Cessnock City Council Local Control Plan for Wild Fruit Trees (Spp Prunus)

1. Purpose of this plan:

To specify the measures that a landholder must implement to ensure that his/her/their General Biosecurity Duty is discharged in relation to Honey Locust. **Any person (eg the owner or occupier of land) dealing with Wild Fruit Trees must comply with their General Biosecurity Duty (GBD).**

2. Legal status:

The management of invasive weeds in NSW is governed by the Biosecurity Act 2015. The Local Control Authority (Cessnock City Council) is responsible for ensuring the prevention, elimination, minimization and management of the biosecurity risk posed or likely to be posed by invasive weeds. It is also responsible for the development, implementation, coordination and review of invasive weed control programs within its area of jurisdiction.

3. Legislative requirements under the Biosecurity Act 2015 – General Biosecurity Duty (GBD):

Any person who deals with biosecurity matter or a carrier and who knows, or ought reasonably to know, the biosecurity risk posed or likely to be posed by the biosecurity matter, carrier or dealing has a biosecurity duty to ensure that so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimized.

4. What does "reasonably practicable" mean?

The term is set out in the Biosecurity Act 2015 as – reasonably practicable, in relation to the prevention, elimination or minimization of a biosecurity risk, means that which is, or was at a particular time, reasonably able to be done, taking into account and weighing up all reasonable matters - see Biosecurity Act 2015, Section 16 for details.

5. Prescribed Control Measures to ensure compliance with the Biosecurity Act 2015:

- **General Biosecurity Duty:**
  - All plants are regulated with a general biosecurity duty to prevent, eliminate or minimize any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimized, so far as is reasonably practicable.

- **Landholders obligations:**
  - The growth of the plant must be managed in a manner that reduces it numbers and incidence and continually inhibits its reproduction.