

2024/25 Prevention and Control Program for Invasive Biosecurity Matter under the *Biosecurity Act 2014*

Biosecurity Queensland

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1. Biosecurity program

1.1 Program name

The prevention and control program (biosecurity program) for invasive plants and animals that are restricted matter or prohibited will be known as the Prevention and Control Program for Invasive Biosecurity Matter (the Program).

The biosecurity matter to which the Program relates is the Invasive Biosecurity Matter listed in Table A and Table B.

2. Requirement for a prevention and control program

2.1 Purpose and rationale

Significant biosecurity risk

The *Biosecurity Act 2014* (the Act) provides for the establishment of prevention and control programs. Prevention and control programs are directed at any of the following—

- (a) preventing the entry, establishment or spread of biosecurity matter in an area that poses a significant biosecurity risk;
- (b) managing, reducing or eradicating any biosecurity matter in an area that could pose a significant biosecurity risk.

The objectives of the Program are:

- (a) to prevent the entry, establishment or spread of invasive biosecurity matter listed in Table A and Table B in the State of Queensland; and
- (b) to manage, reduce or eradicate the biosecurity matter listed in Table A and Table B in the State of Queensland, where the biosecurity matter could pose a significant biosecurity risk.

Invasive plants

Biosecurity Queensland leads 30 non-nationally cost-shared state-wide eradication projects in partnership with Local Governments. These high-risk invasive plants pose a significant risk to Queensland's economy, environment or social amenity.

In addition, this program is required for preparedness for response to any reoccurrences of another 35 high-risk invasive plant species believed to have been successfully eradicated from Queensland.

Prevention and control programs for red witchweed and the tropical weeds have been authorised as separate biosecurity programs that commenced on 1 July 2016.

Ongoing surveillance for all invasive plants that are prohibited matter not yet present in Queensland is undertaken under the Surveillance Program for Invasive Biosecurity Matter.

Invasive animals

The Program is required so that appropriate action may be taken by the Department of Agriculture and Fisheries to prevent the entry, establishment or spread of invasive animals that poses a significant biosecurity risk. New incursions of invasive animals derive from the unlawful importation and possession

of prohibited matter as pets or for other purposes. The taxa of prohibited matter included in the Program have been previously detected within Queensland; or are known to be kept as pets in New South Wales; or are common interceptions at the national border by Federal Government biosecurity agencies or are identified in the National Incursion Response Plan for Terrestrial Snakes.

The Program is required so that appropriate actions may be taken by the Department of Agriculture and Fisheries to manage, reduce or eradicate invasive animals that are restricted biosecurity matter in areas where the invasive biosecurity matter could pose a significant biosecurity risk. This includes being able to respond to new populations of invasive animals or to escapes of invasive animals held under restricted matter permits in certain Local Government areas.

Ongoing surveillance for invasive animals that are prohibited matter and not yet present in Queensland is undertaken under the Surveillance Program for Invasive Biosecurity Matter.

2.2 Measures that are required to achieve the purpose

The key activities undertaken by the Program include but are not limited to the destruction of invasive biosecurity matter by methods including:

- Incineration, burning or deep burial of invasive plants
- Mechanical or manual felling, lopping or removal of invasive plants
- Ground or aerial distribution of agricultural chemicals to invasive plants
- Ground or aerial distribution of poisons to invasive animals
- Ground or aerial use of firearms
- Ground trapping of invasive animals
- Lethal administration or injection of poison to invasive animals
- Removal of habitat, including draining of dams and waterbodies.

2.3 Authorised officers

The Act provides for the appointment¹ of authorised officers who may exercise powers under the Act for the purposes of the Act including:

- to investigate, monitor and enforce compliance with the Act;
- to investigate or monitor whether an occasion has arisen for the exercise of powers under the Act;
- to facilitate the exercise of powers under the Act;
- to help achieve the purposes of the Act by providing advice and information on how the purposes of the Act may be achieved;
- to exercise powers under an authorised Biosecurity Program.

