not already known to be present in NSW and often exotic to Australia as well and have the potential to have very high impacts on the industry, environment and/or community of NSW if they were allowed to establish in NSW waterways.

Notifiable matter

Duty to notify suspicions to an authorised officer as soon as possible and within one business day, call 1800 675 888 or email aquatic.biosecurity@dpi.nsw.gov.au

A number of other aquatic pests and diseases are notifiable under Schedule 1 of the Biosecurity Regulation 2017 (the Regulation). This means that a person who owns or is in charge of aquatic animals or marine vegetation, or a person working with aquatic animals or marine vegetation in their professional capacity, has a duty to notify an authorised officer within one working day if they suspect, or are aware of notifiable aquatic pests and diseases. This requirement does not apply where the pest has already been confirmed for that waterway and location, or in the case of a disease confirmed in that waterway in that year and season. If in any doubt report.

Examples of who the 'duty to notify' prohibited and notifiable matter applies to include:

- people who own aquatic animals or marine vegetation, such as hobbyists in the case of ornamental fish, and
- people who own or are in charge of commercial facilities that house aquatic animals or marine vegetation, and
- recreational and commercial fishers who have caught fish that they know or suspect to be diseased, and
- veterinarians and other professionals consulted about aquatic animals or marine vegetation
- recreational divers and other people who know or suspect the presence of an aquatic pest or disease.
- anyone else who ought reasonably to know/suspect an aquatic pest or disease is present based on the availability of information or their involvement in the industry/area

Report your suspicions of prohibited matter (immediately) and notifiable matter (as soon as possible and within one business day) to an authorised officer via the 24-hour Emergency Animal Disease Hotline on 1800 675 888. Suspected notifiable matter may also be reported via the email aquatic.biosecurity@dpi.nsw.gov.au If in doubt, take clear photographs of the suspected pest or disease and the GPS coordinates of your location and report it immediately.

Dealings with prohibited or notifiable matter – certain dealings prohibited

Under section 28 of the Act, it is an offence for people to deal with prohibited matter. In the context of aquatic pests and diseases, this means that it is an offence for people to do anything that is described in section 12 of the Act as dealing with which includes moving, selling or experimenting on, among other things, aquatic pest animals or marine vegetation declared as prohibited matter, and anything carrying prohibited matter aquatic diseases, unless the person could not have reasonably known that they were dealing with aquatic pests or diseases. Note that the Secretary (or delegate) can issue a prohibited matter permit that authorises specific dealings with prohibited matter, such as aquatic pests or diseases, subject to specific conditions. Certain dealings are also prohibited for notifiable matter under clause 18 of the Regulation.

Emergency aquatic pest and disease outbreaks:

In the case of an outbreak of an emergency aquatic pest or disease, the Secretary (or delegate) may issue an emergency order under section 44 of the Act. This would declare a biosecurity emergency and establish measures to respond to that biosecurity emergency.

Control orders can also be put in place under section 62 of the Act. These, along with General Biosecurity Directions and Individual Biosecurity Directions are other tools that can be used to prevent, eliminate, minimise, or manage a biosecurity risk or biosecurity impact.

General Biosecurity Duty:

In addition to legislation relating to specific aquatic pests and diseases, everyone also has a General Biosecurity Duty under Part 3 of the *Biosecurity Act 2015* to be aware of their surroundings and take action to prevent the introduction and spread of pests, diseases, weeds, and contaminants.

Information:

The collection, use and disclosure of information in accordance with this procedure, including any internal or external discussion or distribution of information, must be in compliance with the *Privacy and Personal Information Protection Act 1998* or be exempted by the operation of section 387 of the Act.

Section 387 (2) of the Act provides authority for the disclosure of information about a person, without the consent of the person: to a public sector agency, or to any other person, but only if the disclosure is reasonably necessary for the purpose of exercising a biosecurity risk function. The NSW DPI procedure on Collection, Use and Disclosure of Information should be consulted for further information.

Work health and safety

The *Work Health and Safety Act 2011* places an obligation on the agency (NSW DPI and LLS) as an entity conducting a business or undertaking, and on each worker as a person, to provide a safe and healthy workplace. Safe Work Method Statements that support activities included in this policy must be used in identifying, assessing, and controlling risks.

NSW DPI and LLS work together to create a safe and supportive work environment when undertaking any activities for this procedure.

