



LEETON SHIRE COUNCIL
Preserving the Past, Enhancing the Future

**LEETON SHIRE COUNCIL
POLICY**

NOXIOUS WEEDS MANAGEMENT

1. DEFINITIONS

- **Inspector** – a person appointed by the local control authority for the purposes of the Act
- **Local Control Authority** – the local control authority is Leeton Shire Council (LSC)
- **Local Area** – the Local Government area of Leeton Shire
- **Noxious Weed Act 1993** – the Noxious Weed Act 1993 prescribes the control of noxious weeds in NSW
- **Noxious Weed** – is a weed declared under section 7 of the Act to be a noxious weed
- **Penalty Unit** – one penalty unit equates to \$110.00
- **WRNWAG** – Western Riverina Noxious Weeds Advisory Group
- **High Risk Weed Species** – All Class 1 and 2 weeds and Category A and B weeds
- **High Risk Site** – Potential site of a High Risk Weed Species

2. AIM OF THIS POLICY

The aim of Council's Noxious Weeds policy is to eliminate, reduce or contain noxious weeds according to their category in order to reduce the threat to agriculture, the environment and the community posed by noxious weeds.

3. OBJECTIVES OF THIS POLICY

- To define Council's responsibilities and obligations under the Noxious Weeds Act 1993
- To define private landholder/occupier responsibilities and obligations under the Noxious Weeds Act 1993
- To establish and maintain the legal basis for noxious weed control in Leeton Shire

- To define procedures, penalties and other costs in carrying out of enforcement of noxious weed control as specified in the Noxious Weeds Act 1993

4. THE NOXIOUS WEEDS ACT 1993

The Noxious Weeds Act 1993 legislates the control of declared noxious weeds in NSW

(4.1) What is the local control authority?

The local control authority for land within a local government area is generally the Council of the local government area or, if noxious weed control functions for that area have been conferred on a county council under any other Act, the county council having those functions.

For the purpose of this policy, the local control authority is Leeton Shire Council (LSC)

(4.2) What are the noxious weed control functions Leeton Shire Council?

Leeton Shire Council (LSC) has the following noxious weed control functions in relation to the Leeton Shire (***the local area***):

- (a) Responsibility for the control of noxious weeds by occupiers of land (other than public authorities or local control authorities).
- (b) Control of noxious weeds on land owned or occupied by the LSC and on certain roads and watercourses, rivers or inland waters as provided by the Act.
- (c) To ensure, so far as practicable, that owners and occupiers of land (other than public authorities or other local control authorities) carry out obligations to control noxious weeds imposed under this Act.
- (d) To develop, co-ordinate, implement and review noxious weed control policies and noxious weed control programmes.
- (e) Inspection of land within the local area in connection with its noxious weed control functions.
- (f) To report, at the request of the Minister, on the carrying out of the local control authorities functions under the Act.

- (g) To co-operate with local control authorities of adjoining areas to control noxious weeds, where appropriate.
- (h) Any other functions that are conferred or imposed on the local control authority by or under the Act.

(4.3) LANDHOLDER/OCCUPIER OBLIGATIONS UNDER THE FOLLOWING SECTIONS OF THE ACT:

Council will require that all occupiers of land (other than a public authority or local control authority) must control noxious weeds in accordance with the Noxious Weeds Act 1993.

5. WEED CONTROL CLASSES

Section 8 of the Act specifies the weed control classes into 5 categories as listed below:

Class 1 – State Prohibited Weeds are plants that pose a potentially serious threat to primary production or the environment and not present in the State or are present only to a limited extent.

Class 2 – Regionally Prohibited Weeds are 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.

Class 3 – Regionally Controlled Weeds are 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.

Class 4 – Locally Controlled Weeds are 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.

Class 5 – Restricted Plants Are 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.

A noxious weed that is classified as a Class 1, 2 or 5 noxious weed is referred to in this Act as a ***notifiable weed***.