2.4 Powers of authorised officers

Entry of place

The Act provides that authorised officers may, at reasonable times, enter a place situated in an area to which a biosecurity program applies, to take any action authorised by the biosecurity program². These

¹ See Chapter 10 Appointment and powers of officers

² See section 261 (Power to enter a place under biosecurity program) of the Act.

activities must be done in a timely and efficient manner to ensure that the measures are as effective as possible. The Program will authorise entry into places to allow these measures to be undertaken.

In accordance with the Act a reasonable attempt will be made to locate an occupier³ and advise the occupier of the officer's intention to enter the place.

An authorised officer may enter the place⁴ if the authorised officer is unable to locate an occupier after making a reasonable attempt to do so.

If after entering a place an authorised officer finds an occupier present—an authorised officer will make reasonable attempts to:

- produce an identity card for inspection and inform the occupier of the reason for entering and the authorisation under the Act to enter without the permission of the occupier
- to inform the occupier of any steps taken, or to be taken, and if steps have been taken or are to be taken, that it is an offence to do anything that interferes with a step taken or to be taken.

An authorised officer must leave a notice in a conspicuous position and in a reasonably secure way. This notice must state the date and time of entry and information addressing the reason for entry, authorisation to enter a place and the steps undertaken by the authorised officer after entry.

Giving a direction under a prevention and control program

Section 237 of the Act provides that an authorised officer may, at a reasonable time and at a place within an area to which a prevention and control program applies:

- direct an owner or occupier of the place to take reasonable steps, within a stated and reasonable timeframe, to remove or eradicate the biosecurity matter listed in Table A and Table B as reasonably necessary to achieve the purposes of the Program: or,
- destroy the biosecurity matter listed in Table A and Table B and/or a carrier of the the biosecurity matter listed in Table A and Table B and Invasive Biosecurity Matter if the authorised officer believes on reasonable grounds that the biosecurity matter or carrier poses a significant biosecurity risk.

Failure to comply with a direction

Under section 238 of the Act, a person who is given a direction under section 237 of the Act must comply with the direction, as outlined above. A penalty infringement notice may be issued where a person fails to comply with a direction.

Power to carry out aerial controls measures

The power to carry out aerial control measures is authorised by a biosecurity program under the Act⁵. This means that an authorised officer may carry out, or direct another person to carry out, the aerial control measure for Invasive Biosecurity Matter in relation to a place in an area to which the Program relates.

Obligations

A person in possession of Invasive Biosecurity Matter to which this program relates must allow an authorised person under the Program to destroy the invasive biosecurity matter. In addition to Program specific obligations in the prevention and control program authorisation, under section 238 of the Act, owners or occupiers of a place are obligated to comply with an authorised officer's direction issued under section 237 of the Act.

³ The Act defines an **occupier**, of a place, generally to include the person who apparently occupies the place (or, if more than 1 person apparently occupies the place, any of the persons); any person at the place who is apparently acting with the authority of a person who apparently occupies the place; or if no-one apparently occupies the place, any person who is an owner of the place.

⁴ See section 270 (Entry of place under sections 261 and 262) of the Act.

⁵ See section 294 (Power to carry out aerial control measures under biosecurity program) of the Act. Section 294(6) of the Act defines **aerial control measure**, for biosecurity matter, to mean an activity, done from the air by an airborne machine or a person in an aircraft, to achieve a purpose of a biosecurity program and includes the following—

- surveying and monitoring the biosecurity matter;
- distributing an agricultural chemical to control the biosecurity matter.

General powers of authorised officers

The general powers of an authorised officer under Chapter 10 of the Act are not limited by a program authorisation.

2.5 Consultation

Consultation will be undertaken with each Local Government and invasive animal board in Queensland with responsibility for ensuring the management of invasive biosecurity matter in its area.

