

## Issues paper

### Proposal to list Yellow Mimosa (*Vachellia farnesiana*) as a feral species

The Minister for Environment has asked the Natural Resources Commission (NRC) to provide advice on the proposed listing of **Yellow Mimosa (*Vachellia farnesiana*)** as a feral native species in the Border Rivers Gwydir, Namoi and Central West Catchment Management Authorities (CMA) regions as well as across NSW<sup>1</sup>.

This paper provides general information on Yellow Mimosa, explains the legislative context and reasons for its listing and describes the process the NRC will use to develop its advice.

#### What is Yellow Mimosa and where is found?

Yellow Mimosa is a spreading shrub that can range in height from 1.5 to 4 m in height. The species grows in open woodland, shrubland and grassland, on alluvial clay soils and sandy loams, on open plains and near watercourses.

The roasted pods can be eaten and have been a source of food for Aboriginal people. The foliage and young green pods are palatable to cattle and sheep.

Yellow Mimosa is native to Central America. The species now occurs in Africa, Asia and Australia, and probably arrived here before European settlement. In Australia, Yellow Mimosa is now widespread throughout the Northern Territory, Queensland and northern NSW (Figures 1 and 2).

#### Legislative context

Despite its native origin in Central America, Yellow Mimosa is regarded as native (or *indigenous*) vegetation under the NSW *Native Vegetation Act 2003* (the Act) because it is considered to have existed in NSW before European settlement<sup>2</sup> (see below for further discussion).

However, the species is listed as 'alien' in Western Australia, Northern Territory and Queensland. Yellow Mimosa is recognised as an invasive native species in the Border Rivers Gwydir, Namoi, Central West and Western CMA regions. Invasive native species can reduce habitat quality, increase soil erosion and reduce pasture production. Clearing Yellow Mimosa currently requires approval through an Invasive Native Species Property Vegetation Plan under the Act<sup>3</sup>.

CMAs can recommend a species of native vegetation for listing as a feral native species. Border Rivers-Gwydir, Namoi and Central West CMAs have recommended that Yellow Mimosa be listed as a feral species in their regions under clause 17 of the *Native Vegetation Regulation 2005* (the Regulation). Feral native species are plant species that invade areas outside their natural range<sup>4</sup>. Clearing feral native species is classed as a routine agricultural management activity<sup>5</sup>, and therefore does not need approval through a Property Vegetation Plan. However, clearing can be

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<sup>1</sup> As required under Clause 17 (2) (b) of the NSW *Native Vegetation Regulation 2005*

<sup>2</sup> Section 6 (2)

<sup>3</sup> Approval is not required if Mimosa has regrown since 1 January 1990 in the Eastern or Central division of NSW, or since 1983 in the Western Division because it is classified as regrowth.

<sup>4</sup> *Native Vegetation Regulation 2005* - Clause 17 (2) (a)

<sup>5</sup> *Native Vegetation Regulation 2005* - Part 4, Clause 17

subject to particular conditions such as the time of the year clearing can occur, methods allowed and limits on the area that can be cleared.

Before a listing can be made, under clause 17(2)(b) of the Regulation the Minister must consult with the NRC, and be satisfied that the species is outside of its natural range on the land or in the area for which it is to be listed<sup>6</sup>.

Coastal Tea Tree (*Leptospermum laevigatum*) in the Northern Rivers CMA region is currently the only species listed as a native feral plant in NSW under the Act.

## **What is the difference between a native invasive species and a feral species?**

An invasive native species is defined as a native plant species that is found within its natural range and is either invading plant communities to which they do not normally belong or regenerating densely following natural or artificial disturbances<sup>7</sup>.

A feral native species is defined as a native plant species that invades an area outside of its natural range<sup>8</sup>.

## **Current recommendations for listing**

### **CMA recommendations**

Border Rivers-Gwydir, Namoi Central West, Western, Murrumbidgee, Murray, Hawkesbury-Nepean, Lachlan and the Hunter Central Rivers CMAs have recommended that Yellow Mimosa be listed as a feral native species in their regions to the Office of Environment and Heritage (OEH)<sup>9</sup> (Figure 3). Only the Border Rivers-Gwydir, Namoi and Central West CMAs' recommendations have been formally considered to date by OEH (see below for further discussion).

If Mimosa is listed in these areas as a feral species, landowners will be able to clear Yellow Mimosa (with potential conditions) as a *routine agricultural management activity*.