Weed List Categories

Category A – Weeds not currently present in the Murrumbidgee Catchment

Category B – Weeds present with limited distribution

Category C – Weeds present with moderate distribution

Category D – Weeds that are wider spread throughout the Murrumbidgee Catchment

6. NOXIOUS WEED DECLARATIONS AND CONTROL CLASSES FOR LEETON SHIRE COUNCIL AS PER ORDER 20 – 1/9/2006

Common Name	Botanical Name	Weed Control Class	Category
African boxthorn	<i>Lycium ferocissimum</i>	4	D
African feathergrass	<i>Pennisetum macrourum</i>	5	C
African turnip weed	<i>Sisymbrium runcinatum</i>	5	B
African turnip weed	<i>Sisymbrium thellungii</i>	5	C
Alligator weed	<i>Alternanthera philoxeroides</i>	2	A
Anchored water hyacinth	<i>Eichhornia azurea</i>	1	A
Annual ragweed	<i>Ambrosia artemisiifolia</i>	5	D
Arrowhead	<i>Sagittaria montevidensis</i>	5	D
Artichoke thistle	<i>Cynara cardunculus</i>	5	C
Athel tree	<i>Tamarix aphylla</i>	5	D
Bathurst, Noogoora burr	<i>Xanthium</i> spp.	4	D
Bear-skin fescue	<i>Rubus fruticosus</i>	5	B
Blackberry	<i>Centaurea nigra</i>	4	B
Black knapweed	<i>Salix nigra</i>	1	A
Broomrape	<i>Orobanche</i> spp.	1	A
Bridal creeper	<i>Asparagus asparagoides</i>	5	B
Burr ragweed	<i>Ambrosia confertiflora</i>	5	C
Cabomba	<i>Cabomba</i> spp.	5	C
Californian, Cockle burr	<i>Festuca gautieri</i>	4	D
Cayenne snakeweed	<i>Stachytarpheta cayennensis</i>	5	C
Chilean needlegrass	<i>Nassella neesiana</i>	3	A
Chinese violet	<i>Asystasia gangetica</i>	1	A
Clockweed	<i>Gaura lindheimeri</i>	5	B
Clockweed	<i>Gaura parviflora</i>	5	B
Columbus grass	<i>Sorghum x alnum</i>	4	B
Coolatai grass	<i>Hyparrhenia hirta</i>	3	B
Corn sowthistle	<i>Sonchus arvensis</i>	5	B
Devil's claw yellow	<i>Ibicella lutea</i>	4	D

flower			
Devil's claw purple flower	Proboscidea louisianica	4	D
Dodder	Cuscuta spp.	5	D
East Indian hygrophila	Hygrophila polysperma	1	A
Espartillo	Achnatherum brachychaetum	5	C
Eurasian water milfoil	Myriophyllum spicatum	1	A
Fine-bristled burr grass	Cenchrus brownie	5	C
Fountain grass	Pennisetum setaceum	5	C
Gallon's curse	Cenchrus biflorens	5	C
Glaucous star thistle	Carthamus glaucus	5	C
Golden dodder	Cuscuta campestris	4	B
Golden thistle	Scolymus hispanicus	5	C
Harrisia cactus	Harrisia spp.	4	B
Hawkweed	Hieracium spp.	1	A
Hemlock	Conium maculatum	4	B
Horehound	Marrubium vulgare	4	D
Horsetail	Equisetum spp.	1	A
Hymenachne	Hymenachne amplexicaulis	1	A
Johnson Grass	Sorghum halepense	4	C
Karoo thorn	Acacia karroo	1	A
Khaki weed	Alternanthera pungens	4	D
Kochia	Kochia scoparia	1	A
Lagarosiphon	Lagarosiphon major	1	A
Lantana	Lantana spp.	5	B
Long-leaf willow primrose	Ludwigia longifolia	5	B
Mesquite	Prosopis spp.	2	A
Mexican feathergrass	Nassella tenuissima	1	A
Mexican Poppy	Argemone mexicana	5	B
Miconia	Miconia spp.	1	A
Mimosa	Mimosa pigra	1	A
Mossman river grass	Cenchrus echinatus	5	B
Onion grass	Romulea spp. & varieties	5	D
Oxalis	Oxalis spp. & varieties	5	B
Parkinsonia	Parkinsonia aculeate	2	A
Parthenium weed	Parthenium hysterophorus	1	A
Perennial ground cherry	Physalis virginiana	3	C
Pond apple	Acacia nilotica	1	A
Prairie ground cherry	Physalis viscosa	3	C
Prickly acacia	Acacia nilotica	1	A
Prickly pears	Opuntia spp.	4	D
Red rice	Oryza rufipogon	5	B
Rhus tree	Toxicodendron succedaneum	4	B

