

September 2016

MANAGEMENT OF WEED PESTS AND DISEASE

Regional Weed Committees

Frequently Asked Questions

1. What is the priority weed list?

The priority weeds list is a local description of significant weeds in your region.

The list describes what weeds will be prioritised for management action, investment and compliance effort within each region and should include the species that are considered a significant risk within your region.

The key benefit of a priority weed list is that it makes it easier to communicate control requirements to land managers and to plan resourcing. It will also be easier to amend the priority weeds list as new weed risks are assessed.

A regional priority weed list enables landholders to effectively concentrate on weeds that have a significant impact in their region rather than a full list of all weed species across the State that may have little relevance locally.

In developing your priority weed list you should consider the practicality of landholders undertaking the proposed management obligations, including any cost impact.

However it's important to note that all weed species are subject to the General Biosecurity Duty and are considered a risk.

The priority weed list is Schedule 4 in the Regional Strategic Weed Management Plan.

2. How long should a priority weed list be?

There is no set rule; it will vary between regions depending on needs, risks, impacts and priorities.

3. Do we need to see the Biosecurity Regulation to complete our priority weed list?

No, there are only a small number of significant high priority weeds that will be included in the Biosecurity Zones, Biosecurity Orders and Prohibited Matter Regulations. The species proposed for the Biosecurity Regulation and Control Orders are listed in the Weed Supplementary Information Paper.

Any additional provisions or requirements of the Biosecurity Regulation to be included in your Regional Strategy Weed Management Plan will be communicated to the Regional Weed Committees once the detail is confirmed.

4. What sort of management obligation is appropriate for weeds on the priority list?

We all have obligations to reduce the [impacts](#) and [risks](#) of weeds through the General Biosecurity Duty as a minimum.

Community expectations play an important role in determining appropriate management obligations for priority weeds. In most instances farm enterprises and public lands have other effective mechanisms to drive good weed management to ensure good stewardship of these lands.

Generally, regulation specifying management obligations may be used to address the consequences where an individual's management actions that significantly impact another person or persons. For example, this may require that the weed does not spread off the land - not that the weed is removed entirely.

The [Weed Discussion Paper](#) (December 2015) and [Weed Supplementary Information Paper](#) (April 2016) give examples of how the impact and risk of weeds can be appropriately regulated.

5. What are appropriate management obligations to prevent spread?

The Weed Discussion and Supplementary Information papers provide several measurable examples of management actions that can prevent or reduce weed spread. Each weed should be considered in terms of its biology and ecological requirements, including mechanisms and pathways for spread. Some examples may include:

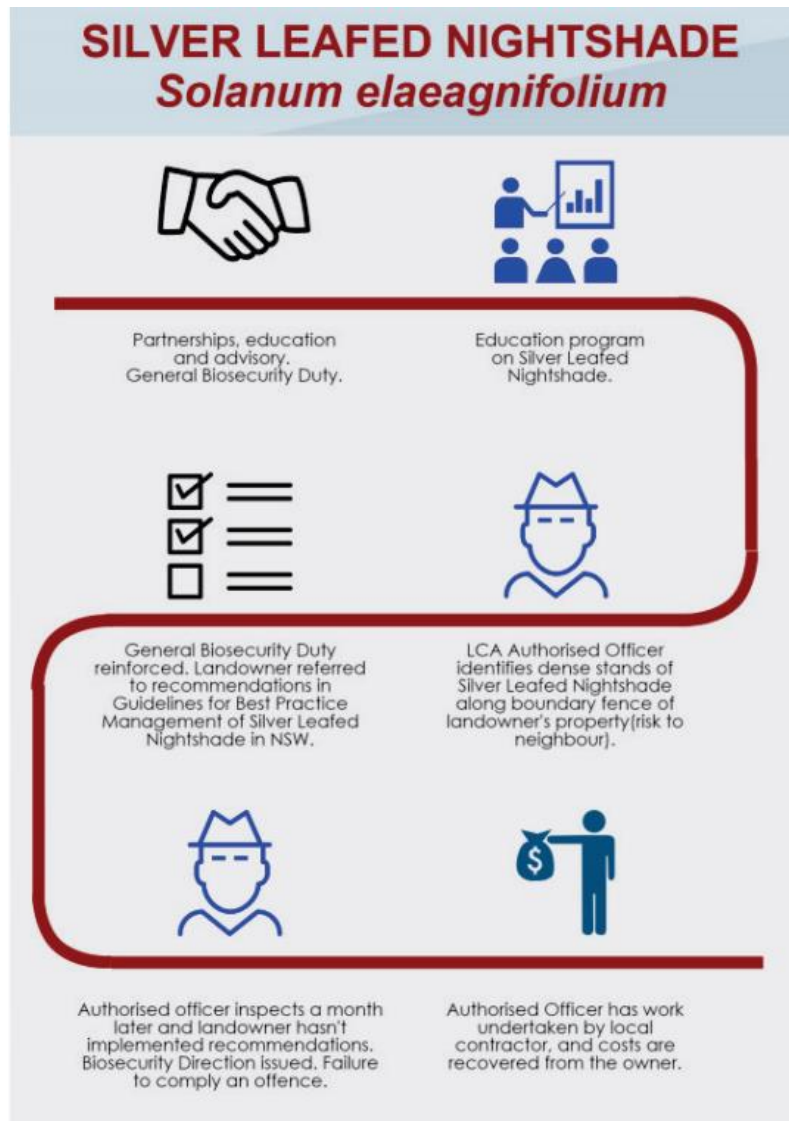
- Developing an appropriate buffer at the boundary of the property.
- Density of weeds must be maintained at an appropriate ground cover to minimise risk of wind or animal spread.
- The use of best practice measures to reduce/prevent weed and propagule spread along pathways e.g. Using machine/vehicle hygiene protocols.
- Weed may be subject to mandatory measures such as a ban from sale.