In their recommendations to list Yellow Mimosa as native feral species, the CMAs have suggested that Yellow Mimosa is impacting on both environment and production values in their CMA regions. For example, a major infestation is occurring in the Macquarie floodplain of the Central West CMA region, reducing groundcover and potentially increasing soil erosion<sup>10</sup>.

### **Office of Environment and Heritage panel recommendations**

OEH's Invasive Native Species – Feral Native Species Change Control Panel (the panel) has considered Border Rivers-Gwydir, Namoi and Central West CMAs' recommendations and other advice and recommended that Yellow Mimosa should be listed as feral native species for all of NSW, including the nominated CMA regions<sup>11</sup> (Figure 3).

Following the panel's review and recommendation, OEH sought views of the remaining CMAs as to whether they support listing Yellow Mimosa in their regions. Since then, the Western, Murrumbidgee, Murray, Hawkesbury-Nepean, Lachlan and the Hunter Central Rivers CMAs have recommended listing Yellow Mimosa in their regions to OEH (Figure 3). These

<sup>6</sup> *Native Vegetation Regulation 2005* – Clause 17 (2) (b)

<sup>7</sup> *Native Vegetation Regulation 2005* – Environmental Outcomes Assessment Methodology

<sup>8</sup> *Native Vegetation Regulation 2005* – Clause 17 (2) (a)

<sup>9</sup> As allowed under Clause 17 (2) (b) of the NSW *Native Vegetation Regulation 2005*

<sup>10</sup> CMA recommendations available at <http://nrc.nsw.gov.au/Workwedo/NativeVegetation.aspx>

<sup>11</sup> Recommendations report available at <http://nrc.nsw.gov.au/Workwedo/NativeVegetation.aspx>

recommendations have not been formally considered by the panel, but in effect support the panel's recommendation to list Yellow Mimosa for all of NSW.

In developing its recommendations, the panel also sought advice from the NSW Royal Botanical Gardens on whether Yellow Mimosa could be considered non-native to Australia (given that its origin is in Central America). They advised the panel that Yellow Mimosa:

- was introduced to Australia prior to 1770;<sup>12</sup> and
- behaves as a weed in both environmental and agricultural situations.

However, the panel could not conclusively determine whether Yellow Mimosa reached NSW before or after 1770. Therefore, the panel concluded that it is not yet possible to regard Yellow Mimosa as a non-native species in NSW.

### **Scope of the NRC's review**

The NRC will provide advice to the Minister on whether Yellow Mimosa should be listed as a feral native species:

- in the Border Rivers Gwydir, Namoi and Central West CMA regions
- across the state (i.e. across the other remaining CMA regions).

The NRC may also provide any other relevant advice to the Minister, for example suggestions for managing Yellow Mimosa.

### **Process for the NRC's review**

The Minister has asked for the NRC's advice by the **19 April 2013**.

The NRC would like to hear the views, through written submissions, from any relevant stakeholders and members of the public by 5.00p.m. on **10 April 2013**.

We are particularly interested to know:

- whether you support listing Yellow Mimosa as a feral native species:
  - in the Border Rivers-Gwydir, Namoi and Central West CMA CMA areas; and/or
  - across the whole state.
- any costs and benefits of managing Yellow Mimosa.

**Key dates** for this review include:

- **25 March 2013** – issues paper released, and start of public consultation.
- **10 April 2013** – public consultation period closes, final submissions received.
- **19 April 2013** – NRC's final advice to the Minister.

If you have any further questions about the review please contact the NRC on (02) 8227 4300 or email [nrc@nrc.nsw.gov.au](mailto:nrc@nrc.nsw.gov.au).

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<sup>12</sup> This date marks the recorded landing (and proclamation) of the first known Europeans in Australia at Botany Bay NSW.

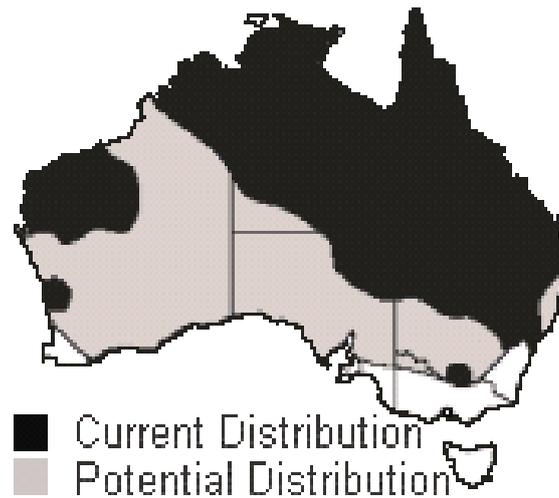


Figure 1: Distribution of Yellow Mimosa (*Vachellia farnesiana*) in Australia<sup>13</sup>

