



# Noxious Weeds Policy

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## Our policy

Woollahra Council has a policy of:

- controlling noxious weeds on public and private land within the Woollahra Local Government Area (LGA) in accordance with the *Noxious Weeds Act 1993* (NWA 1993).
- creating awareness and building capacity within the local community in respect of dealing with noxious and environmental weed issues
- supporting and contributing to a regional approach to noxious and environmental weed management and control

## Objectives

Council's Noxious Weed Policy has the following objectives:

- Prevent the establishment, restrict the spread and reduce the area, of noxious and environmental weeds within the Woollahra LGA.
- Prevent the propagation, sale and distribution of noxious weeds within the Woollahra LGA.
- Increase awareness of noxious and environmental weed issues on both private and public land within the Woollahra LGA.
- Increase knowledge and skill in relation to noxious and environmental weed, identification, ecology and control methods, amongst owners/occupiers on private land and amongst Volunteers, Council staff and Contractors working on Council managed public land within the Woollahra LGA.
- Establish collaborative and cooperative partnerships with other Local Control Authorities, government agencies and other land holders in support of a regional approach to noxious and environmental weed control, that is consistent with regional weed plans and strategies.

## How this policy relates to our Management Plan

This Policy contributes to Council's Principal Activity 2, Natural Environment and assists with achieving the following objectives:

- to control noxious weeds on private and public property
- meet targets for primary regeneration and noxious weed control

## The Legislative Context of this Policy

Council, in its role as the Local Control Authority (LCA) for the Woollahra Local Government Area (LGA), has specific responsibilities under the NWA 1993.

The objectives of the NWA 1993 are as follows:

- to reduce the negative impact of weeds on the economy, community and environment of NSW by establishing control mechanisms to:
  - prevent the establishment in NSW of significant new weeds
  - restrict the spread in NSW of existing significant weeds
  - reduce the area in NSW of existing significant weeds
- to provide for the monitoring of and reporting on the effectiveness of the management of weeds in this State.

The NWA 1993, seeks to meet these objectives through a process of making Weed Control Orders, a key responsibility of the Minister for Primary Industries (the Minister). A Weed Control Order declares a plant to be noxious and assigns it a weed control class that indicates to what extent the plant must be controlled by either occupiers or owners of land on which the plant occurs. A comprehensive list of all noxious weeds for all local government areas in NSW including the current list for the Woollahra LGA can be found at [www.agric.nsw.gov.au/noxweed/](http://www.agric.nsw.gov.au/noxweed/). The list is known legally as Order No.20 under the NWA 1993.

A noxious weed can be classified under any one of five weed control classes under the NWA 1993, as set out below:

- **Class 1, State Prohibited Weeds** - plants that pose a potentially serious threat to primary production or the environment and are not present in the State or are present only to a limited extent.  
*The plant must be eradicated from the land and the land must be kept free of the plant.*
- **Class 2, Regionally Prohibited Weeds** - plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies and are not present in the region or are present only to a limited extent.  
*The plant must be eradicated from the land and the land must be kept free of the plant.*

- **Class 3, Regionally Controlled Weeds** - plants that pose a serious threat to primary production or the environment of an area to which the order applies, are not widely distributed in the area and are likely to spread in the area or to another area.

***The plant must be fully and continuously suppressed and destroyed.***

- **Class 4, Locally Controlled Weeds** - plants that pose a threat to primary production, the environment or human health, are widely distributed in an area to which the order applies and are likely to spread in the area or to another area.

***The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority.***

Note: If the plant declared as a Class 4 weed is also considered to have the potential to be sold, propagated or distributed then Class 4 has the expanded control definition under Order No.20 as follows:

*“The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority and the plant may not be sold, propagated or knowingly distributed”*

- **Class 5, Restricted Plants** - plants that are likely, by their sale or the sale of their seeds or movement within the State or an area of the State, to spread in the State or outside the State.

***The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with.***

A noxious weed that is classified as a Class 1, 2 or 5 is referred to in the NWA 1993 as a **notifiable** weed. A summary, of legal requirements under the NWA 1993 in respect of a *notifiable weed* follows:

1) an occupier of land (other than a local control authority) on which there is a *notifiable* weed must notify the local control authority for the land of the fact within 3 days after becoming aware that the *notifiable* weed is on the land (NWA 1993 - s.15, s.16).

