

Biosecurity (Boneseed) Control Order 2022

under the

Biosecurity Act 2015

I, John Tracey, Deputy Director General, Biosecurity & Food Safety, with the authorisation of the Minister administering the *Biosecurity Act 2015* and under section 62 of that Act, make the following Control Order.

Dated 27 day of June 2022

John Tracey
Deputy Director General of Biosecurity & Food Safety
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Control Order

This Control Order is the *Biosecurity (Boneseed) Control Order 2022*.

2 Commencement and duration

- (1) This Control Order commences on 1 July 2022.
- (2) This Control Order has effect for a period of five years until 30 June 2027.

Note. Notice of this Control Order will be given by publishing it on the Department's website and in the Gazette.

3 Definitions

- (1) In this Control Order:

boneseed means the weed *Chrysanthemoides monilifera subsp. monilifera* and includes any seed or propagules.

boneseed control zone is the whole of New South Wales.

propagules means any part of a boneseed plant that becomes detached from the rest of the plant that can grow into a new boneseed plant.

property means an area of land (including an area comprising 1 or more parcels of land) that is worked as a single property.

the Act means the *Biosecurity Act 2015*.

the Regulation means the Biosecurity Regulation 2017.

- (2) Words and expressions that occur in this Control Order have the same meaning as they have in the Regulation, unless otherwise defined in this Control Order.

4 Grounds for order and biosecurity impact

The basis for concluding that it is necessary to make this Control Order is as follows:

- (a) the presence, spread and increase of boneseed (the **biosecurity matter**) has the potential to have an adverse effect on the environment (the **biosecurity impact**).
- (b) if left undetected and untreated boneseed can vigorously grow, have prolific seed production and seeds can be dispersed quickly by foxes and birds spreading boneseed across long distances. Boneseed competes strongly with and in some cases eliminates native vegetation.
- (c) control measures are required to assist in the prevention of the spread of boneseed and eradicate, minimise, and manage the biosecurity impact that boneseed has in the boneseed control zone.

5 Control zone

The principal area in which the control measures in Part 2 of this Control Order are required to be implemented under is the boneseed control zone.

Part 2 Control measures

6 Control measure – owners and occupiers of land

- (1) The owner or occupier of land in the boneseed control zone on which there is a new infestation of boneseed must notify the local control authority for that land as soon as practicable of the following information:
 - (a) the person's full name and contact details, including a telephone number,
 - (b) the address of the land, including the lot and deposited plan number and the property identification code for the land (if these are known), and
 - (c) any other information that is requested by the local control authority.
- (2) The owner or occupier of the land must ensure that the land is kept free of boneseed by immediately destroying all boneseed on the land. This requirement applies to any new infestation as well as any subsequent generations of boneseed on that land.
- (3) The owner or occupier does not need to comply with subclause (1) if they know that notification of the new infestation on the land has already been given to the local control authority of that land.

7 Control measure – persons dealing with carriers

- (1) This clause applies to any land in the boneseed control zone on which boneseed is present or is likely to be present.
- (2) A person who deals with a carrier of boneseed on land to which this clause applies, must take all reasonable steps to ensure that the carrier is not moved from the land with any boneseed on it, attached to it, or contained in it, before the carrier is moved from the land.

8 Control measure – persons moving boneseed and carriers of boneseed (excluding a human)

- (1) A person who moves boneseed or a carrier of boneseed (excluding a human) to another property, must notify the local control authority for that other property as soon as practicable before moving the boneseed of the following information:
 - (a) the person’s full name and contact details, and
 - (b) the addresses of the land the boneseed is coming from and going to, including the lot and deposited plan number and the property identification code for the land (if these are known).
- (2) A person who moves boneseed or a carrier of boneseed (excluding a human) does not need to comply with subclause (1) if they know that notification of the movement has already been given to the local control authority for that other property

Note. Examples of when boneseed or a carrier of boneseed (excluding a human) may need to be moved include, but are not limited to, the movement of vehicles, soil, or livestock as well as movement of boneseed for disposal.