

Date: 15 December 2011
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The Research Director
Environment, Agriculture, Resources and Energy Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Sir/Madam

Submission – Proposed *Biosecurity Bill 2011*

Gold Coast City Council (Council) welcomes the opportunity to provide a submission to the Environment, Agriculture, Resources and Energy Committee on the proposed *Biosecurity Bill 2011*. Please find attached a submission from Council's Waste and Resource Management Branch (W&RM) on the proposed legislation referred to the committee on the 25 October 2011.

If you require further assistance, please contact Council's Senior Pest Management Specialist, Mr Iain Jamieson, on telephone (07) 5581 6889 or email ijamieson@goldcoast.qld.gov.au.

Yours faithfully



Josh Evans
A/Manager Waste and Resource Management Branch
For the Chief Executive Officer

15 December 2011

Gold Coast City Council's Waste and Resource Management Branch submission to the Environment, Agriculture, Resources and Energy Committee on the proposed *Biosecurity Bill 2011*.

Page	Section	Comment	Suggested Modification
Chapter One			
32-33	3	Gold Coast City Council's Waste and Resource Management Branch (W&RMB) supports the purpose of the proposed <i>Biosecurity Bill</i> (the Bill).	
33 - 34	4	W&RMB is concerned that there is no clear indication that biosecurity is a core function of the State and not Local Government.	Modify S.4(h) to read "providing for a framework that improves the capacity of Local Government, industry and the community generally to support the State's response to biosecurity risks."
35	6	Commend the inclusion of a clear requirement on the State and Commonwealth to fulfil the requirements of the proposed bill. There is a concern however with the ability of Local Government to ensure the provisions of Biosecurity Plans for invasive Biosecurity Matter (S.52) are met by the State and Commonwealth Departments. W&RMB look forward to the existing arrangements within the Memorandum Of Understanding between Local Government Association of Queensland, Commonwealth, State and NRM groups and the State Land Pest Management Committee being confirmed under S.76 of this legislation.	
35	7(2)	W&RMB is concerned with the general application of the Bill to ships in Queensland waters and other waters. Local Government will be unable to meet the considerable resourcing implications of managing invasive biosecurity matter on ships.	Provide exemption/clarification regarding the management of "invasive biosecurity matter" by Local Government on ships. This role should be fulfilled by the Queensland Government Department of Transport and Main roads – Maritime Safety, Queensland Customs and Australian Quarantine Service. These departments will be responsible for identifying biosecurity matter that is outside the responsibility of Local Government (marine pests) and should retain responsibility for invasive biosecurity matter under the proposed Bill.

15 December 2011

Page	Section	Comment	Suggested Modification
Chapter 3			
75	68	Reporting and prioritisation of expenditure by Biosecurity Queensland (BQ) requires greater detail and transparency.	W&RMB requests the inclusion of a clause formally requiring the State to provide an annual itemised report on the expenditure of funds.
Chapter 4			
81	76	W&RMB commends the inclusion of this provision to continue the State's capacity and commitment to protecting the lifestyle, health, environment and economy of Queenslanders from biosecurity matter.	
Chapter 6			
128	121	W&RMB are concerned deer have not been identified as a specified animal. Currently there is no requirement for deer to be fit with an approved device. This is a major issue for Council when enforcing feral deer. Currently captive deer (deer kept within a deer-proof enclosure) are not declared, the exception to this is class one species which cannot be kept. However if deer escape or are released, they then become declared feral deer and the landholder is responsible for control. The issue arises whereby Council wishes to ensure the owner of the deer and not the impacted landholder is responsible for the control. Without a legal requirement to fit an approved device it is nigh on impossible to prove ownership of the deer. This creates undue costs for the community which should be met by the party responsible for the deer escaping/released from the deer proof enclosure.	W&RMB seek the inclusion of deer as a specified animal in section 121.

15 December 2011

Page	Section	Comment	Suggested Modification
Chapter 16			
358	485	W&RMB considers that the provision of a written estimate of operational costs two months prior to the start of the financial year is untenable. Budget development with Council begins eight months before the end of the financial year. The current arrangements under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> see demands for funding arriving up to six months into the current financial year without any previous consultation with Local Government. The demands are not itemised and there is no transparency or accountability regarding the expenditure of these public funds. While funds will be paid from the Land Protection Fund (S.64(d) and S.65(b)), there is no requirement for consultation with Local Government regarding the operational costs of the barrier fence board.	<p>If Chapter 16 is to remain in the proposed Bill, W&RMB seek the following amendments:</p> <p>S.485(1) The board must <i>consult with each of the contributing Local Governments during the preparation of the Boards estimate of operational costs.</i></p> <p>S.485(2) <i>The estimate must be given to the Minister six months before the start of the financial year to which the estimate relates.</i></p> <p><i>New addition – The minister must provide Local Governments with the estimate and a written statement of this estimate as per S.485(3) four months before the start of the financial year to which the estimate relates.</i></p>
Schedule 1			
471	Part 1	The Invasive Animals Cooperative Research Centre is coordinating a project with CSIRO to determine the potential of Koi Herpesvirus or <i>Cyprinid Herpesvirus 3 (CyHV-3)</i> as a biocontrol agent for carp in Australia.	Removal of the listing of Koi Herpesvirus disease as prohibited matter if it will negatively impact on the success of this project.