



NSW DEPARTMENT OF
PRIMARY INDUSTRIES



Partners in the profitable and sustainable development of
agriculture, fisheries, forests and minerals in New South Wales



Biosecurity, Compliance and Mine Safety,
Weeds Unit

NSW Noxious Weeds Act 1993 and Weed Risk Assessment

Introductory remarks

- Dr Stephen Johnson (Weed Ecologist, Orange) and Mr Rod Ensbey (Regional Weed Control Coordinator, Grafton).
- Thanks to the organisers for inviting us to deliver this presentation.
- Picture credits: NSW DPI, AFFA, University of Florida, Forest & Kim Starr (USGS), Les Tanner (NW Weeds) and Sth Coast weeds.



What this talk will cover

- *NSW Noxious Weeds Act 1993*, particularly
 - What a noxious weed is
 - Classes of noxious weeds
 - Public consultation
 - Who has what responsibilities
- Contents of Order 19 and new species declarations.
- Weed Risk Assessment.



What is a noxious weed?

- Many plants can be classed as weeds, particularly when they grow in the wrong place at the wrong time.
- A plant that causes a negative impact on the economy, community or environment of NSW is considered a candidate for declaration.
- Potential weedy plant candidates must have a reasonable and enforceable means of control.
- Benefits of enforced control assessed.
- A plant is declared noxious by order of the Minister for Primary Industries.



Noxious Weeds Act 1993 - Objectives

- To reduce the negative impact of significant weeds by: -
 - preventing the establishment of new weeds;
 - restricting the spread of existing weeds; and
 - reducing the area of existing weeds.



Noxious Weeds Act 1993 - Classes

- Five classes to support these objectives.
- Class 1 weeds (State prohibited weeds): -
 - not present or limited distribution in NSW;
 - control = plants eradicated and land kept free of plants;
 - notifiable = report to local control authority; and
 - examples are Siam weed and Water lettuce.
- Class 2 weeds (Regionally prohibited weeds): -
 - not present or limited distribution in regions of NSW;
 - control as above and notifiable; and
 - examples are Alligator weed (Nth Coast), Salvinia (inland NSW).



Noxious Weeds Act 1993 - Classes

- Class 3 weeds (Regionally controlled weeds): -
 - not widely spread but likely to spread further;
 - control = plants fully and continuously suppressed and destroyed;
 - certain plants not sold, propagated or knowingly distributed;
 - examples are Salvinia (Nth Coast LCA's) and Green cestrum (Nth NSW LCA's).



Noxious Weeds Act 1993 - Classes

- Class 4 weeds (Locally controlled weeds): -
 - widely spread and likely to spread further;
 - growth and spread controlled according to measures specified in an LCA published plan (gives LCA flexibility);
 - certain plants not sold, propagated or knowingly distributed;
 - examples are Bitou bush/Boneseed and Giant Parramatta Grass (Nth Coast LCA's).

- Class 5 weeds (Restricted plants): -
 - weeds likely to spread within or from NSW;
 - control as per requirements for a notifiable weed;
 - examples are introduced Dodder species and Cabomba.



Noxious Weeds Act 1993

- The control measures that apply to particular weeds are now contained in Orders of the Act (Order 19 currently).
- Submissions for declaration are generally made through LCA's.
- Public consultation on proposed Orders will commence Sept. 1 2006.
- Orders are applicable for periods not exceeding five years (then must be renewed).



Noxious Weeds Act 1993 - Responsibilities

- Private landholders (owners) – to control noxious weeds on land they own.
- Private landholders (occupiers) – same requirements. If they fail to do so prosecution of land owner may result. Owners have recourse through Agricultural Tenancies Act.
- LCA's – enforce the Act and control weeds on land occupied and controlled by them.
- Public authorities (e.g. Govt. agencies), control as necessary to prevent spread to adjoining land.
- Bush regeneration groups – if above does not apply to members then we encourage involvement with LCA's, agencies and others.



Contents of Order 19

- New weeds declared as a result of: -
 - WoNS requirements e.g. Hymenachne and Rubbervine (CC1);
 - Aquatic/Aquarium plants review e.g. Anchored water hyacinth and East Indian hygrophila (CC1);
 - National Alert list e.g. Chinese violet (CC1);
 - Review/repeal of the Seeds Act e.g. African feather grass (*Pennisetum macrourum*, CC5); and
 - Requests of LCA's e.g. Tecoma and Kudzu (CC3).



Contents of Order 19

- Changes in declaration also occurred as a result of: -
 - Requests for changes from LCA's;
 - Requests for removals from LCA's e.g. Fishbone fern (a Sydney LCA);
 - As a result of statewide reviews e.g. all *Lantana* species now declared (due to issues surrounding ornamental sterility, hybridisation and continued spread). CC4 now applies except in Sth. exclusion zone and LHI (CC3). All species are also banned from sale.



Weed Risk Assessment

- Current process of declaration for new or existing weeds combines Risk a weed poses and Intent of LCA to control.
- Various criticisms including time taken, communication of NSW DPI, transparency and best practice.....
- Current process reviewed and introduction of new WRA system recommended (similar to the SA or ‘Virtue’ system).
- This is the basis for the National system and a component of various states WRA (allow info and resource sharing).



Weed Risk Assessment

- Questions review weed risk and feasibility of control (invasiveness, impacts, potential distribution, control costs, current distribution and persistence).
- SA system short question based approach designed for local government.
- WRA will be combined with statements of Intent.





Until then.....

- Requests for declaration and change in declaration are current until otherwise notified.
- NSW DPI has an ongoing process of weed risk assessment where species that come to our attention from LCA's, others, or from our research are assessed as potential new noxious weed.

- Contact details

- Dr Stephen Johnson
Weed Ecologist
NSW DPI
Locked Bag 21
ORANGE NSW 2800
(02) 6391 3146

- Mr Rod Ensbey
Regional Weed Control Coordinator
NSW DPI
PMB 2
GRAFTON NSW 2460
(02) 6640 1648

stephen.johnson@dpi.nsw.gov.au

