

City of Logan Biosecurity Surveillance Program 2019/20



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1. BIOSECURITY PROGRAM NAME

This Biosecurity Surveillance Program for invasive plants and animals that are restricted invasive biosecurity matter or prohibited invasive biosecurity matter included in the City of Logan Biosecurity Plan 2018-2022, will be known as the City of Logan Biosecurity Surveillance Program 2019/20 (the Program) under the *Biosecurity Act 2014* (the Act).

2. AUTHORISATION STATEMENT

Logan City Council authorises the Biosecurity Surveillance Program for invasive plants and animals that are restricted invasive biosecurity matter or prohibited invasive biosecurity matter included in the City of Logan Biosecurity Plan 2017-2022, will be known as the City of Logan Biosecurity Surveillance Program 2019/20 (the Program) pursuant to section 235 of the *Biosecurity Act 2014*.

3. PURPOSE OF THE PROGRAM

The purpose of the Program is:

- (a) to confirm or monitor the extent of the presence of all invasive pest plants and animals which are prohibited invasive biosecurity matter and restricted invasive biosecurity matter;
- (b) to confirm or monitor the extent of the presence of the following invasive pest plants which are prohibited invasive biosecurity matter and restricted invasive biosecurity matter and will be specifically targeted during:
 - **July to September** - Mother of Millions;
 - **October to November** - Cat's Claw Creeper, Honey Locust, Hymenachne, Salvinia, Senegal Tea, Tropical Soda Apple, Water Hyacinth, Water Lettuce, Water Mimosa;
 - **December to March** - Alligator Weed, Annual Ragweed, Hygrophila, Honey Locust, Rats Tail Grasses, Groundsel bush, Hymenachne, Salvinia, Senegal Tea, Water Hyacinth, Water Lettuce.
 - **April to June** - Alligator Weed, Hygrophila, Parthenium, Senegal Tea;
 - **Year round** - Prickly Pear Species, Leucaena, Kudzu, Singapore Daisy and Parthenium.
- (c) to confirm or monitor the extent of the presence of restricted invasive biosecurity matter pest animals such as wild dogs, dingoes, feral deer, feral Pigs European rabbits and European foxes, which will be monitored throughout the full extent of the program within the boundary of the City of Logan.

The **key activities** undertaken by the Program include, but are not limited to:

- On ground property inspections by Logan City Council authorised persons.

- Inspections of privately-owned properties will occur between the hours of 6.00am and 6.00pm Monday to Friday and 8.00am to 5.00pm Saturdays.
- Places to be entered and inspected will include those previously infested and adjacent areas or where there is a reasonable risk that invasive biosecurity matter may exist.
- In the majority of cases authorised officers will enter occupied land with the occupant's consent and enter unoccupied land under the power of entry provided by this Biosecurity Surveillance Program. Under the Program, entry to occupied land will also be lawful without consent and can be effected as authorised officers deem necessary.
- Written advice will be issued to land owners/occupants in the first instance and a Biosecurity Order may be issued upon reinspection for compliance with the landholders' General Biosecurity Obligation under the Act.

4. BIOSECURITY MATTER

The Program relates to all restricted and prohibited invasive biosecurity matter but will specifically target restricted invasive biosecurity matter pest animals (wild dogs, dingoes, feral deer, feral pigs, European rabbits, European foxes) and the following restricted and prohibited invasive biosecurity matter pest plants:

Common Name	Priority Level
Alligator Weed	Very High
Annual Ragweed	High
Broad Leaved Pepper Tree	Moderate
Cat's Claw Creeper	High
Cha-om	Very High
Groundsel Bush	Moderate
Honey Locust	Very High
Hygrophila	Very High
Hymenachne	Very High
Kudzu	Very High
Lantana species	High
Mexican Bean Tree	Very High
Mother of Millions (and hybrids)	Moderate
Prickly Pear Cacti variants	Very high
Parthenium	Very High
Rats Tail Grasses	High
Salvinia	Very High
Senegal Tea	Very High
Singapore Daisy	High
Tropical Soda Apple	Very High
Water Mimosa	Very High
Water Hyacinth	High
Water Lettuce	Very High

5. POWERS OF AUTHORISED OFFICERS

5.1 Entry of place

The Act provides that authorised officers appointed under the Act 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 program. These 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 occupier and obtain the occupier's consent to the entry prior to an authorised officer entering a place to undertake activities under the Program. Nevertheless, an authorised officer may enter the place if—

- (a) The authorised officer is unable to locate an occupier after making a reasonable attempt to do so; or
- (b) The occupier refuses to consent to the entry.

If after entering a place an authorised officer finds an occupier present or the occupier refuses to consent to the entry—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. An authorised officer under the biosecurity program must make a reasonable attempt 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.

5.2 General powers of authorised officers

Nothing in the Program or its associated Authorisation limits the powers of authorised officers under Chapter 10 of the Act.

An authorised officer of the Program appointed under the *Biosecurity Act 2014*, may enter a place—other than a residence—without a warrant and without the occupier's consent within the City of Logan under the Program. An authorised officer can exercise the powers of an authorised officer under the Act in relation to the Program, if the authorised officer is appointed by the Chief Executive Officer.

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 power.

5.3 General powers in the Act

An authorised officer has general powers after entering a place to do any of the following:

- Inspect, examine or film 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

5.4 Measures an authorised officer may take under the Program

Searching any part of a place to check for the presence or absence of invasive plants and animals that are restricted invasive biosecurity matter or prohibited invasive biosecurity matter included in the City of Logan Pest Biosecurity Plan 2017-2022.

Producing a written and/or electronic note(s) to support the Program activities.

6. AREA AFFECTED BY THE PROGRAM

The Program will apply to all Council Divisions inspected over the life of the program. The particular properties to be entered are predominantly Council reserves, rural/semi-rural private land, crown land, industrial and pastoral industry holdings. Surveillance will be based on historical data, seasonal changes, outbreaks, known/reported infestations and customer requests, in which case priority areas will be surveyed preferentially. Places to be entered and inspected will include those previously infested and adjacent areas or where there is a reasonable risk that invasive biosecurity matter may exist.

7. OBLIGATIONS IMPOSED ON A PERSON UNDER THE PROGRAM

The following obligations may be imposed on a person who is an occupier of a place to which the Program relates:

Nil

8. COMMENCEMENT AND DURATION OF THE PROGRAM

The Program will begin on 1 July 2019 and will continue until 30 June 2020. The duration of the program is considered to be reasonably necessary to achieve the Program's purpose.

9. NOTIFICATION OF RELEVANT PARTIES OF REQUIREMENTS

As required by the Act, the Chief Executive Officer of Logan City Council will give public notice of the Program 14 days before the Program starts by:

- giving the notice 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 City of Logan Council website.

From the start of the Program, the Authorisation for the Program and the Program will be available for inspection or purchase at any Logan City Council customer service centre.