

Southern Downs Regional Council
Environmental Services
Comments to the Biosecurity Bill 2013 consultation

We are generally quite happy with the provisions regarding the management of invasive plants and animals in the Bill. However we recognise much work is to be done in developing Biosecurity Zone Regulatory provisions, guidelines, codes of practice and other subordinate legislation to give the Bill strategic and practical effect. Southern Downs Regional Council (SDRC) invests considerable resources into invasive pest management and therefore looks forward to the timely, collaborative development of these to improve management outcomes.

We offer the following comments:

Prohibited matter

We are pleased to see tropical soda apple (*Solanum viarum*) listed as prohibited matter as we believe it has the potential to cause significant impacts in and beyond our region.

It is disappointing to see some current Class 1 species not listed, such as Chilean Needle Grass (*Nassella neesiana*), however we appreciate this may effectively be managed through biosecurity zone regulatory provisions. SDRC has invested considerable resources towards prevention and eradication and will continue to do so. It is imperative that biosecurity zones are put in place to ensure nearby infestations continue to be managed so as to reduce the likelihood of seed spread into the Southern Downs Region.

Restricted matter

We are concerned with the listing of former class 3 weeds as restricted matter due to the enforcement implications this may pose for SDRC. We are particularly concerned with the listing of the following species:

- Camphor laurel (*Cinnamomum camphora*)
- Cat's claw creeper (*Dolichandra unguis-cati*)
- Dutchman's pipe (*Aristolochia* spp. other than native species)
- Lantana (*Lantana montevidensis*, *Lantana camara*)
- Privet (*Ligustrum lucidum*, *Ligustrum sinense*)

We understand that regardless of the categories attached to these restricted matter, the general biosecurity obligation will, at least, require SDRC to enforce complaints regarding these species.

This has serious resourcing implications for SDRC as these species previously only required attention if threatening environmentally significant areas. SDRC does not consider it strategic to impose broader management requirements on these species.

We feel the best avenue for management of these species is through biosecurity zone regulatory provisions that allow those local governments that wish, to impose stricter controls than those under

the current class 3 declarations. We believe that many local governments will be in a similar situation with current class 3 species and feel biosecurity zone regulatory provisions prepared by the State would be the preferred option.

We understand section 48 of the Bill gives local governments the authority to make local laws about restricted matter. It is our understanding that a local law cannot diminish State legislation.

If the State does not intend developing biosecurity zone regulatory provisions to deal with these species, we feel it is imperative scope be provided within the Bill for these species to be managed as per current class 3 declarations i.e. compliance to be enforced only where the species are threatening the integrity of environmentally significant areas. Also, as many local governments will be affected by this change, it is our belief that for consistency, the State must prepare model local laws that Councils can easily adopt.

We are pleased to have blackberry (*Rubus anglocandicans*, *Rubus fruticosus* aggregate) listed as restricted matter. SDRC has long felt the need for more stringent controls on this species and as such has a local law in place requiring all landholders to remove it from land under their control. We feel the listing of this species under State legislation helps give its control greater justification to landholders. While it is true blackberry has the potential to inhabit and impact upon only a small area of Queensland, those impacts within our region are significant, there is very high potential for further spread within our region, and, several current class 1 species also pose threats to only small geographic regions.

SDRC has three other weed species listed under local law that exhibit similar invasive characteristics to blackberry:

- St. John's Wort (*Hypericum perforatum*)
- Firethorn (*Pyracantha angustifolia*)
- Green cestrum (*Cestrum parqui*)

All three are particularly invasive and have demonstrated this in other areas such as the New England Tablelands in New South Wales. These species also have severe impacts aside from their invasiveness – St. John's Wort and green cestrum are very toxic to stock and firethorn has the ability to form dense, thorny thickets. We believe these species are justified in being listed as restricted matter in the Bill and ask that their inclusion be considered.

We are pleased to see rabbits (*Oryctolagus cuniculus*) listed as restricted matter and that their pest status in Queensland has not been diminished in the Bill. We do feel however, that section 48 (2) is ambiguous in its wording and that it should be clarified to make explicit each organisation's role in rabbit control and compliance.

Guidelines and Codes of Practice

We note the intention to develop guidelines and codes to assist define compliance requirements with restricted matter. While supportive of any endeavour to provide assistance in this area, caution should be exercised to ensure the compliance burden on councils is not increased through overly prescriptive guidelines. SDRC currently issues compliance notices to landholders for declared pests and to date has

had no issue with establishing *reasonable* levels of control. We would not like to see a situation arise whereby a guideline stipulated that a reasonable attempt constituted actions that unnecessarily increased Councils' workload in terms of monitoring, or, undermined our Council's current compliance program.

Pest Management Plans

We are pleased to see a less prescriptive framework for local government pest management plans introduced in the Bill. However, we feel a model plan prepared by the department would be beneficial in guiding the development of local governments' plans in the face of the changed legislative and regulatory arrangements.

SDRC's current Pest Management Plan remains in force until the end of 2013/14. We will be requesting the Minister approve the extension of our current plan to remain in force until after commencement of the Bill. We do not believe it is beneficial to develop a new plan in the interim.

Other

We note the State is bound by the Act (s 7 (1)), but cannot be prosecuted for an offence against the Act (s 7 (2)). We optimistically request consideration be given to removing part 2 of the section.

Yours sincerely

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