The impact or risk from weeds that are spread by birds or wind can only be reduced by restricting overall weed density. Measures to reduce fruit/seed production can reduce the probability of seed spread, reducing the overall risk of spread. Consideration should be given to other appropriate risk mitigation approaches such as using wind breaks that may reduce seed spread by wind.

6. How will a Local Control Authority enforce management obligations for a weed not on the weed priority list?

The key premise of the *Biosecurity Act 2015* is shared responsibility. Information to ensure landholders and others are aware of their obligations is crucial.

It will be important for Authorised Officers to work with landholders to identify the existence or suspected presence of a biosecurity risk. Where the risk is significant, or if it is likely that the landholder may not address the risk adequately within a reasonable time, the Authorised Officer will have the power to issue a Biosecurity Direction (see Part 9) with explicit directions. See example below for the management of silver leafed nightshade.



7. When would a Biosecurity Undertaking be used?

In some circumstances, after discussions, it may be more appropriate for a landholder to give a Biosecurity Undertaking (see Part 10). Biosecurity Undertakings need to specify the risk to which the undertaking relates, the actions that the landholder has agreed to implement to remedy or prevent the risk, and the period by which these measures will be implemented.

8. Who has the responsibility for properties that have absentee land owners or managers?

More than one person can concurrently have the same Biosecurity Duty. In this scenario where there is a manager and/or absentee owner, both must discharge their duty to the extent to which they have the capacity to influence and control the risk.

9. How can we deal with regional variation and sporadic weed impacts?

In reality, the Local Land Service regions are very large areas with a variety of land uses, weed types, vegetation types and weed infestation levels. Where there are sub regional management obligations, it is expected that the Regional Weed Committees will develop a 'weed specific' plan outlining the varying control requirements across the region. Consideration should be given to

the practicality of achieving and enforcing the requirements, and if the requirements are reasonable for neighbouring landholders with vastly different obligations.

In order to deal with regional variation, Regional Weed Committees may use sub regional boundaries such as major rivers, distinct land types or land uses, or use local Government Area boundaries to differentiate the weed risks present throughout the region; however this should be based on evidence from regional weed risk assessments.

Importantly, weed management plans must be strategic and demonstrate a clear logic as to how a weed impact is being reduced or a risk mitigated. The development of Schedule 4 of your Regional Strategic Weed Management Plans which outline proposed obligations should be a consultative process with representation from appropriate stakeholders.

10. What will happen to weeds not on the priority weed list in Schedule 4?

The General Biosecurity Duty applies to all weed species. While the prioritisation of weed resourcing, compliance, monitoring and enforcement should focus on those species listed in Schedules 1-4 of the Regional Strategic Weed Management Plan, in some instances a weed species may be observed to be having an adverse impact within the region that is not on the priority list.

This may be addressed by providing education material to assist the landholder to ensure that they know the biosecurity risk posed by that weed and that the General Biosecurity Duty applies. The landholder may provide a Biosecurity Undertaking that details the actions and timeframe for action to reduce the risk. If the landholder still fails to address the problem a Biosecurity Direction can be issued that will provide more detail about the actions they must take to manage the weed. In this situation, weed control is still enforceable regardless of whether there is a direct reference to the weed in the Regional Strategic Weed Management Plan or not.

11. How can we ensure consistency in the management actions of weeds not on the priority weeds list?

Where circumstances arise, the *Biosecurity Act 2015* does provide tools to manage the control of weeds not on the priority list which may present a risk in the future

Generally the exclusion of a weed from the priority list typically means that it is of lower risk of causing a biosecurity impact. These weeds will be controlled by a landholder discharging their General Biosecurity Duty.

In circumstances where landholders do not meet their duty and refuse to cooperate, Authorised Officers and the Local Control Authority will determine how the issue will be escalated.

There will be instances where a weed species is dealt with differently in some parts of the region and all management requirements must be based on evidence.

12. Will there be training for Weed Officers?

NSW DPI is working with Local Land Services to prepare a comprehensive training package for all Authorised officers including Weed Officers. This training will include a range of online e-learning modules as well as structured face to face coursework.