



BIOSECURITY ACT 2015

Discussion Paper: Management of widespread pest animals

December 2015



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Comments on this paper close on 12 February 2016

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For more information

See: www.dpi.nsw.gov.au/biosecurityact

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2015). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser

Summary

The *Biosecurity Act 2015* (Biosecurity Act) will repeal Part 10 of the *Local Land Services Act 2013* (LLS Act) which provides the regulatory framework for the control of pest animals across NSW. Currently Pest Control Orders (PCOs) have been made under Part 10 of the LLS Act outlining arrangements for the control of the following declared pest animals: wild dogs, wild rabbits, feral pigs, feral dromedary camels, European red foxes and a number of locust species. Each PCO outlines the landholder's obligations with respect to the management of declared pests.

Having considered existing management arrangements and the risks associated with wild rabbits, feral pigs, feral camels, foxes and a number of locust species, it is proposed to manage these pests under the Biosecurity Act by way of the **General Biosecurity Duty (GBD)** with some **mandatory measures** prescribed in the regulation.

A separate paper has been prepared with regard to the management of wild dogs under the Biosecurity Act and, accordingly, they will not be discussed in detail in this paper.

Background Information

What is the problem?

Pest animals are defined as animals which cause serious damage to a valued resource¹. Once a pest animal is firmly established within a region it is considered to be a widespread pest animal. Widespread pest animals impose a variety of biosecurity impacts on the NSW community including; competing with native wildlife for food and habitat, preying on livestock and wildlife, increasing grazing pressure on pastures and damaging crops and native plant communities.

Pest animals can also spread weeds, contribute to erosion and waterway degradation, and become nuisances to human activities which may in turn be responsible for stress in rural communities. Human and animal diseases may also be introduced and spread through the activity of pest animals.

Why is it important?

The cost of pest animals to the Australian economy is estimated at more than \$1 billion annually, mostly through impacts to agriculture. Pest animals can make some agricultural enterprises unviable and threaten livelihoods. Pest animals have also contributed significantly to the decline and extinction of native species in NSW and are responsible for the degradation of public and private assets like nature reserves, waterways and gardens. Pest animals can even threaten public safety through incidents including the transmission of zoonotic diseases and collisions with vehicles. For these reasons there is significant public interest in the effective management of pest animals in NSW.

What is the outcome we are seeking?

The four key strategies used in the management of pest animals are:

Prevention: implementing measures with the objective of preventing the arrival of any new species that is likely to become invasive and have a significant impact.

Eradication: the detection and permanent removal of any newly arrived invasive species that is likely to have a significant impact, before it can establish a self-sustaining population.

¹ Olsen. P (1998). Australia's Pest Animals: New Solutions to Old Problems, Bureau of Resource Sciences

Containment: restricting the spread of recently established or emerging invasive species for which there is no longer any realistic prospect of eradication.

Protection: targeting control at the most severe impacts of widespread invasive species to areas of high conservation value (asset protection).

Because eradication is generally not feasible, once a pest animal becomes widely established effective management focuses on the NSW Government collaborating with industry and the community to protect assets where the economic, environmental and social benefits of pest animal management are determined to be greatest. The key parts of this collaboration involve:

- development and implementation of effective biosecurity strategies to manage widespread pest animals through pest management planning, implementation and reporting
- maintaining the capacity to manage pest animals and their biosecurity impacts through investment in research and education programs
- continuing research into new and improved pest animal management techniques
- delivery of relevant policy and regulatory programs.

Current management arrangements

Eight PCOs are currently in force under the LLS Act that outline the obligations of landholders in the control of wild dogs, wild rabbits, feral pigs, feral dromedary camels, European red foxes, Migratory Locusts, Spur-Throated Locusts and Australian Plague Locusts. These PCOs impose obligations on occupiers of land to undertake activities and work collaboratively with Local Land Services to achieve effective and efficient control of pest animals.

An additional PCO is currently in force which prohibits the administration of fibroma virus vaccine or myxoma virus to rabbits unless such administration is approved by the Minister. Vaccination against myxomatosis is not permitted in Australia because the available vaccines contain live virus strains which have the potential to spread the weakened myxoma virus into the wild rabbit population potentially resulting in reduced efficacy of myxomatosis as a form of biological control in the wild rabbit population.

