

Creeping Yellow Cress - Statutory Weed Management Plan

***Rorippa sylvestris* L. Besser**

Interpretation:

In this Weed Management Plan (approved 30 August 2003)
(amendments approved 21 June 2011):

- "Act" means the *Weed Management Act 1999*.
- "Approved quarantine place" means a place approved by the Secretary under section 70 of the *Plant Quarantine Act 1997* for the purpose of examining any prescribed matter imported into or to be exported out of the State.
- "Court fine" means a prescribed penalty for breaches against the *Act*. Court fines may be imposed if a person is convicted of any offence against the *Act*.
- "DPIPWE" means the Department of Primary Industries, Parks, Water and Environment, Tasmania.
- "Infringement fine" means a prescribed penalty for breaches against the *Act*. Infringement fines are imposed by way of an infringement notice that may be issued by a Weed Inspector.
- "Inspector" means a Weed Inspector appointed under section 34 of the *Act*.
- "Penalty unit" means the basic unit of the fine for which persons who fail to comply with any prohibition or requirement under the *Act* may be liable. See [values of penalty units](#) under the *Penalty Units and Other Penalties Act 1987* for more details.
- "Quarantine Tasmania" means that branch of the Department of Primary Industries, Parks, Water and Environment that, in cooperation with the Australian Quarantine Inspection Service, maintains both overseas and interstate quarantine barriers for this State.
- "[Regional Weed Management Officer](#)" means a person employed in the Department of Primary Industries, Parks, Water and Environment under that specific title.
- "Regulations" means the *Weed Management Regulations 2000*.
- "Secretary" means the Secretary of the Department of Primary Industries, Parks, Water and Environment.
- "Zone A" includes those Tasmanian municipalities for which eradication of a declared weed is the principal management objective. These municipalities are either free of the declared weed, host only small, isolated infestations, or host larger infestations which are deemed eradicable because a strategic management plan exists and the resources required to implement it have been or are likely to be secured. See [Management of creeping yellow cress by municipality](#) (Section 12) for details.
- "Zone B" includes those Tasmanian municipalities for which

containment of the declared weed is the principal management objective. Such municipalities host large, widespread infestations of the declared weed that are not deemed eradicable because the feasibility of effective management is low at this time. These municipalities lack a strategic management plan for the weed and/or resources to undertake control actions at a level required for eradication have not been secured. See [Management of creeping yellow cress by municipality](#) (Section 12) for details.

- “Creeping yellow cress” means *Rorippa sylvestris* L. Besser and includes whole plants and plant parts, live or dead.

1. Purpose of this management plan:

The purpose of this Weed Management Plan for creeping yellow cress is to:

- Provide direction upon the implementation of the *Act* with respect to creeping yellow cress.
- Specify measures to prevent the establishment and spread of creeping yellow cress in Tasmania.

2. Area covered by this management plan:

The State of Tasmania is covered by this Weed Management Plan.

3. Description and distribution of the weed:

Creeping yellow cress is a rhizomatous herb that can infest horticultural operations and natural environments.

The plant has been detected as a weed of several ornamental bulb enterprises in southern Tasmania, and the weed has been recorded as naturalised in the Huon Valley municipality.

See the DPIPW [Creeping Yellow Cress Information Page](#) for more information on this weed.

4. Importation of declared weed:

(1) A person must not import or allow to be imported into Tasmania any creeping yellow cress.

It is an offence against section 57(1) of the Act to fail to comply with this prohibition. A person found committing that offence may incur an infringement fine of 4 penalty units. A person convicted in court of that offence may be liable to a fine not exceeding 50 penalty units.

The Secretary may exempt a person from this prohibition under section 60 of the Act.

To avoid committing this offence, actions including but not limited to the following should be undertaken:

- Persons travelling to Tasmania, in particular from areas infested with creeping yellow cress, should conduct thorough searches for the presence of the plant and apply appropriate hygiene measures, such as vehicle, baggage, footwear and clothing cleaning. In particular, any soil or plant material picked up from infested areas should be removed prior to entering Tasmania. Any questions or concerns about hygiene issues should be directed to Quarantine Tasmania personnel before or directly upon disembarkation in Tasmania.
- Persons importing items, in particular bulb or other ornamental plant stock, which may contain creeping yellow cress should have these checked for the presence of the plant. This can be arranged through Quarantine Tasmania.
- Persons importing ornamental plant stock to Tasmania should liaise with suppliers about the possibility of creeping yellow cress contamination.
- Persons importing livestock to Tasmania, in particular waterfowl or freshwater aquatic organisms, should ensure that these animals are not contaminated with creeping yellow cress material.

Note: The importation of this species into Tasmania is also restricted under the *Plant Quarantine Act 1997*. Quarantine Tasmania should be contacted for information on the relevance and application of the *Plant Quarantine Act 1997* to activities concerning plant species.

