

BIOSECURITY ACT 2015

Biosecurity Regulation 2017

WEEDS

The financial impact of weeds on agriculture alone is approximately \$2.5 billion in lost production and \$1.8 billion in control activities every year. Effects on social and environmental values include a decline in native biodiversity due to competition and human health impacts such as triggering hay fever and allergies.

The biosecurity framework and tools safeguard our economy, environment and community.

This factsheet provides a summary of management arrangements for weed biosecurity risks in NSW.

More detailed information is available in the Biosecurity Regulation 2017, Biosecurity Order (Permitted Activities) 2017 and other documents at dpi.nsw.gov.au/biosecurityact



GENERAL BIOSECURITY DUTY

OUTCOME IS TO PREVENT, ELIMINATE AND MINIMISE RISKS

- Any land managers and users of land have a responsibility for managing weed biosecurity risks that they know about or could reasonably be expected to know about
- Applies to all land within NSW and all waters within the limits of the State
- Your local strategic weed management plan will provide guidance on the outcomes expected to discharge your duty for the weeds in that plan

CONTROL ORDER

OUTCOME IS TO PREVENT, ELIMINATE, MINIMISE OR OTHERWISE MANAGE

- Duty to notify the presence or suspected presence, certain movement controls and destruction requirements for tropical soda apple, boneseed and parkinsonia

NOTIFYING

1) Visit the National Herbarium of New South Wales to see if the plant is present within NSW, at plantnet.rbgsyd.nsw.gov.au

2) If the species is considered absent from NSW, you need to NOTIFY the Invasive Plants and Animals Enquiry Hotline on 1800 680 244 or by email to weeds@dpi.nsw.gov.au

MANDATORY MEASURES

OUTCOME IS TO PREVENT, ELIMINATE OR CONTROL THE RISK

- A person cannot import into the State, or sell, any plant listed in Schedule 3 of the Biosecurity Regulation
- A person cannot import into the State, a species of vascular plant if that species is not present in the State, unless 20 days prior notification has been provided to NSW DPI of the plant and its proposed location
- A person cannot import into the State from Queensland, certain machinery or equipment unless certain conditions are met to remove the risk of parthenium weed

BIOSECURITY ZONE

OUTCOME IS TO PREVENT, ELIMINATE, MINIMISE OR OTHERWISE MANAGE

- Three zones established to manage high priority weeds - where a person must notify their local control authority within one working day of the presence or suspected presence of a new infestation of the weed; and take action to eradicate those weeds, or destroy as much as practicable and suppress its spread

Alligator weed

- Zone established for all land within the State with exception of the Greater Sydney, and parts of Hunter Local Land Services regions

Bitou bush

- Zone established for all land within the State except land within 10 kilometres of the coast line between Cape Bryon and Point Perpendicular

Water hyacinth

- Zone established for all land within the State with exception of the Greater Sydney, North Coast and parts of North West, Hunter and South East Local Land Services regions

PROHIBITED MATTER

OUTCOME IS TO PREVENT ENTRY INTO NSW

- Listed in Schedule 2 of the Biosecurity Act
- Offence to deal with or possess prohibited matter
- Includes parthenium weed, hawkweed and Mexican feather grass
- Duty to notify the presence or suspected presence
- Duty not to test or attempt to test unless certain conditions are met
- Authorised officer may accept a biosecurity undertaking from an owner or issue a biosecurity direction to manage a weed

REGIONAL STRATEGIC WEED MANAGEMENT PLANS

- Provide guidance on the outcomes needed to meet your general biosecurity duty
- Outline strategic actions for local weed management, resource allocation and investment
- Prioritise weeds based on risk, impact and feasibility of control in your local area
- Explain clearly how you can meet expectations
- See www.lls.nsw.gov.au/biosecurity/weed-control/regional-strategic-weed-management-plans-faq for more detail

DEFINITIONS

General biosecurity duty

The general biosecurity duty can apply to anyone. It provides that any person who deals with biosecurity matter or a carrier, who knows (or ought reasonably to know) of the biosecurity risk posed (or likely to be posed), has a biosecurity duty to ensure that the risk is prevented, eliminated or minimised – so far as is reasonably practicable.

Control orders

A control order is an order made by the Minister (or delegate) that establishes one or more zones to prevent, eliminate, minimise or otherwise manage a biosecurity risk or biosecurity impact.

Generally, a control order will be made to prevent the introduction of, or to eradicate, particular biosecurity matter.

A control order can be made quickly so that a timely response can be mounted to a biosecurity risk or impact that does not require an emergency response, or while longer term management arrangements are being developed.

For example, a control order could require containment, treatment or disposal of soil, stock, plants or products from a contaminated area, to prevent the contaminant entering the human food chain. It could prohibit grazing or, plant and livestock production on the contaminated area, and require decontamination actions such as removal or deep burial.

A control order can remain in place for up to five years. If it is clear that longer term management is required, a biosecurity zone could be established.

Mandatory measures

Mandatory measures are requirements set out in regulation for a person who deals with biosecurity matter or carriers to take specified actions to prevent, eliminate or minimise a biosecurity risk posed or likely to be posed by the biosecurity matter, carrier or dealing.

Biosecurity zone

A biosecurity zone is established by regulation and its purpose is to prevent, eliminate, minimise or otherwise manage a biosecurity risk or biosecurity impact. Generally, a biosecurity zone will apply to a specified part, or parts of NSW.

Prohibited matter

Prohibited matter is biosecurity matter that is listed in Schedule 2 of the Biosecurity Act.

This listed matter is biosecurity matter that could have significant adverse consequences to the economy, environment or community. Examples of prohibited matter include foot and mouth disease, highly pathogenic avian influenza, citrus canker, and parthenium weed.

Notification obligations apply with respect to prohibited matter. It is also an offence to deal with prohibited matter.

Dealing

Dealing is used in the context of 'dealing with' biosecurity matter or a carrier or to 'engage in a dealing'.

A Dealing can include to keep, possess, care for, have custody of, control, produce, manufacture, supply, import, acquire, buy, sell, dispose of, move, release, use, treat, breed, propagate, grow, raise, feed, culture, experiment with, display, enter into an agreement that deals with, agree to deal with, and/or cause or permit a dealing.

For further information about the Act, visit our website or contact us:

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