

# BIOSECURITY ACT 2015

## Biosecurity Regulation 2017

### Biosecurity Zone

#### What is a biosecurity zone?

A biosecurity zone may be used for the long term management of an ongoing key biosecurity risk or impact. It is a specific geographic area where certain actions must be taken and the zone area can be the whole State, a defined part of the State, a group of neighbouring properties or an individual property.

Biosecurity zones are used when complete eradication of biosecurity matter is not feasible but the risk is still high so regulatory actions for ongoing prevention, elimination and minimisation of impacts are necessary. Some eradication measures might be included in certain areas, for example in buffer areas surrounding the zone in which the pest, disease, weeds or contaminant is being contained.

Biosecurity zones may also be used where different management actions are needed in different parts of NSW such as to account for different environmental conditions, or to protect part of the State from the introduction of a biosecurity risk that occurs elsewhere in the State.

A biosecurity zone can help NSW producers demonstrate that they are compliant with market access requirements. For example, that they have treated produce in a certain way to kill a pest or disease.

#### How will a biosecurity zone work?

A biosecurity zone will be established by regulation and will specify:

- the biosecurity matter, risk or impact to which it applies
- the area of the zone or zones
- the required actions that must be taken in that zone, and
- who must carry out the actions (it can apply to a class of people e.g. orchardists).

A regulation can establish classes of zone with specific measures required in each. For example, a potato biosecurity zone has been established to manage the biosecurity risks from the following pests and diseases to the potato industry in NSW:

- *Globodera pallida* (Pale potato cyst nematode) or *Globodera rostochiensis* (golden potato cyst nematode)
- potato spindle tuber viroid
- *Ralstonia solanacearum* race 3 (causal agent of bacterial wilt), and
- *Sponospora subterranean* (Powdery scab).

The potato biosecurity zone encompasses all land in NSW with a sub biosecurity zone known as seed potato protected areas which includes the Central Tablelands and the Northern Tablelands.

The potato biosecurity zone restricts the movement of any potato biosecurity matter into the potato biosecurity zone or into a seed potato protected area and prohibits the movement of powder scab into the potato biosecurity zone. Exceptions to the Regulations are in the Biosecurity Order (Permitted Activities) 2017 which allows the movement of potato biosecurity matter into these zones if all required conditions have been met and they are accompanied by a Plant Health Certificate.

For more information about the Act, visit our website or contact us:

W [www.dpi.nsw.gov.au/biosecurityact](http://www.dpi.nsw.gov.au/biosecurityact)

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### What measures can be applied by a biosecurity zone regulation?

A zone regulation can require, prohibit, regulate or control:

- activities that involve biosecurity matter, a carrier or a potential carrier
- the use of premises for activities involving biosecurity matter or carriers
- the movement of biosecurity matter or other thing
- the isolation, confinement or detention of biosecurity matter or other thing
- the treatment of biosecurity matter, premises or other thing
- the erection or repair of fencing or gates (or other containment or security measures)
- the erection of signs
- taking samples or testing biosecurity matter or other thing
- the installation or use of a device for the purpose of detecting, monitoring or capturing biosecurity matter or other thing, or
- the destruction, disposal or eradication of anything.

A zone regulation cannot require the sampling, testing or treatment of a person or expressly restrict a person's movement.

### Can a biosecurity zone regulation require something to be destroyed?

A zone regulation can require the destruction of prohibited or suspected prohibited matter, a carrier of prohibited or suspected prohibited matter, or a pest or weed that is the subject of the zone regulation.

Any thing that appears to or is reasonably suspected of being abandoned is the subject of the zone regulation can also be destroyed. For example, if the pest grapevine phylloxera was identified at an abandoned vineyard in the NSW Phylloxera Exclusion Zone the grape vines would be destroyed.

A zone regulation can require that other infested or infected things can be destroyed (or otherwise disposed of) if there are no other reasonable practicable methods of preventing or minimising the risk.

The Minister for the Environment will be consulted before any zone regulation is made requiring the clearing of native vegetation, or the destruction of protected or threatened native species or of items subject to a heritage order. Similarly, the Chairperson of the Game and Pest Management Advisory Board will be consulted where the destruction of game animals is included in a zone regulation.

For more information about the Act, visit our website or contact us:

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