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Responding to reports of aquatic pests and diseases

1. Roles and responsibilities

1.1 NSW Department of Primary Industries

- the NSW DPI Aquatic Biosecurity Policy & Programs team and other Animal Biosecurity and Welfare unit staff will undertake the preparedness, reporting, investigation, and response activities as per this procedure
- NSW DPI Fisheries staff will report cases of suspect or confirmed aquatic biosecurity prohibited matter, notifiable pests and diseases and other biosecurity events to the NSW DPI Aquatic Biosecurity Policy & Programs team.

1.2 NSW Local Land Services

- LLS staff will report cases of suspect or confirmed aquatic biosecurity prohibited matter, notifiable pests and diseases and other biosecurity events to the NSW DPI Aquatic Biosecurity Policy & Programs team
- LLS staff will participate in emergency aquatic biosecurity responses.

2. Notification and reporting

2.1 Receiving a report

A person (as defined by the Act) that suspects or is aware of a notifiable aquatic pest, disease or event has a biosecurity duty to notify an authorised officer. Reports are to be made via the 24-hour Emergency Animal Disease Hotline on 1800 675 888, with suspicions of prohibited matter pests or diseases to be reported immediately and notifiable matter as soon as possible and within one business day. For reports of notifiable matter, the Aquatic Biosecurity Policy & Programs team (NSW DPI Aquatic Biosecurity) can be contacted by email at aquatic.biosecurity@dpi.nsw.gov.au and via [online web forms](#). Direct contact can also be made with NSW DPI Aquatic Biosecurity on (02) 4916 3900.

2.2 Responsibilities for NSW Department of Primary Industries and Local Land Services staff:

Staff working for NSW DPI or LLS must report any information regarding suspicion or awareness of a notifiable aquatic pest, disease, or event to an authorised officer within NSW DPI Aquatic Biosecurity.

An authorised officer who works in NSW DPI Aquatic Biosecurity must verbally report any information regarding suspicion or awareness of a notifiable aquatic pest, disease, or event to the the Team Leader Aquatic Biosecurity Policy & Programs.

2.2.1 Content of the report:

The report from the authorised officer that passes along the reporting chain must include:

- the species affected (including the number affected and number at risk)
- full name and contact phone number of the owner, person in charge (or person reporting)
- details of the suspected event
- the location of the event (including the PIC if the event is on a property with a property identification code), and
- the date of the first known or suspected case.

Other details and intelligence relevant to the aquatic report should also be collected such as water quality and other environmental conditions. High quality photographs should also be taken where possible.

Further details for authorised officers in NSW DPI Aquatic Biosecurity about gathering details for the report are outlined Aquatic Pest and Disease Database stored in CM9.

2.3 Responsibilities of the NSW DPI Team Leader Aquatic Biosecurity Policy & Programs:

If the Team Leader Aquatic Biosecurity Policy & Programs (or delegate) receives a report which they consider has a medium to high likelihood of being prohibited matter or a biosecurity event must report immediately, verbally and by email to the:

- NSW Chief Veterinary officer (CVO) and/or NSW Deputy Chief Veterinary officer (DCVO)
- Local NSW DPI Fisheries Office
- LLS Manager Biosecurity & Emergency Services of the affected region/s.

2.4 Responsibilities for the NSW DCVO/CVO:

The NSW DCVO/CVO (or their delegate) will notify positive results for a prohibited matter cases to further relevant contacts:

- NSW DPI DDG Biosecurity and Food Safety
- NSW DPI DDG Fisheries
- NSW DPI Manager Public Affairs
- NSW Health
- The Australian Chief Veterinary Officer
- Consultative Committee on Introduced Marine Pest Emergencies
- Invasive Plants and Animals Committee
- Freshwater Vertebrate and Invertebrate Working Group (FVIWG)
- Sub-committee on Aquatic Animal Health
- Aquatic Consultative Committee on Emergency Animal Diseases.

At the discretion of the DCVO/CVO, reports which are not confirmed, but have a medium to high likelihood of being prohibited matter may also be communicated to the above reports within 24 hours of a suspect report being received.

2.5 Record keeping and communication with person/s who made the report:

An authorised officer who works within NSW DPI Aquatic Biosecurity will enter gathered information of the report into the Aquatic Pest and Disease Reporting Database and keep this updated as the investigation progresses. A member of the team will also contact the person/s making the report to advise them of the outcome when appropriate to the situation (for example when final laboratory results are available for samples submitted for suspected disease matters, or when a positive or negative confirmation is received for a suspected pest).