3. Authorisation of a prevention and control program in the State of Queensland

I, Graeme Bolton, the chief executive of the Department of Agriculture and Fisheries acting pursuant to section 235 of the *Biosecurity Act 2014* (the Act), authorise the Prevention and Control Program for Invasive Biosecurity Matter (as described in sections 3.1 to 3.9 below) for the prohibited matter listed in Table A and the restricted matter listed in Table B, on the basis that I am satisfied that:

- there is or there is likely to be invasive biosecurity matter which is prohibited matter, listed in Table A in the State of Queensland; and
- measures are required to prevent the entry, establishment and spread of the invasive biosecurity matter listed in Table A which poses a significant biosecurity risk to Queensland.
- invasive biosecurity matter listed in Table B is in the State of Queensland and this biosecurity matter poses or is likely to pose a significant biosecurity risk; and
- measures are required to manage, reduce or eradicate the invasive biosecurity matter listed in Table B which poses or is likely to pose a significant biosecurity risk to Queensland.



Graeme Bolton
Director-General
Department of Agriculture and Fisheries

Authorised on 17/07/2024

3.1 Biosecurity matter

The Invasive Biosecurity Matter to which the Program relates is the prohibited matter list in Table A and the restricted matter listed in Table B below.

Table A. The prohibited matter to which the Program relates.

Common Name (<i>Scientific name</i>)	
Invasive animals	Invasive plants
African rock python (<i>Python sebae</i>)	anchored water hyacinth (<i>Eichhornia azurea</i>)
Alligator snapping turtle (<i>Macrochelys temminckii</i>)	bitter weed (<i>Helenium amarum</i>)
American corn snake (<i>Pantherophis guttatus</i>)	catechu (<i>Senegalia catechu</i>)
Asian spined toad (<i>Duttaphrynus melanostictus</i>)	cha-om (<i>Senegalia insuavis</i>)
ball python (<i>Python regius</i>)	grey-haired acacia (<i>Vachellia gerrardii</i>)
blood python (<i>Python curtus</i>)	horsetails (<i>Equisetum</i> spp.)
boa constrictor (<i>Boa constrictor</i>)	karroo thorn (<i>Vachellia karroo</i>)
Burmese python (<i>Python molarus bivittatus</i>)	knobthorn (<i>Senegalia nigrescens</i>)
Californian kingsnake (<i>Lampropeltis getula californiae</i>)	Mexican bean trees (<i>Cecropia</i> spp. other than those listed as restricted matter in Table B.)
chameleons in the family Chamaeleonidae	Monkey thorn (<i>Senegalia galpinii</i>)
Chinchilla (<i>Chinchilla lanigera</i>)	paperbark thorn (<i>Vachellia sieberiana</i>)
Chinese pond turtle (<i>Mauremys reevesii</i>)	pencil cactus (<i>Cylindropuntia leptocaulis</i>)
Chinese stripe neck turtle (<i>Mauremys sinensis</i>)	Peruvian primrose (<i>Ludwigia peruviana</i>)
common marmoset (<i>Callithrix jacchus</i>)	prickly pears:
common snapping turtle (<i>Chelydra serpentina</i>)	<ul style="list-style-type: none"> • Aaron's beard cactus (<i>Opuntia leucotricha</i>) • blind cactus (<i>Opuntia rufida</i>) • Engelmann's prickly pear (<i>Opuntia engelmannii</i>) • Florida beach prickly pear (<i>Opuntia keyensis</i>) • puberula cactus (<i>Opuntia puberula</i>) • violet prickly pear (<i>Opuntia gosseliniana</i>) • red-flowered prickly pear (<i>Opuntia elatior</i>) • sulphur cactus (<i>Opuntia sulphurea</i>) • wheel cactus (<i>Opuntia robusta</i>)
Diamondback terrapin (<i>Malaclemys terrapin</i>)	red sesbania (<i>Sesbania punicea</i>)
Dumeril's boa (<i>Acrantophis dumerili</i>)	red wood (<i>Acaciella glauca</i>)
eastern Herman's tortoise (<i>Testudo hermanni</i>)	splendid thorn (<i>Vachellia robusta</i>)
emerald tree boa (<i>Corallus caninus</i>)	smooth mesquite (<i>Prosopis laevigata</i>)
ferret (<i>Mustela putorius furo</i>)	soap pod (<i>Senegalia rugata</i>)
Gaboon viper (<i>Bitis gabonica</i>)	tropical soda apple (<i>Solanum viarum</i>)
green (common) Iguana (<i>Iguana iguana</i>)	umbrella thorn (<i>Vachellia tortilis</i>)
Hedgehogs in the family Erinaceidae	white-ball acacia (<i>Acaciella angustissima</i>)
Hermann's tortoise (<i>Testudo hermanni</i>)	white witchweed (<i>Striga angustifolia</i>)
Hognose snakes in the genus <i>Heterodon</i>	yellow fever tree (<i>Vachellia xanthophloea</i>)
horned vipers (<i>Cerastes</i> spp.)	
Indian palm squirrel (<i>Funambulus</i> spp.)	
Indian python (<i>Python molurus</i>)	
Java pipistrelle (<i>Pipistrellus javanicus</i>)	
king cobra (<i>Ophiophagus Hannah</i>)	
kukri snakes (<i>Oligodon</i> spp.)	
leopard gecko (<i>Eublepharis macularius</i>)	
Marmoset (<i>Callithrix jacchus</i>)	
New Guinea tree boa (<i>Candoia carinata</i>)	
nose-horned viper (<i>Vipera ammodytes</i>)	
puff adder (<i>Bitis arietans</i>)	
rainbow boa (<i>Epicrates cenchria</i>)	
reticulated python (<i>Broghammerus reticulatus</i>)	
rosy boa (<i>Lichanura trivirgata</i>)	
Russel's viper (<i>Daboia russelii</i>)	
Russian tortoise (<i>Agrionemys horsfieldii</i>)	
sand boas (<i>Eryx</i> spp.)	
sand boas (<i>Gongylophis</i> spp.)	
saw-scaled viper (<i>Echis carinatus</i>)	
Southeast Asian box turtle (<i>Cuora amboinensis</i>)	
spotted pond turtle (<i>Geoclemys hamiltonii</i>)	
star tortoise (<i>Geochelone elegans</i>)	
Uracoan rattlesnake (<i>Crotalus vegrandis</i>)	
white lipped pit viper (<i>Trimeresurus albolabris</i>)	
yellow anaconda (<i>Eunectes notaeus</i>)	
Prohibited matter (not listed above) held under <i>Exhibited Animals Act 2016</i> authorities, permits or licences	

