

Biosecurity (Chinese violet) Control Order 2024

under the

Biosecurity Act 2015

I, Scott Charlton, Chief Invasive Species Officer, as authorised by the Minister under section 78 of the *Biosecurity Act 2015* (**the Act**), make the following control order under section 62 of the Act.

Dated 25 June 2024



SCOTT CHARLTON
Chief Invasive Species Officer
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of control order

This control order is the *Biosecurity (Chinese Violet) Control Order 2024*.

2 Commencement and duration [s 63(e) and 66(1)]

- (1) This control order commences 1 July 2024.
- (2) The control order has effect until 30 June 2029.

3 Biosecurity matter and biosecurity risk [s 63(a)]

- (1) The biosecurity matter which is the subject of this control order is the weed Chinese violet.
- (2) The biosecurity risk that is the subject of this control order is the risk of an adverse effect on the economy, environment and the community that arises from the presence and spread of the weed Chinese violet in New South Wales.

4 Grounds for order [s 62]

The basis for reasonably believing that this control order is necessary to prevent,

eliminate, minimise or manage the biosecurity risk arising from Chinese violet is:

- (1) Chinese violet is a fast-growing perennial creeper that forms sprawling mats that can smother and outcompete native plants, reduce food and shelter for native animals, compete with crops (e.g. soybeans, vegetables, tea trees and cut flowers), and smother garden plants and lawns.
- (2) The control measures contained in this control order are required to assist in preventing the spread of Chinese violet and to eradicate, minimise, and manage the biosecurity impact that Chinese violet has in the Chinese Violet Control Zone.

5 Control zone [s 63(b) and 67]

- (1) The control zone to which control measures are required to be implemented under this control order is the whole of the State of New South Wales.
- (2) The control zone is called the *Chinese Violet Control Zone*.

6 Revocation

The Biosecurity (Chinese Violet) Control Order 2019 dated 20 May 2019 and published in the NSW Government Gazette No 53 on 24 May 2019, at <https://legislation.nsw.gov.au/gazette>, is revoked.

7 Definitions

In this control order:

Chinese violet means the weed *Asystasia gangetica* species complex whether whole or in part, and whether alive or dead.

Chinese Violet Control Zone – see clause 5.

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*.

Part 2 Control measures – in the Chinese Violet Control Zone [s 68, s 69]

8 Control measures – owner and occupiers of land

- (1) The owner or occupier of land in the Chinese Violet Control Zone on which there is an infestation of Chinese violet must notify the local control authority for the area 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 reasonably requested by the local control authority.
- (2) The owner or occupier of the land must ensure that the land is kept free of Chinese violet by destroying all Chinese violet on the land as soon as is reasonably practicable. This requirement applies to any new infestation as well as any subsequent generations of Chinese violet on that land.
- (3) The owner or occupier does not need to comply with (1)(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.

9 Control measure – persons moving Chinese violet and carriers of Chinese violet (excluding a human)

- (1) This clause applies to any land in the Chinese Violet Control Zone on which Chinese violet is present or is likely to be present.
- (2) Before moving Chinese violet or a carrier of Chinese violet (excluding a human) to another property, a person must notify the local control authority for the area in which that other property is located of the following information:
 - (a) the person’s full name and contact details, and
 - (b) the addresses of the land the Chinese violet 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).
- (3) A person who deals with a carrier of Chinese violet (excluding a human) 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 Chinese violet on it, attached to it, or contained in it, before the carrier is moved from the land.
- (4) A person who moves Chinese violet or a carrier of Chinese violet (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.

Note. Examples of when Chinese violet or a carrier of Chinese violet (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 Chinese violet for disposal.