3. Investigation and alert phase

3.1 Report evaluation

The NSW DPI (Team Leader Aquatic Biosecurity Policy and Programs) evaluates the significance of the report by conducting an internal risk assessment with NSW DPI Aquatic Biosecurity. In the case of suspicion of prohibited matter or a biosecurity event, the report should also be evaluated in

accordance with the “Response action tool for prohibited matter pests and diseases of animals and biosecurity events”.

The report evaluation will indicate the requirement for an investigation, and potential urgency of an investigation. The evaluation should consider:

- the level of mortality or morbidity
- suspicion that the aquatic pest or disease is listed in legislation (as prohibited matter or notifiable matter), or
- presence of the suspected aquatic pest or disease in a waterway/s where it is not known to previously occur
- if the suspect aquatic pest or disease is endemic to the area, or
- if the suspect aquatic pest or disease is potentially new or emerging, or is presenting in a new species, or
- the incident involves illegal activities.

3.2 Investigation plan:

The NSW DPI authorised officer will make recommendations regarding an investigative plan with the Team Leader Aquatic Biosecurity Policy & Programs and Group Director Animal Biosecurity. The investigative plan may range from urgent investigation to no further action (or further monitoring).

The investigation plan may include:

- collection of samples
- delimitation surveys
- active surveillance, and
- laboratory or technical investigation to identify, confirm or exclude prohibited matter or a notifiable aquatic pest, disease or event.

The investigation plan should also be developed with the procedure: “Prohibited matter pests and diseases of animals – investigation and alert phase”.

3.3 Laboratory sample collection

NSW DPI Aquatic Biosecurity may coordinate the collection of representative samples, in line with:

- Aquatic disease investigation manual (INT16/48742);
- Oyster sampling protocol (INT16/130340); or
- Finfish sampling procedure
http://www.scahls.org.au/Procedures/Documents/AQANZSDP/FinFish_Sampling.doc.

3.4 Sample submission

NSW DPI Aquatic Biosecurity identifies an appropriate facility to undertake identification or diagnosis and organise transit of samples to this facility, for example:

Type of testing required	Laboratory or Institution
Disease, and molecular identification of pests where required	Regional Veterinary Laboratory Elizabeth Macarthur Agricultural Institute Woodbridge Rd Menangle NSW2568 Ph: (02) 4640 6327
	NSW DPI Fisheries Marine Ecosystems

Marine pest fish and vegetation identification	Research Leader, Marine Ecosystems Ph: (02) 4916 3900
	Fisheries Resource Assessment Research leader, Fisheries Resource Assessment Ph: (02) 4916 3900
Freshwater pest fish identification	NSW DPI Fisheries Freshwater Ecosystems Research Leader, Freshwater Ecosystems Phone: (02) 4916 3916
Specialist external taxonomic expertise where required	The Australian Museum Ph: (02) 9320 6000 (General Enquiries)
	Herbarium Ph: (02) 9231 8111

Note: The aquatic biosecurity team maintain further lists of contact information within sharepoint, saved periodically to the department's records management system in CM9 (at RDOC22/53444 and RDOC22/53446).

Courier	Contact	Location
Metrostate Couriers	Ph: (02) 4964 4315	Port Stephens/Newcastle area
Metrostate Couriers	Ph: (02) 9645 9700	Sydney & for regional contacts

3.5 Communication/ distribution of laboratory results for prohibited matter

NSW DPI Laboratory Services maintains a live distribution process document that contains the contact details for distribution of laboratory results and will notify results for notifiable pests and diseases as per the procedure 'Reporting Notifiable Pests and Diseases of Animals'.

3.6 Initial results

Laboratory results will help inform the progression of a response or the decision that further testing and investigation is warranted (for example further testing may be required when the results are equivocal or further investigation is required).

4. Operation and response

4.1 Response plan

A response plan may be developed for each response by NSW DPI (Aquatic Biosecurity) taking into account the issue, size of response required and whether a formal Incident Management Team will be required for the response. Such a plan takes into account:

- relevant response procedures (including national disease plans under AQUAVETPLAN) for key biosecurity threats can be referred to and are listed in section 8 (Documentation)
- response options available which can include:
 - eradication:
 - if the pest population or disease is reasonably contained.
 - containment:
 - where the pest population or disease cannot be eradicated
 - this may include measures such as movement restrictions or the use of control orders.
 - ongoing management:
 - if the pest or disease cannot be eradicated or contained.