Table B. The restricted matter to which the Program relates.

Common Name (<i>Scientific name</i>)	
Invasive animals	Invasive plants
Barbary sheep (<i>Ammotragus lervia</i>) blackbuck antelope (<i>Antilope cervicapra</i>) hog deer (<i>Axis porcinus</i>) red-eared slider turtle (<i>Trachemys scripta elegans</i>) Sambar deer (<i>Rusa unicolor</i>)	badhara bush (<i>Gmelina elliptica</i>) bitou bush (<i>Chrysanthemoides monilifera</i>) black willow (<i>Salix nigra</i>) bunny ears cactus (<i>Opuntia microdasys</i>) Eve's pin cactus (<i>Austrocyllindropuntia subulata</i>) gorse (<i>Ulex europaeus</i>) grey willow (<i>Salix cinerea</i>) honey locust tree (<i>Gleditsia triacanthos</i>) Hudson pear (<i>Cylindropuntia rosea</i> syn <i>C. pallida</i> and <i>C. tunicata</i>) jumping cholla (<i>Cylindropuntia prolifera</i>) Madras thorn (<i>Pithecellobium dulce</i>) Mexican bean trees (<i>Cecropia pachystachya</i> , <i>C. palmata</i> and <i>C. peltata</i>) Mexican feather grass (<i>Nassella tenuissima</i>) mimosa pigra (<i>Mimosa pigra</i>) Riverina pear (<i>Opuntia elata</i> syn <i>O. bonaerensis</i>) squalida (<i>Chromolaena squalida</i>) water mimosa (<i>Neptunia oleracea</i> and <i>N. plena</i>) white willow (<i>Salix alba</i>)
Restricted matter held under <i>Exhibited Animals Act 2016</i> authorities, permits or licences	

