
Primary Industries Notices

Biosecurity (Chinese violet) Control Order 2019

under the
Biosecurity Act 2015

I, Bruce M Christie, Deputy Director General Biosecurity & Food Safety NSW, in exercise of delegated authority under the *Biosecurity Act 2015*, in pursuance of section 62 of the *Biosecurity Act 2015*, reasonably believing it is necessary to prevent and eliminate the biosecurity risk posed by the spread of the weed *Asystasia gangetica* (Chinese violet), make the following Control Order.

Dated this 20th day of May 2019

BRUCE M CHRISTIE, DEPUTY DIRECTOR GENERAL
BIOSECURITY & FOOD SAFETY, NSW DEPARTMENT
OF INDUSTRY

Explanatory note This Control Order is made under section 62 of the *Biosecurity Act 2015*. The object of this Control Order is to eliminate the weed *Asystasia gangetica* (Chinese violet) within New South Wales.

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1. Name of Order

This Control Order is the *Biosecurity (Chinese violet) Control Order 2019*.

2. Commencement

This Control Order commences on 1 July 2019.

3. Definitions

Chinese violet means the weed *Asystasia gangetica* species complex

Control Order has the same meaning as in Part 6 of the Act.

Control measures has the same meaning as in Part 6 of the Act.

Control zone has the same meaning as in Part 6 of the Act.

New infestation has the same meaning as in Part 5 of the Regulation.

The Act means the *Biosecurity Act 2015*.

The Regulation means the *Biosecurity Regulation 2017*.

Note: biosecurity matter, biosecurity risk, carrier, deal, land, local control authority, occupier and weed all have the same meaning as in the Act.

4. Biosecurity Matter and Biosecurity Risk

1) The biosecurity matter to which this Control Order relates is Chinese violet.

2) The biosecurity risk to which this Control Order relates is the biosecurity risk posed or likely to be posed by the spread of the weed Chinese violet.

5. Object of the Control Order

Pursuant to section 62(3) of the Act, the object of this control order is to eliminate the weed Chinese violet by eradicating infestations of Chinese violet from the Control zone and preventing any new introductions of Chinese violet into the Control zone

6. Control zone

1) Pursuant to sections 62(1)(a) and 67 of the Act, the control zone to which control measures are required to be implemented under this Control Order is the whole of New South Wales.

2) The control zone is called the Chinese violet Control Zone.

7. Control measures for owners and occupiers of land

Pursuant to section 62(1)(b) of the Act, an owner or occupier of land in the Chinese violet Control Zone on which there is Chinese violet must:

- (a) notify the local control authority for the area if the Chinese violet is part of a new infestation on the land:
 - i) as soon as practicable after becoming aware of the new infestation;
 - ii) verbally or in writing;
 - iii) giving the following:
 - (1) the person's full name and contact details including telephone number;
 - (2) the location of the Chinese violet, including the address and a description of the distribution of the weed at that address
 - (3) any other information reasonably requested by the local control authority; and
- (b) destroy all Chinese violet on the land;
- (c) ensure that subsequent generations of Chinese violet are destroyed; and
- (d) keep the land free of Chinese violet.
- (e) The owner or occupier does not need to comply with (a) above if they know that notification of the infestation on the land has already been given to the local control authority for the area.

8. Control measures for persons dealing with carriers

Pursuant to section 62(1)(b) of the Act, a person who deals with a carrier of Chinese violet in the Chinese violet Control Zone, in circumstances where the person knows or ought reasonably to know of the presence of Chinese violet on the land or in or on the carrier, must:

- (a) ensure that Chinese violet (including any seed and propagules) or matter suspected to be or contain Chinese Violet (including any suspected seeds and propagules) is not moved from the land; and
- (b) immediately notify the local control authority for the area:
 - i) as soon as practicable after becoming aware of the presence of Chinese violet;
 - ii) verbally or in writing;
 - iii) giving the following:
 - (1) the person's full name and contact details including telephone number;
 - (2) the location of the Chinese violet, including the address and a description of the distribution of the weed at that address (if this is known); and
 - iv) any other information reasonably requested by the local control authority.
- (c) The person who deals with a carrier of Chinese violet does not need to comply with (b) above if they know that notification of the infestation on the land has already been given to the local control authority for the area.

9. The persons or class of persons to whom the control measures apply

This Control Order applies to:

- (a) An owner or occupier of land in the Chinese violet Control Zone.
- (b) Any person dealing with a carrier of Chinese violet in the Chinese violet Control Zone.

10. Duration of Control Order

This Control Order has effect for a period of 5 years from its date of commencement.

(n2019-1362)