Rubber vine	<i>Cryptostegia grandiflora</i>	1	A
Sagittaria	<i>Sagittaria graminea</i>	4	C
Sagittaria	<i>Sagittaria platyphylla</i>	5	B
Salvinia	<i>Salvinia molesta</i>	2	A
Sand oat	<i>Avena strigose</i>	5	B
Senegal tee plant	<i>Gymnocoronis spilanthoides</i>	1	A
Serrated tussock	<i>Nassella trichotoma</i>	3	A
Siam weed	<i>Chromolaena odorata</i>	1	A
Silk forage sorghum	<i>Sorghum spp.</i>	4	B
Silverleaf nightshade	<i>Solanum elaeagnifolium</i>	4	D
Smooth-stemmed turnip	<i>Brassica barreliera</i>	5	D
Soldier thistle	<i>Picnomon acarna</i>	5	D
Spiny burrgrass	<i>Cenchrus incertus</i>	4	D
Spiny burrgrass	<i>Cenchrus longispinus</i>	4	D
Spiny emex	<i>Emex australis</i>	4	C
Spotted knapweed	<i>Centaurea maculosa</i>	1	A
St John's wort	<i>Hypercium perforatum</i>	3	B
Star thistle	<i>Centaurea calcitrapa</i>	4	B
Sweet briar	<i>Rosa rubiginosa</i>	4	C
Texas blueweed	<i>Helianthus ciliaris</i>	5	B
Tree of heaven	<i>Ailanthus altissima</i>	4	C
Water caltrop	<i>Trapa spp.</i>	1	A
Water hyacinth	<i>Eichhornia crassipes</i>	2	A
Water lettuce	<i>Pistia sratoites</i>	1	A
Water soldier	<i>Stratoites aloides</i>	1	A
Willows	<i>Salix spp.</i>	5	D
Witchweed	<i>Striga spp.</i>	1	A
Yellow burrhaed	<i>Limnocharis flava</i>	1	A
Yellow nutgrass	<i>Cyperus esculentus</i>	5	C

7. ENFORCEMENT PROVISIONS

Leeton Shire Council in its role as the local control authority for noxious weeds in the Leeton Shire will act under the enforcement provisions of the Noxious Weeds Act 1993 if and when required in the event of non compliance.

Discretionary Powers of Weeds officers in relation to Noxious Weed matters

Weeds Officers will use their discretionary powers in determining appropriate weed control time frames and conditions in individual cases. Discretionary powers by Weeds Officers will be in accordance with the regulations set down by the Noxious Weeds Act 1993. Depending on

individual circumstances, and at Councils discretion, Council may elect to proceed with prosecution under the Noxious Weeds Act 1993 against landowners/ occupiers who fail to comply with the requirements of Section 12 or 19 of the Noxious Weeds Act 1993.

8. INSPECTION OF PROPERTIES

As part of Leeton Shire Council's Noxious Weeds Inspection Procedures each farmland or rural property within the Local Area will be inspected and assessed for noxious weed infestations at least once in every five (5) year period. Any residential properties reported as having noxious weed infestations will be inspected and assessed on a case by case basis.

Council will endeavour to inspect a minimum of ~~140 high-risk sites~~ 120 properties per annum and nominated high risk sites as per Weed Action Plan.

9. WRNWAG

- 9.1 Leeton Shire Council will maintain membership of the ~~Western Riverina Noxious Weeds Action Group~~ Riverina Regional Weeds Committee.
- 9.2 Leeton Shire Council will implement the following Weed Action Plans;
 - i) Regional Weed Strategy – Murrumbidgee Catchment
 - ii) Leeton Shire Council – Class 4 Noxious Weed Management Plan – June 2006
 - iii) WRNWAG WAP 1.2.1 – High Risk Species
 - iv) WRNWAG WAP 1.2.2 – New Incursion Plan – High Risk Species
 - v) WRNWAG WAP 1.2.3 – Riverina Inspection Policy
 - vi) WRNWAG WAP 2.2.1 – Rapid Response Plan
 - vii) WRNWAG WAP – 4.3.1 – Communication Strategy
- 9.3 Council will consider and amend its Noxious Weeds Management Policy from time to time as required in consultation with ~~WRNWAG~~ Riverina Regional Weeds Committee.

Policy History:

Date of Adoption/Amendment	Resolution Number
24 October 2007	07/479
25 May 2011	11/176
26 June 2013	13/136
22 February 2017	17/018