

Operational Policy

Biosecurity Management Program

LND/2026/7340

Version 1.00

Last Reviewed 09/04/2026

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1 Purpose

The Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (the department), will implement an effective and efficient biosecurity management program and is designed to be an expression of the department's approach in meeting its legislative obligations as a land manager in managing biosecurity risks upon all land managed by the department. For the purpose of this document, land managed by the department is referred to as State managed land (SML) and can be defined as:

- unallocated State land (USL), recorded in the department's name on the land registry under the *Land Title Act 1994*, and land that is the property of the State under section 9(1) of the *Land Act 1994* (land adjacent to tidal boundary or right line tidal boundary, on the same side as the water);
- reserved State lands without trustees;
- reserved State lands where the department is appointed trustee;
- a portfolio of administered freehold lands held by the department and its predecessors, that are not subject to a lease, licence or permit issued by the State; and
- land that is the property of the State under section 13A(1) of the *Land Act 1994* (non-tidal watercourse land); and land that is the property of the State under section 13A(2) of the *Land Act 1994* (non-tidal lake land).

The intended audience of this document is both departmental staff and external stakeholders.

The department will implement an effective and efficient biosecurity management program in order to fulfil its general biosecurity obligation (GBO) under the *Biosecurity Act 2014* (the Act) on SML and to continue being a professional, accountable, coordinated, socially responsible, risk based and ecologically sound land manager.

The department recognises that continual changes in pest control technology and techniques, potential new invasive species and community views, as well as the potential ongoing effects of climate change, results in a dynamic environment for biosecurity management activities. As a result, the department will maintain an adaptive risk based approach to its biosecurity management procedures and systems.

2 Human Rights

The department is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. To the extent an act or decision under this document may engage human rights under the *Human Rights Act 2019*, regard will be had to that Act in undertaking the act or making the decision.

3 Rationale

Invasive plants and animals are prevalent throughout Queensland and have significant economic, environmental and social impacts on the State's primary industries, natural ecosystems, human and animal health. They place a large burden on communities in terms of control costs, reduce industry productivity, threaten environmentally significant areas, degrade land and water quality, reduce biodiversity and impact on health, recreational use and social amenity.

This operational policy recognises the department's vision for natural resources in Queensland to deliver sustainable benefits for current and future generations and the department's strategic objective to manage natural resources to optimise sustainable development outcomes.

Because the department manages an extensive and diverse range of land parcels across the State, a key requirement for this vision and strategy to succeed is the appropriate management and maintenance of SML including managing the underlying biosecurity risk level relating to invasive plants and animals on the land with due consideration given to protection of the public and adjoining private land.

4 Principles of the Program

- Human health and safety will be given priority over all other considerations.
- The department will implement an effective and efficient biosecurity management program in order to fulfil its GBO under the Act.
- Departmental regional biosecurity operational plans will be cognisant of relevant regional council's Biosecurity Management Plans and will incorporate steps to positively contribute to their plans.
- The department's biosecurity risk assessment will occur within the context of other risks on SML, such as wildfire, dangerous trees or illegal occupation.
- Operations associated with the management of biosecurity risk will follow legislative requirements including the GBO placed on the department, label registrations, occupational health and safety requirements and environmental and cultural protection legislation.

5 Biosecurity Management Objectives

- The department will adopt a risk management approach to biosecurity management on SML in order to minimise risk of the adverse effects of invasive plants and animals on human health and safety, property, production and the environment.
- The department will adopt a cooperative approach to biosecurity management, assisting regional councils, other agencies, land management authorities, adjoining land holders and Traditional Owners in areas of common interest.
- The department's risk assessment will give greater weight to targeting strategic infestations and/or those programs that involve a co-operative tenure-blind approach with neighbours to controlling invasive plants and animals.

- Where eradication is not economically feasible, managing the adverse impacts of invasive plants and animals through minimising spread, containing the risk, and optimal land management techniques will be considered.
- The department will actively monitor invasive plants and animals and the results of pest operations on SML and maintain contemporary planning and pest management systems and practices.

6 Legislation

Legislation needs to be understood in the light of common law rights and obligations of landholders. Landholders have a duty of care not to cause foreseeable harm to their neighbours. This duty applies to the activities that landholders undertake in respect to taking action to manage the hazard or risk from such things as invasive plants and animals that come naturally to the property.

In addition to the common law duty of care, there are also statutory duties and frameworks that require the management of biosecurity risk to be considered such as:

- the GBO under the Biosecurity Legislative Framework (*Biosecurity Act 2014*),
- the duty of care to the land in the *Land Act 1994* for occupiers of State land,
- the general environmental duty in the *Environment Protection Act 1994*,
- *Vegetation Management Act 1999*, *Planning Act 2016* and *Planning Regulation 2017*, and
- the duty to not harm Aboriginal or Torres Strait Islander cultural heritage under *the Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*.

7 Related documents

- *Biosecurity Management Program Development*

8 Further information

- Contact your nearest business centre ([Department of Natural Resources and Mines. Manufacturing and Regional and Rural Development](#)), or
- Refer to <https://www.qld.gov.au/environment/land/state> , or
- Call 13 QGOV (13 74 68)

Keywords

Biosecurity management program, pests, weeds, animals, state land management, unallocated state land

Version History

Version	Date	Comments
1.00	09.04.2026	New Document

Approval

Position	Name	Date
A/Executive Director	Paul Horrocks	09/04/2026

This publication has been compiled by Natural Resource Management and Compliance, Natural Resources, Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.

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