3.2 Purpose of the Program

The purpose of the Program is:

- (a) to prevent the entry, establishment or spread of biosecurity matter listed in Table A and Table B, where the biosecurity matter poses a significant biosecurity risk; and
- (b) to manage, reduce or eradicate the biosecurity matter listed in Table A and Table B, where the biosecurity matter could pose a significant biosecurity risk.

3.3 Area affected by the Program

The Program will apply to the State of Queensland.

3.4 Authorised officers

An Authorised Officer of the Program is an Inspector or Authorised Person appointed under the *Biosecurity Act 2014* by the Chief Executive of the Department of Agriculture and Fisheries.

3.5 Powers of authorised officers

An authorised officer of the Program may enter a place—other than a residence⁶—without a warrant and without the occupier's consent within the State of Queensland under the Program⁷.

An authorised officer may exercise the powers of an authorised officer under the Act in relation to the Program, if the authorised officer is appointed by the chief executive⁸. An authorised officer may exercise general powers after entering a place to do any of the following⁹:

⁶ The Act defines a **residence** to mean a premises or a part of a premises that is a residence with the meaning of section 259(2) and 259(3).

⁷ See section 261 (Power to enter a place under biosecurity program) of the Act.

⁸ See section 255 (3) (Powers of particular authorised officers limited) of the Act.

⁹ See section 296 (General powers) of the Act.

General powers in the Act	Measures an authorised officer may take under the Program
Search any part of the place	<p><i>Destroy the biosecurity matter to which the Program relates or a carrier of the biosecurity matter to which the Program relates if the authorised officer believes on reasonable grounds the biosecurity matter or carrier poses a significant biosecurity risk including by</i></p> <ul style="list-style-type: none"> • <i>incineration, burning or deep burial of invasive plants</i> • <i>mechanical or manual felling, lopping or removal of invasive plants</i> • <i>ground or aerial distribution of agricultural chemicals to invasive plants</i> • <i>ground or aerial distribution of poisons to invasive animals</i> • <i>ground or aerial use of firearms</i> • <i>ground trapping of invasive animals</i> • <i>lethal injection of poison to invasive animals.</i> • <i>Remove or destroy suitable habitat for an invasive animal, such as draining of dams and waterbodies or ripping warrens.</i> <p><i>Direct an occupier of the place to take reasonable steps within a reasonable time to remove or eradicate the biosecurity matter to which the Program relates.</i></p> <p><i>Searching a place to check for the presence or absence of the Invasive Biosecurity Matter to which the Program relates.</i></p> <p><i>Inspect, examine and film to assist with tracing of carriers to and from a place.</i></p> <p><i>Take samples for the purposes of diagnostic analysis, to ascertain the presence or absence of the Invasive Biosecurity Matter</i></p> <p><i>Identify locations of and carriers of the biosecurity matter to which the Program relates, such as with tags, notices, flags or signs for any purpose consistent with the Program.</i></p>
Inspect ¹⁰ , examine ¹¹ or film ¹² any part of the place or anything at the place	
Take for examination a thing, or a sample of or from a thing, at the place	
Place an identifying mark in or on anything at the place	
Place a sign or notice at the place	
Produce an image or writing at the place from an electronic document or, to the extent it is not practicable, take a thing containing an electronic document to another place to produce an image or writing	
Take to, into or onto the place and use any person, detection animal, equipment and materials the authorised officer reasonably requires for exercising the authorised officer's powers under this division	
Destroy biosecurity matter or a carrier if the authorised officer believes on reasonable grounds the biosecurity matter or carrier presents a significant biosecurity risk; and the owner of the biosecurity matter or carrier consents to its destruction	
Remain at the place for the time necessary to achieve the purpose of the entry	
The authorised officer may take a necessary step to allow the exercise of a general power	
If the authorised officer takes a document from the place to copy it, the authorised officer must copy and return the document to the place as soon as practicable	
If the authorised officer takes from the place an article or device reasonably capable of producing a document from an electronic document to produce the document, the authorised officer must produce the document and return the article or device to the place as soon as practicable.	