2) a person must not sell or purchase any *notifiable* weed material or any animal or thing which has on it, or contains, *notifiable* weed material, knowing it to be, or to have on it or to contain, any such weed material. (s.28.1)

3) an occupier of land (including a public authority) must not knowingly remove or cause to be removed from the land any animal or thing which has on it, or contains, *notifiable* weed material (s.28.2)

4) an occupier of land (including a public authority) must not use or permit the land to be used for the purpose of disposing of, transporting or selling soil or turf, if the occupier knows, or ought reasonably to have known, that there is a weed on the land that is a *notifiable* weed in any part of the State (s.29)

5) a person must not scatter or cause to be scattered on any land or water any *notifiable* weed material, knowing it to be such weed material (s.30)

6) a person must not knowingly transport or move or use an agricultural machine that has on or in it a weed that is a *notifiable* weed in any part of the State (s.32).

# Background

## The Impact of Weeds

Weeds have a major impact on agricultural productivity and the environment in NSW and to a lesser extent on human health. It is estimated that weeds cost Australia in excess of \$4 billion annually with NSW bearing a proportionate share of that cost (NSWLAH, 1994).

Locally, weeds have a direct impact on, the sustainability and integrity of native vegetation within bushland areas, the aesthetics and functionality of streetscapes, roadways and parks and are implicated in some human health issues. The high adaptability of weeds to access light, moisture and nutrients within new environments gives them a competitive edge over local indigenous flora.

Human global mobility facilitates the movement of plants across geographical regions supporting a process of biological simplification within natural ecosystems, altering local habitats and destroying biological diversity at the local, regional and global scale (Muyt 2001). Many of the plants that have now attained weed status within the municipality originate predominantly from South America, Asia, Europe and Africa. Over 27,000 known alien plant species have been introduced to Australia. Of these, 2,779 (or about 10%) are now established in Australia's environment with 1,831 (or 66%) of those being escaped garden plant species (Groves *et al.* 2005). This number of naturalized species is rising by about 10 species per year, and the rate is increasing (Groves *et al.* 2005).

## Weeds Defined

A **noxious weed** is a plant declared harmful by statute law for compulsory eradication or control. The term 'noxious' is commonly used as a substitute for 'invasive.' However, historically it has had a more specific connotation in that it is used to indicate a plant that has a direct impact on agriculture and human health (economic weeds) often overlooking plants that are invasive only in environmental systems (environmental weeds). Recent amendments to the NWA 1993 acknowledge the growing threat that environmental weeds pose to the integrity of natural ecosystems, a significant point in relation to the protection and sustainability of remnant bushland within the Woollahra municipality. In summary, a noxious weed is a plant that is determined to have significant impact on agriculture, the environment and/or human health and accordingly is listed under a current Weed Control Order of the NWA 1993.

An **environmental weed** is a 'loose' reference to a plant considered to have a measurable impact on natural ecosystems. There are many environmental weeds that impact negatively on bushland areas within the Woollahra LGA and are controlled as part of Council's bushland maintenance programs. Many environmental weeds are also declared noxious and in many LGAs this type of declaration is becoming more common. In this sense, the control of many environmental weeds has a direct and positive impact on the control of current and potential future noxious weeds. Having a weed declared noxious through the issuing of a Weed Control Order gives a LCA increased regulatory control over that weed on private land and the NSW Minister for Agriculture and Fisheries increased regulatory control over that weed on public land. If considered appropriate, Council, acting through the Sydney Regional Weeds Committee, will apply from time to time for the making of Weed Control Orders under the NWA 1993, for additional environmental weeds that presently occur within the Woollahra LGA.

## Implementation

The implementation of this policy is enabled through Council's Noxious Weeds Strategy. The Strategy is based primarily on:

- the exercising of regulatory powers under the NWA 1993;
- the undertaking of specific on-ground weed control activities; and
- the dissemination of educational and instructional information to the broader community; and
- the monitoring and recording of the presence and distribution of noxious weeds within the Woollahra LGA; and
- the development of a co-operative regional planning approach with other LCAs, public authorities and land holders

## Want to know more?

For further information on this policy contact our Parks and Street Trees Section on 9391 7980

This policy provides an overall framework within which Council will manage noxious weeds within the Woollahra LGA. Further information on the management of noxious weeds is contained within Council's Noxious Weeds Strategy.

Gary James  
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**REFERENCES**

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