

Pest Plants and Animals (Pest Plants) Declaration 2009 (No 1)

Disallowable instrument DI2009–67

made under the

Pest Plants and Animals Act 2005, s 7 (Declaration of pest plant)

EXPLANATORY STATEMENT

The *Pest Plants and Animals Act 2005* is an Act about pest plants and animals, and related purposes.

The purpose of the Act is to protect the ACT's land and aquatic resources from threats from pest plants and pest animals, to promote a strategic approach to pest management, to identify pest plants and animals, and to manage pest plants and animals.

The ACT needs to be vigilant and proactive in managing new weed incursions. To assist in achieving this, the Minister may under the *Pest Plants and Animals Act 2005* declare a plant to be a pest plant. The current declaration does not list African Fountain Grass (*Pennisetum setaceum*). The Department proposes to revoke the Disallowable Instrument DI2008–44 and replace it with a revised declaration to include this species as a notifiable and prohibited species.

Section 7 of the Act provides for the Minister to declare a plant to be a pest plant. A declaration may also declare that a pest plant:

- (a) Is notifiable – in which case its presence must be notified to the Chief Executive within 2 working days;
- (b) Is prohibited – in which case it is an offence to supply or propagate the plant;

This instrument declares the pest plants under this Act.

The intention of declaring a pest plant as notifiable pest plants is to tackle new pest incursions. Plants declared as notifiable pest plants have limited distribution or do not currently exist in the ACT. Notification of these species will facilitate a speedy response to new pest incursions.

All notifiable pest plants are also declared to be prohibited pest plants in order to address the main source of new or potential incursions, which is supply and propagation.

The declaration under section 7 is a disallowable instrument.