

## Terms of Reference for review of weed management in NSW

NSW 2021 sets out a range of actions to improve economic growth in regional NSW and strengthen local environment and communities. One of these actions is to reduce the impact of weeds on our production and natural assets, such as prime agricultural land and the reserve system. Under the recently released NSW Biosecurity Strategy, NSW intends to develop new biosecurity legislation that will further enhance the current risk-based approach to managing weeds (and disease and pests).

Weeds impact production and natural assets in varying ways. 'Noxious' weeds are declared under the *Noxious Weeds Act 1993*, and subject to a range of different controls. This Act obliges private and public landholders and managers to control declared noxious weeds on their land. Local Weed Control Authorities (i.e. Local Shires and Councils) have the primary responsibility to administer this Act. Other Acts such as the *National Parks and Wildlife Act 1974*, *Threatened Species Conservation Act 1995* and *Fisheries Management Act 1994* also provide for the management of terrestrial, freshwater and marine weeds and noxious vegetation. Native species acting in a weed-like manner (such as Invasive Native Scrub) are regulated under the *Native Vegetation Act 2003*.

Other mechanisms such as intergovernmental agreements and funding for regional bodies under Australian and NSW Government programs provide alternative drivers to promote the weed management outcomes sought by the NSW Government.

### **Evaluation of weed arrangements in NSW**

The Minister for Primary Industries requests the Natural Resources Commission (the Commission) to evaluate the effectiveness and efficiency of the current weed management arrangements in NSW, with the view of informing the further development of the NSW Biosecurity Act and other relevant strategies under the NSW Biosecurity Strategy.

In developing its advice the Commission should:

- assess (based on existing data) the distribution and abundance of weeds across NSW and their impact on production and natural assets, having regard to historical trends and likely trajectory, current condition and risk creators and bearers
- evaluate current regulatory and institutional arrangements in meeting state agreed outcomes across both public and private tenures, including identifying characteristics of any constraints, barriers and best practice
- evaluate weed management activities funded by the Australian and NSW Government incentive and grant programs such as (but not limited to) *Caring for our Country* and *Catchment Action NSW*, *NSW Weeds Action Program*, including identifying characteristics of any constraints, barriers and best practice
- identify and assess viable alternative weed management arrangements, including risks and opportunities.

Any recommendations should include potential transitional arrangements for the future implementation of the NSW Biosecurity Act and NSW Biosecurity Strategy.

For the purpose of this work, 'weeds' is defined as both introduced and native species but is limited to terrestrial and freshwater aquatic species only.

### **The Commission should also have regard to the following in undertaking the work:**

- the likely future trajectory in the distribution of weeds in States bordering NSW, including the potential implications of climate change on range extension, conflicting commercial plant usage and food security
- NSW Biosecurity Strategy, NSW Invasive Species Plan and NSW Statewide Framework of Biodiversity Priorities for Widespread Weeds
- arrangements for weed management in other jurisdictions
- community expectations and feedback
- previous reviews on weed management in NSW
- any reports and recommendations from the Independent Local Government Review Panel and NSW Crown Lands review
- functions and services of Local Land Services
- intergovernmental agreements for biosecurity

- any monitoring, evaluation and reporting arrangements for weeds.

The Commission should work closely with Department of Primary Industries and consult with relevant stakeholders and agencies, including Noxious Weeds Advisory Committee, Office of Environment and Heritage, NSW Aboriginal Land Council, Local Control Authorities, Local Government NSW, Catchment Management Authorities, Regional Weed Advisory Committees, Livestock Health and Pest Authorities, peak farming, industry and environmental groups and relevant Australian government bodies. The Commission will also undertake public consultation to inform its assessment and development of recommendations.

**The Commission is to provide:**

- a Draft Report, including draft recommendations, within six months of receiving the terms of reference
- a Final Report, including outcomes of consultation, within three months of providing the Draft Report.