

Noxious weeds legislation:

1. Changes to the Noxious Weeds Act 1993.

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Introduction

Noxious weeds are a significant problem for farmers and land managers affecting both production and financial aspects of operations. Noxious weeds can put considerable strain on the resources of land managers including private land holders, local and state governments.

100 years of weeds legislation

Local government has been responsible for noxious weed control in their area of operation, under various Acts of Parliament for the past one hundred years. In New South Wales it is normally local government that applies to the Minister for Primary Industries to have specific weeds declared noxious – this should be done in consultation with the local communities. Once a weed is declared noxious there is a legal responsibility for land managers to control that weed as specified in the legislation.

What does 'noxious' mean?

The word noxious can be interpreted in different ways. The Concise Macquarie Dictionary states the meaning to be:

- a) *harmful or injurious to health or physical well being;* and
- b) *declared harmful by statute law for compulsory eradication.*

In the first meaning for the word (a), it is easy to fit many weeds into this category, examples include thistles, Bathurst burr, khaki weed, cats heads or spiny burr grass. The prickly seeds of these plants make it easy to call them noxious, or obnoxious! However, not all these plants fit the second meaning for the word (b).

When talking about weeds, the term noxious is applied to those that have been legally declared as "noxious weeds" under the Noxious Weeds Act 1993. The greatest potential to use noxious weeds legislation effectively is during the earliest stages of invasion. Therefore, weeds that are not yet widely established in the state or region and have the potential to have a significant negative impact, should be considered for noxious weed declaration. Weeds that are already

widely distributed need careful consideration in order to critically appraise their continued fit under the declaration status.

Review of Noxious Weeds Act 1993

The Noxious Weeds Act 1993 was reviewed, with input from local government, farmers, conservation groups and other key stakeholders. The amended Noxious Weeds Act 1993 came into force on 1 March 2006.

Certain changes to the legislation reflect the need for a more strategic approach to weed management and the need to evaluate the allocation and use of public money. Existing declared noxious weeds have been placed into new weed control classes that reflect this strategic approach.

Another important change is that weeds will remain 'declared' for a specified period of time, this being no more than five years, after which their status will be reviewed. This is in contrast to past practice where some weeds have been declared for 100 years despite the fact that the "horse has bolted" and that resources are better spent managing and preventing new threats.

The objectives of the Noxious Weeds Act 1993 (as amended in 2005) are as follows:

- a) *to reduce the negative impact of weeds on the economy, community and environment of New South Wales by establishing control mechanisms to:*
 - i) prevent the establishment in this state of significant new weeds;
 - ii) restrict the spread in this state of existing significant weeds; and
 - iii) reduce the area in this state of existing significant weeds.
- b) *to provide for the monitoring of and reporting on the effectiveness of the management of weeds in this state.*

Helping you with weeds

Noxious weeds legislation is not intended to force unnecessary cost onto land managers. Its intent is to protect the environment, primary production and our health. Each local council in NSW employs a Noxious Weeds Officer. They are the frontline defence against weeds. Your local council weed officer is a friend not

foe – they are working to provide ongoing benefits to communities.

Weed Officers carry out a range of duties including: surveying or inspecting land in connection with noxious weeds, providing education to the community about weeds, proposing changes to weeds declared in their area, ensuring occupiers of private land fulfil their obligation for noxious weed control, and control weeds on council managed land.

Everyone can help to manage weed problems and prevent new ones from emerging. Knowledge of potential weed problems, using preventative measures and early intervention are the keys to minimising increased costs for weed management.

Further information

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