4.2 Responsibilities for NSW DPI staff

If a response is undertaken (for example following positive confirmation of prohibited matter) NSW DPI (Aquatic Biosecurity) are responsible for:

- drafting and updating briefing documents to inform the Executive and seek endorsement for proposed management options.
- drafting Situation Reports
- selecting management options that are specific to the pest or disease and the circumstances of the environment in which they have been detected. These may include:
 - surveys to quantify and delimit extent seeking further expertise and external advice
 - establishment of an internal expert working group
 - establishment of an incident management team (through the Emergency Response unit of NSW DPI)
 - identification of resources to allow for recommended response, and
 - development of media points with the NSW DPI Communications unit, and
- if confirmed to be an emergent biosecurity threat, the Executive, Legal Branch and Aquatic Biosecurity will consider the addition of the pest or disease in legislation.
 - management options can then be considered.

5. Definitions and acronyms

Aquatic pest: as per 'pest' definition in *Biosecurity Act 2015*, yet referring to animals included in the definition of fish under the *Fisheries Management Act 1994*, and to marine vegetation

AVG: Abalone viral ganglioneuritis

Biosecurity matter: as per definition in Section 10 of the *Biosecurity Act 2015*

CVO: NSW Chief Veterinary Officer

DDG: Deputy Director General

Disease agent: as per definition in *NSW Biosecurity Act 2015*

Fish: as per definition in the *Fisheries Management Act 1994*

LLS: Local Land Services

Notifiable Matter: pests and diseases listed in Schedule 1 of the *Biosecurity Regulation 2017*

NSW DPI: NSW Department of Primary Industries

POMS: Pacific Oyster Mortality Syndrome

Prohibited matter: as per definition in *NSW Biosecurity Act 2015*

SCAAH: Sub-Committee on Aquatic Animal Health

Stakeholders: includes (but not limited to), water users, vessel owners or managers, aquaculture operators, commercial fishers, recreational fishers, research scientists, mooring contractors, barge operators, fishing clubs and persons who deal in or with aquatic matter

6. Documentation

- Policy - Aquatic biosecurity pests and diseases
- Policy – Principles for management of animal biosecurity and welfare in NSW

- Policy - Biosecurity collection, use and disclosure of information
- Policy -Records Management (IND-I-177)
- Policy - Information Security (IND-I-197)
- Policy - Classified Information (IND-I-196)
- Policy -Government Information (Public Access) (IND-I-178)
- Procedure - Biosecurity collection, use and disclosure of information
- Procedure - Aquatic fieldwork hygiene
- Procedure - Pacific Oyster Mortality Syndrome incursion response
- Procedure – Responding to carp fishing and control enquiries from external stakeholders
- Procedure - Prohibited matter pests and diseases of animals – investigation and alert phase
- Laboratory submission form
http://www.dpi.nsw.gov.au/content/agriculture/vetmanual/submission/specimen-submission-form?SQ_ACTION=login&a=587016
- Ornamental fish update
<http://www.dpi.nsw.gov.au/fishing/pests-diseases/freshwater-pests/ornamental-fish/update>
- Make ‘Clean’ Part of your routine factsheet
<http://www.dpi.nsw.gov.au/fishing/pests-diseases/marine-pests/stop-the-spread/clean-routine>
- Don’t dump that fish
- Pacific Oyster Mortality Syndrome response plan
- Abalone Virus Ganglioneuritis response plan
- Fisheries Management Act 1994
- Biosecurity Act 2015
- [AQUAVETPLAN – disease strategy manuals](#)

7. Records

- Aquatic Biosecurity and Risk Management Pest and disease reporting database: (INT17/96769)
- Monthly Aquatic Biosecurity and Risk Management statistical report (INT16/94062)10.

