

Australian Capital Territory

Pest Plants and Animals (Pest Plants) Declaration 2007 (No 1)

Disallowable instrument DI2007– 228

made under the

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

EXPLANATORY STATEMENT

The *Pest Plants and Animals Act 2005* accommodates national developments for the management of pest plants, including declaration of pest plant, pest plant management plans, propagation of prohibited pest plant and reckless supply of prohibited pest plant.

In accordance with the decision taken by the Agriculture and Resource Management Council of Australia and New Zealand (the predecessor of the Natural Resource Management and Primary Industry Ministerial Councils) that there should be uniform national restrictions over the deliberate trade and distribution of Weeds of National Significance, the current ACT pest plant declaration identifies all Weeds of National Significance as prohibited pest plants except *Rubus fruticosus* (blackberry).

Blackberry, despite its status as a Weed of National Significance, was not declared as a prohibited plant, as cultivars that do not produce seed and their produce are available for sale in the ACT. In addition, local community members pick wild blackberry fruit for personal use.

Recent discussions between the ACT, NSW Department of Primary Industries, blackberry producers and plant suppliers have been fruitful and a list of blackberry cultivar exemptions has been agreed upon.

Declaring all blackberry species as Prohibited except for the permitted cultivars: *R. armeniacus* and *R. ulmifolius* species hybrid (Black Satin, Chester Thornless, Dirksen Thornless, Loch Ness, Smoothstem and Thornfree), *R. armeniacus* species hybrid (Chehalem), *R. ursinus* and *R. armeniacus* species hybrid (Murrindindi and Silvan) will fulfil the ACT's obligation for uniform national restrictions over the deliberate trade and distribution of Weeds of National Significance.