5. Procedures for notification of the occurrence of the weed:

Inspectors shall notify a [Regional Weed Management Officer](#) of any creeping yellow cress occurrences. The Regional Weed Management Officer will then check the identity of the plant and if creeping yellow cress is confirmed the Principal Weed Management Officer will initiate a weed incursion response.

6. Sale, purchase, propagation, use, &c., of declared weed:

(1) A person must not:

(a) sell creeping yellow cress or any material or thing containing or carrying creeping yellow cress; or

(b) purchase or offer to purchase creeping yellow cress or any

**material or thing containing or carrying creeping yellow cress;
or**

(c) grow, propagate or scatter creeping yellow cress; or

**(d) store creeping yellow cress or any material or thing
containing or carrying creeping yellow cress; or**

**(e) hire or offer for hire any material or thing containing or
carrying creeping yellow cress; or**

**(f) use creeping yellow cress or any material or thing containing
or carrying creeping yellow cress; or**

**(g) deal with creeping yellow cress or any material or thing
containing or carrying creeping yellow cress in any manner that
is likely to result in the spread of the declared weed.**

It is an offence against section 56(1) of the Act fail to comply with this prohibition. A person found committing that offence may incur an infringement fine of 4 penalty units. A person convicted of that offence in court may be liable to a fine not exceeding 50 penalty units.

The Secretary may exempt a person from this prohibition under section 60 of the Act.

To avoid committing this offence, actions including but not limited to the following should be undertaken:

- Persons giving away, bartering or selling, purchasing, growing, propagating or scattering, storing, hiring, using, or otherwise dealing with horticultural stock or agricultural, earthmoving or roadworking machinery should ensure that these items do not harbour creeping yellow cress contaminants by conducting appropriate inspection and cleaning procedures. Plant identification queries may be referred to a [Regional Weed Management Officer](#).

(2) It is a defence in proceedings for an offence under section 56(1) of the Act if the defendant establishes that he or she took all reasonable actions to prevent the commission of the offence.

7. Measures to reduce the number of creeping yellow cress plants, eradicate creeping yellow cress from an area or restrict creeping yellow cress to a particular area:

An Inspector may, by serving a notice on the owner of any place, require that owner to implement any of the measures described in this part of the Weed Management Plan or any other measures consistent with it.

It is an offence against section 13(3) of the Act to fail to comply with a requirement notice issued by an Inspector. A person found committing that offence may be liable to an infringement fine of 8 penalty units. A person convicted of that offence in court may be liable to a fine not exceeding 100 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.

To avoid committing this offence, actions including but not limited to the following should be undertaken:

- Persons discovering any plant resembling creeping yellow cress should contact a [Regional Weed Management Officer](#) without delay.
- Persons responsible for managing a site that has had imported horticultural produce (e.g. imported bulbs) growing upon it should check that site for the emergence of creeping yellow cress.
- Persons responsible for managing a site upon which imported agricultural, roadworking or earthmoving machinery has been used should check that site for the emergence of creeping yellow cress.
- Persons wishing to dispose of creeping yellow cress or any thing contaminated with creeping yellow cress should notify a Weed Inspector or a [Regional Weed Management Officer](#) first, in order to receive direction and advice upon how best to do this.

8. Storage in a specified area of any thing contaminated with the declared weed:

Any thing found to be contaminated with creeping yellow cress may be removed to storage at an appropriate approved quarantine place. A [Regional Weed Management Officer](#) will determine whether removal to storage at any of these facilities or treatment/destruction of material *in situ* is most appropriate.

Failure to comply with this requirement is an offence against section 51(1) of the Act. A person found committing that offence may incur an infringement fine of 4 penalty units. A person convicted of that offence

in court may be liable to a fine not exceeding 50 penalty units.

The Secretary may exempt a person from this requirement under section 60 of the Act.

To avoid committing this offence, actions including but not limited to the following should be undertaken:

- A person who discovers or suspects he/she possesses any thing contaminated with creeping yellow cress should contact an Inspector or a [Regional Weed Management Officer](#) without delay. The contaminated thing should not be moved, treated, disturbance or disposed of prior to making this contact. If creeping yellow cress is confirmed, the person will be directed and advised in the proper management, including disposal, of the contaminated thing.

9. Any other measures the Minister considers appropriate to control the weed:

There are no other measures appropriate for the management of creeping yellow cress in Tasmania at this time.

10. Exemptions:

Persons wishing to gain exemption from any of provisions of the *Act* that relate to creeping yellow cress should contact a [Regional Weed Management Officer](#) to discuss the reasons for seeking the exemption and obtain an exemption application form.

Persons granted an exemption should ensure they understand fully, any conditions specified in the exemption. Queries can be directed to a [Regional Weed Management Officer](#).