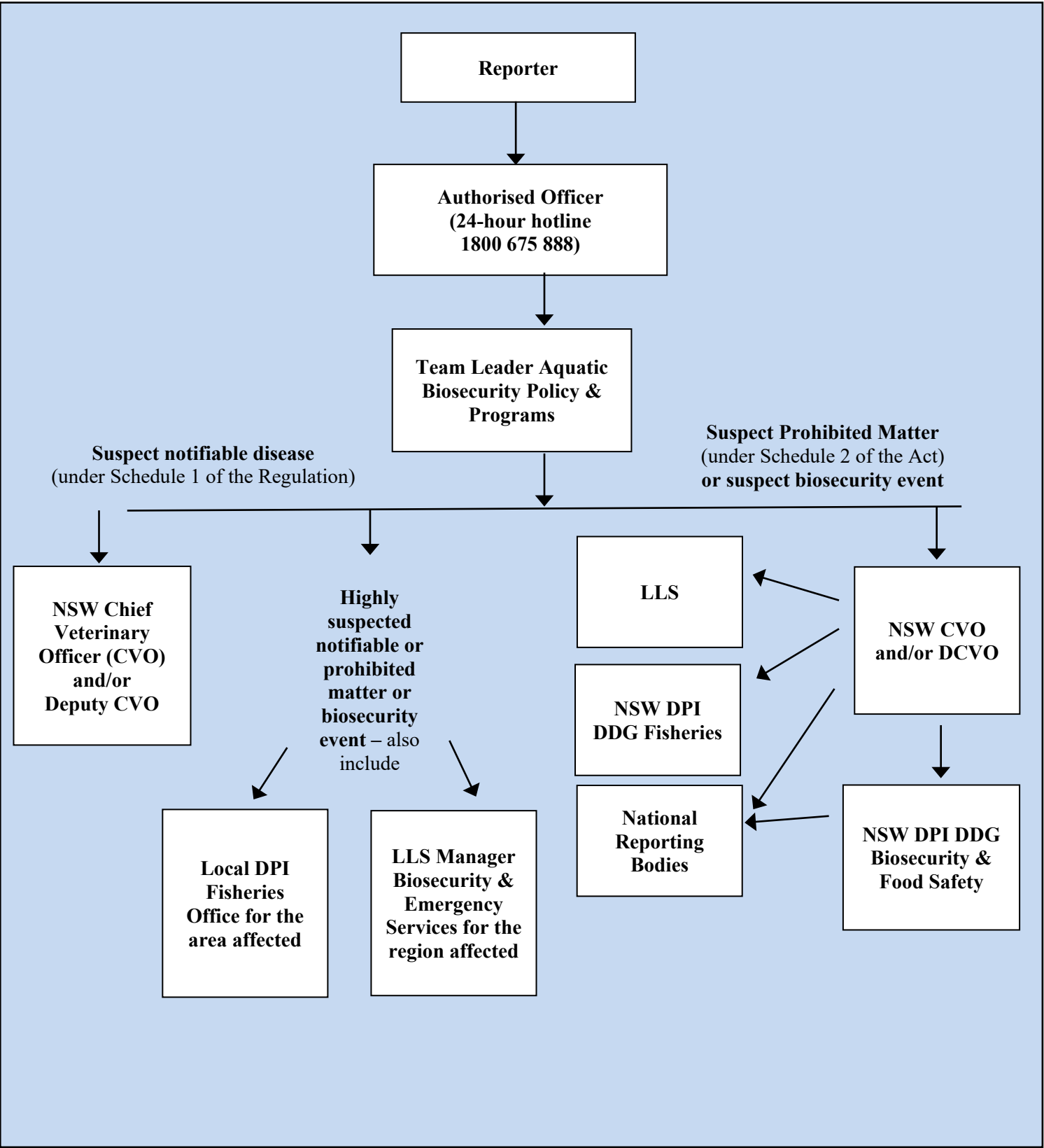
8. Revision History

Version	Date issued	Notes	By
1.0	01/07/2017	New policy developed in response to the <i>Biosecurity Act 2015</i> .	Aquatic Biosecurity and Risk Management team
2.0	24/06/2022	Scheduled review of procedure	Aquatic Biosecurity Policy & Programs team

9. Contact

Aquatic Biosecurity team -via Port Stephens Fisheries Institute Switchboard 02 4916 3900 or aquatic.biosecurity@dpi.nsw.gov.au. Suspicions of aquatic pests and diseases via 1800 675 888

Appendix A: Aquatic Biosecurity Communications Pathways



*Note: Where it is highly suspected that the report may be prohibited matter under Schedule 2 of the Act or notifiable matter under Schedule 1 of the Regulation, reporting may be from a member of the NSW DPI Aquatic Biosecurity Policy & Programs team to multiple levels.