

# Biosecurity (Parkinsonia) Control Order 2022

under the

## Biosecurity Act 2015

I, John Tracey, Deputy Director General, Biosecurity & Food Safety, with the authorisation of the Minister administering the *Biosecurity Act 2015* and under section 62 of that Act, make the following Control Order.

Dated 27 day of June 2022

**John Tracey**  
**Deputy Director General, Biosecurity & Food Safety**  
**Department of Primary Industries**  
**Department of Regional NSW**

## Part 1 Preliminary

### 1 Name of Control Order

This Control Order is the *Biosecurity (Parkinsonia) Control Order 2022*.

### 2 Commencement and duration

- (1) This Control Order commences on 1 July 2022.
- (2) This Control Order has effect for a period of five years until 30 June 2027.

**Note.** Notice of this Control Order will be given by publishing it on the Department's website and in the Gazette.

### 3 Definitions

- (1) In this Control Order:

*parkinsonia* means the weed *Parkinsonia aculeata* and includes any seeds or propagules.

*parkinsonia control zone* is the whole of New South Wales.

*propagules* means a part of the parkinsonia plant that becomes detached from the rest of the plant that can grow into a new parkinsonia plant.

*property* means an area of land (including an area comprising 1 or more parcels of land that are proximate) that is worked as a single property.

*the Act* means the *Biosecurity Act 2015*.

*the Regulation* means the *Biosecurity Regulation 2017*.

- (2) Words and expressions that occur in this Control Order have the same meaning as they have in the Regulation, unless otherwise defined in this Control Order.

#### **4 Grounds for order and biosecurity impact**

The basis for concluding that it is necessary to make this Control Order is as follows:

- (a) the presence, spread and increase of parkinsonia (the **biosecurity matter**) has the potential to have an adverse effect on the environment (the **biosecurity impact**).
- (b) six local control authorities are managing parkinsonia infestations within New South Wales. Most of these infestations have occurred in river flood prone areas.
- (c) if left undetected and untreated parkinsonia is expected to migrate downstream along the Narran River towards the Narran Lakes Nature Reserve. The Narran River supports three wetland-dependent threatened species and 40 migratory bird species which may be in jeopardy if parkinsonia populations become established.
- (d) control measures are required to assist in the prevention of the spread of parkinsonia and eradicate, minimise, and manage the biosecurity impact that parkinsonia has in the parkinsonia control zone.

#### **5 Control zone**

The principal area in which the control measures in Part 2 of this Control Order are required to be implemented under is the parkinsonia control zone.

### **Part 2 Control measures**

#### **6 Control measure – owners and occupiers of land**

- (1) The owner or occupier of land in the parkinsonia control zone on which there is a new infestation of parkinsonia must notify the local control authority for that land as soon as practicable of the following information:
  - (a) the person's full name and contact details, including a telephone number,
  - (b) the address of the land, including the lot and deposited plan number and the property identification code for the land (if these are known), and
  - (c) any other information that is requested by the local control authority.
- (2) The owner or occupier of the land must ensure that the land is kept free of parkinsonia by immediately destroying all parkinsonia on the land. This requirement applies to any infestations as well as any subsequent generations of parkinsonia.
- (3) The owner or occupier does not need to comply with subclause (1) if they know that the notification of the new infestation on the land has already been given to the local control authority for that land.

#### **7 Control measure – persons dealing with carriers**

- (1) This clause applies to any land in the parkinsonia control zone on which parkinsonia is present or is likely to be present.
- (2) A person who deals with a carrier of parkinsonia on land to which this clause applies, must take all reasonable steps to ensure that the carriers is not moved from the land with any boneseed on it, attached to it, or contained in it, before the carrier is moved from the land.

## **8 Control measure – persons moving parkinsonia and carriers of parkinsonia (excluding a human)**

- (1) A person who moves parkinsonia or a carrier of parkinsonia (excluding a human) to another property, must notify the local control authority for that other property as soon as practicable before moving the parkinsonia of the following:
  - (a) the person's full name and contact details, and
  - (b) the addresses of the land the parkinsonia is coming from and going to, including the lot and deposited plan number and the property identification code for the land (if these are known).
- (2) A person who moves parkinsonia or a carrier of parkinsonia (excluding a human) does not need to comply with subclause (1) if they know that notification of the movement has already been given to the local control authority for that other property.

**Note.** Examples of when parkinsonia or a carrier of parkinsonia (excluding a human) may need to be moved include, but are not limited to, the movement of vehicles, soil or livestock as well as movement of parkinsonia for disposal