Part 10 of the LLS Act also prohibits the keeping of a pest in captivity on any land except in accordance with an approval issued by Local Land Services.

Authorised officers conduct property inspections and liaise with and provide direction to landholders to achieve effective pest animal management. In the event that pest animal management work is not conducted by the landholder as directed, authorised officers are able to enter land and conduct the necessary pest animal management work and subsequently impose financial penalties on the owner or occupier of the land.

In addition to the declared pest animal species listed above, a variety of pest animals including cane toads, feral cats and feral goats are managed according to the priorities and resources available within individual communities.

Proposed management under the NSW Biosecurity Act 2015

It is proposed that wild rabbits, feral pigs, feral dromedary camels, European red foxes, Migratory Locusts, Spur-Throated Locusts and Australian Plague Locusts will be managed under the **General Biosecurity Duty** (GBD). Other pest animals which are not currently the subject of a PCO will also be able to be managed under the GBD.

The GBD requires any person dealing with biosecurity matter and who knows or ought to know of the biosecurity risks associated with that activity to take measures to prevent, minimise or eliminate the risk as far as is reasonably practicable.

All occupiers of land in NSW will be subject to the GBD with respect to the management of widespread pest animals. This means that any person that deals with a pest animal including the general public, landholders, professional pest controllers and hunters will be required to take measures to prevent, minimise or eliminate the biosecurity risks of the pest animal.

Pest animal management strategies and best practice guidelines will clearly establish the NSW Government's expectations with respect to the management of widespread pest animals and actions that people should take to discharge their GBD.

As the GBD is outcomes focused, individuals can determine their preferred option for managing the risks associated with pest animals. In most cases, the landowner or occupier will discharge their GBD by, as far as is reasonably practicable, controlling pest animals on their land and preventing movement of the pest onto neighbouring land. In other cases, it may be expected that landowners will take actions to continuously suppress and destroy a particular pest animal. Implementation of the NSW Government endorsed pest animal management strategies and best practice guidelines will be strongly encouraged.

For some pest animals, it is proposed to include some **mandatory measures** that will be prescribed in the regulation. These mandatory measures will detail what actions must be taken for a person to discharge his or her GBD.

The proposed mandatory measures will:

- require notification of the presence on their land of Migratory Locust, Spur-Throated Locust and the Australian Plague Locust to the LLS to enable effective state-wide coordination and control of a locust plague;
- prohibit the administration of the fibroma virus vaccine or myxoma virus to rabbits except under the authority of a permit;
- prohibit the transport, movement or release of wild rabbits, feral pigs, feral dromedary camels and European red foxes except under the authority of a permit; and
- prohibit the keeping of wild rabbits, feral pigs and European red foxes in captivity on any land except under the authority of a permit. (Note: Under the Biosecurity Act the keeping of dromedary camels is not permitted unless the person is a registered entity or authorised by permit to keep the camel.)

In cases where occupiers of land fail to meet their pest animal control obligations, an authorised officer can issue a **Biosecurity Direction** detailing precisely how pest animal control is to be done and within what timeframe. An authorised officer may accept a **Biosecurity Undertaking** from the occupier that will include a proposed plan to control pest animals on their land and prevent movement of the pest onto neighbouring land.

If a person fails to comply with a biosecurity direction or a biosecurity undertaking, an authorised officer or other authorised person can enter the premises and undertake the required work. The costs and expenses incurred can then be recovered against the person.

Note: The Natural Resource Commission (NRC) is currently undertaking a review of pest animal management in NSW. A draft report is due for release by the NRC in February 2016 with a final recommendations report scheduled for June 2016. The findings and recommendations contained in the NRC's reports may affect the proposed management approach set out in in this discussion paper.

What do you think?

We value your comments on how we can improve our biosecurity system and look forward to receiving your input into this important process.

Please complete the following survey on 'Widespread Pest Animals' at:
<https://www.surveymonkey.com/r/pestanimals1>.

Alternatively, submit your feedback **by Friday, 12 February 2016** via [email](#) or post to:

Biosecurity Act 2015

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For more information about the *Biosecurity Act 2015* and regulatory framework, please visit www.dpi.nsw.gov.au/biosecurityact.

Summary of current and proposed management of widespread pest animals