11. Review of this Weed Management Plan:

A review of this Weed Management Plan may be undertaken at least once every five years if it is necessary and desirable to do so. The review will incorporate consultation with stakeholders deemed appropriate by the Secretary, DPIPWE.

12. Management of creeping yellow cress by municipality:

Each Tasmanian municipality is classified into one of two management zones (Zones A or B) for the purposes of implementing this Weed Management Plan for creeping yellow cress.

Zone A Municipalities - eradication: Eradication is the most appropriate management objective for Zone A municipalities which have little or no creeping yellow cress, or when a credible plan for eradicating existing infestations is being developed and implemented. The ultimate management outcome for Zone A municipalities is achieving and maintaining the total absence of creeping yellow cress from within municipal boundaries.

Zone B municipalities - containment: Containment is the most appropriate management objective for Zone B municipalities which have problematic infestations but no plan and/or resources to undertake control actions at a level required for eradication. The management outcome for Zone B municipalities is ongoing prevention of the spread of creeping yellow cress from existing infestations to areas free or in the process of becoming free of creeping yellow cress.

The decision regarding which category is most appropriate for a particular municipality at a particular time is made jointly by DPIPW and each municipality. Municipalities may change categories over time. For example, a Zone B municipality may decide to develop and implement a strategic plan for creeping yellow cress, with eradication as the objective. Provided the plan is credible, this municipality would qualify for inclusion in Zone A. Conversely, a Zone A municipality with widespread infestations may decide to stop supporting a strategic plan for creeping yellow cress eradication, in which case it would be re-classified as Zone B.

Table 1 lists the distribution and management measures of all Tasmanian municipalities currently classified as Zone A for creeping yellow cress. Note that all municipalities are currently classed as Zone A for creeping yellow cress.

Table 1. Distribution and management measures for creeping yellow cress in municipalities classified as Zone A at 01/2011.

Distribution based on Tasmanian Herbarium and DPIPW records.

Municipality	Creeping yellow cress distribution	Management measures*
Break O'Day	None recorded	Prevention and early detection
Brighton	None recorded	Prevention and early detection
Burnie	None recorded	Prevention and early detection
Central Coast	None recorded	Prevention and early

		detection
Central Highlands	None recorded	Prevention and early detection
Circular Head	None recorded	Prevention and early detection
Clarence	None recorded	Prevention and early detection
Derwent Valley	None recorded	Prevention and early detection
Devonport	None recorded	Prevention and early detection
Dorset	None recorded	Prevention and early detection
Flinders	None recorded	Prevention and early detection
George Town	None recorded	Prevention and early detection
Glamorgan/Spring Bay	None recorded	Prevention and early detection
Glenorchy	None recorded	Prevention and early detection
Hobart	None recorded	Prevention and early detection
Huon Valley	Isolated occurrences	Implement integrated control program for eradication and prevent future occurrences
Kentish	None recorded	Prevention and early detection
King Island	None recorded	Prevention and early detection
Kingborough	None recorded	Prevention and early detection
Latrobe	None recorded	Prevention and early detection
Launceston	None recorded	Prevention and early detection
Meander Valley	None recorded	Prevention and early detection

Northern Midlands	None recorded	Prevention and early detection
Sorell	None recorded	Prevention and early detection
Southern Midlands	None recorded	Prevention and early detection
Tasman	None recorded	Prevention and early detection
Waratah/Wynyard	None recorded	Prevention and early detection
West Coast	None recorded	Prevention and early detection
West Tamar	None recorded	Prevention and early detection

*When a DPIPWE approved weed management strategy that has local council endorsement exists, management of this declared weed in the municipality concerned should occur with direct reference to that strategy.

The following distribution categories are used in Table 1:

“None recorded”. This means the plant is not known to be naturalised in the municipality, either from the records of the Tasmanian Herbarium or from DPIPWE databases. In cases where the plant was known to be naturalised at a previous time but is not known there currently, the description “Previously recorded, none known now” is used.

“Isolated occurrences”. This means the species is uncommon in the municipality, with populations limited to one or a few. The number of plants is generally small and/or populations cover small areas.

“Localised infestations”. This means the species is present in the municipality in moderate proportions, with populations numbering several. The number of plants is also moderate and/or populations cover moderate-sized areas.

“Widespread infestations”. This means the species is very common in the municipality, with many populations present. The number of plants present is generally large and/or populations cover large areas.

Note that the distribution descriptions presented in Table 1 apply to naturalised populations of the plant only. They do not include amenity, garden, horticultural or other deliberate plantings unless specified. The descriptions are relative and provide a general indication only of the

spatial status of the plant in the municipality. Detailed location information may be obtained by contacting a [Regional Weed Management Officer](#). In addition, if you have reason to believe any of the distribution information presented in Table 1 is incorrect, please advise a Regional Weed Management Officer.