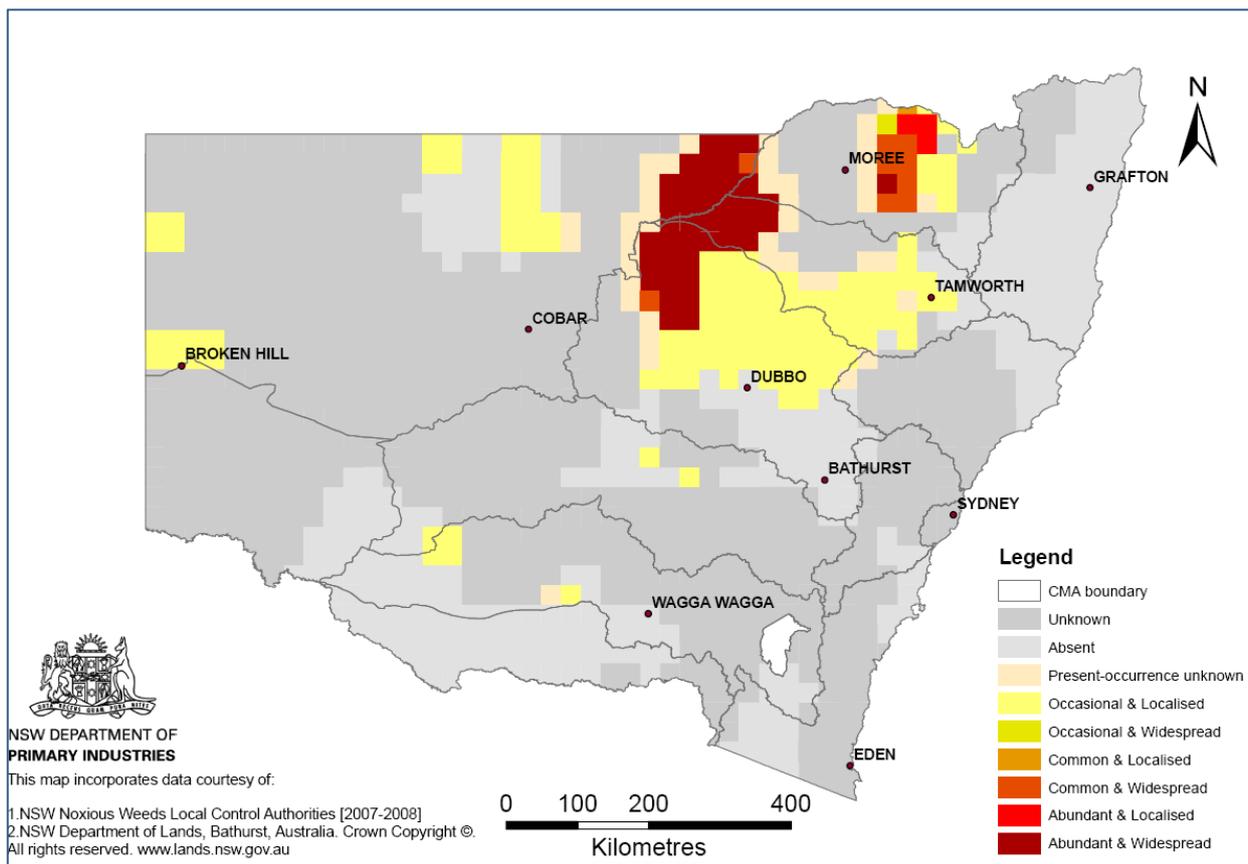


Figure 2: Distribution and abundance of Yellow Mimosa (*Vachellia farnesiana*) in NSW<sup>14</sup>

<sup>13</sup> Sourced from:  
<http://www.weeds.org.au/cgi-bin/weedident.cgi?tpl=plant.tpl&state=&s=&ibra=all&card=S34#>

<sup>14</sup> Sourced from:  
[http://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0009/339048/vachellia-farnesiana.pdf](http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0009/339048/vachellia-farnesiana.pdf)



**Figure 3: Map of proposed area for listing Yellow Mimosa as a feral native species**