¹⁰ Section 296(5) defines **inspect**, a thing, to include open the thing and examine its contents.

¹¹ Section 296(5) defines **examine** to include analyse, test, account, measure, weigh, grade, gauge and identify.

¹² Section 296(5) defines **film** to include photograph, videotape and record an image in another way.

General powers in the Act	Measures an authorised officer may take under the Program
	<p><i>Producing a written and/or electronic note(s) to support the Program activities.</i></p> <p><i>Taking GPS coordinates to ensure accuracy of location of the Invasive Biosecurity Matter and carriers of the Invasive Biosecurity Matter.</i></p> <p><i>Undertake preventative treatments such as using, applying or distributing agricultural chemicals that is consistent with the objectives of the Program.</i></p> <p><i>Take a document that is relevant to the objectives of the Program.</i></p>

Section 237 of the Act provides that an authorised officer may, at a reasonable time and at a place within an area to which a prevention and control program applies:

- direct an owner or occupier of the place to take reasonable steps, within a stated and reasonable timeframe, to remove or eradicate the biosecurity matter listed in Table A and Table B as reasonably necessary to achieve the purposes of the Program: or,
- destroy the biosecurity matter listed in Table A and Table B and/or a carrier of the the biosecurity matter listed in Table A and Table B and Invasive Biosecurity Matter if the authorised officer believes on reasonable grounds that the biosecurity matter or carrier poses a significant biosecurity risk.

A penalty may apply to a person who fails to comply with a direction issued under this section.

An authorised officer may make a requirement (a **help requirement**) of an occupier of the place or a person at the place to give the authorised officer reasonable help to exercise a general power¹³.

An authorised officer may carry out, or direct another person to carry out, aerial control measures for the biosecurity matter listed in Table A and Table B in relation to a place in an area to which the Program applies. Under the Program, these aerial control measures may include the use of firearms and distributing an agricultural chemical to destroy the invasive biosecurity matter.

3.6 Obligations imposed on a person under the Program

The following obligations are imposed on a person who is an owner or occupier of a place in an area to which the Program relates:

A person in possession of invasive biosecurity matter to which this Program relates must allow an authorised person under the Program to destroy the invasive biosecurity matter.

3.7 Commencement and duration of the Program

The Program will begin on 8 August 2024 and will continue until 7 August 2025. The duration of the Program is considered to be reasonably necessary to achieve the Program's purpose.

¹³ See section 297 (Power to require reasonable help) of the Act.

3.8 Consultation with relevant parties

As required by the Act¹⁴, I have consulted, prior to the authorisation of the Program, with all Queensland Local Governments and the Darling Downs Moreton Rabbit Board (an invasive animal board under the Act), which are within the areas to which the Program applies.

3.9 Notification of relevant parties of requirements

As required by the Act¹⁵, I will give public notice of the Program 14 days before the Program starts by:

- giving the notice, by way of letter, to each government department or government owned corporation responsible for land in the area to which the Program relates; and
- publishing the notice on the Department of Agriculture and Fisheries' website.

A copy of this Program Authorisation is available for inspection at the Department of Agriculture and Fisheries head office at 275 George Street Brisbane and regional offices. A copy of the Program is also available to view and print at no cost on the Department of Agriculture and Fisheries' website at www.daf.qld.gov.au. A copy of the Program Authorisation will be provided on request by contacting the Department of Agriculture and Fisheries Customer Service Centre on 13 25 23.

¹⁴ See section 239 (Consultation about proposed biosecurity program) of the Act.

¹⁵ See section 240 (Notice of proposed biosecurity program) of the Act.