

Spiny Burr-grass (*Cenchrus incertus*) - Statutory Weed Management Plan

Cenchrus incertus M.Curtis

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 2007*.
- "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 spiny burr-grass 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 spiny burr-grass by municipality](#) (Section 12) for details.

- "Spiny burr-grass" means *Cenchrus incertus* M.Curtis. (syn. *Cenchrus tribuloides*) and includes whole plants and plant parts, live or dead.

1. Purpose of this management plan:

The purpose of this Weed Management Plan for spiny burr-grass is to:

- Provide direction upon the implementation of the *Act* with respect to spiny burr-grass.
- Specify measures to prevent the establishment and spread of spiny burr-grass in Tasmania.

2. Area covered by this management plan:

The State of Tasmania is covered by this management plan.

3. Description and distribution of the weed:

Spiny burr-grass produces spiny burr-grass that contaminate wool and cause injury to grazing animals or anyone handling infested crops. This plant infests agricultural areas in a number of locations on the Australian mainland.

There are no known naturalised spiny burr-grass populations in Tasmania. It is recorded as an occasional contaminant of imported agricultural products.

See the DPIPW [spiny Burr-grass 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 spiny burr-grass.

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 spiny burr-grass, 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. Questions or concerns about hygiene issues should be directed to Quarantine Tasmania personnel before or directly upon disembarkation in Tasmania.
- Persons importing items to Tasmania that may contain spiny burr-grass should arrange through Quarantine Tasmania for these to be checked for the presence of the plant.

(2) Feed grain may be imported according to specifications in the Plant Quarantine Manual (Tasmania), Import Requirement 30 – Declared Weeds, Pests and Diseases in Feed Grain. This document establishes requirements for importing feed grain in order to minimise the risk of declared weed seed entry and establishment. Import Requirement 30 should be consulted by all existing and prospective feed grain importers.

(3) A person must not import any livestock that may be carrying spiny burr-grass otherwise than in accordance with any measures prescribed under the Regulations.

It is an offence against section 57(3) of the Act to fail to comply with this prohibition. A person found committing this 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.

The prescribed measures for importing stock under regulation 5 of the Regulations are as follows:

- a) the length of hairs in the coat is not to exceed 25 mm;
- b) seeds are not to adhere to the coat or anywhere else on the livestock;
- c) a permit for importation is obtained from the Secretary, DPIPW;E;
- d) importation is direct to an approved facility for slaughter.

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

- Persons importing livestock to Tasmania should liaise with suppliers on the subject of possible spiny burr-grass contamination of stock.
- Persons importing livestock should ensure their animals are confined to holding pens until coat inspection and complete bowel evacuation has occurred. Stockyards should be checked subsequently for the emergence of spiny burr-grass.
- Anyone importing stock to Tasmania should make him/herself familiar with regulation 5 of the Regulations as applies to declared weeds.

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 spiny burr-grass occurrences. The Regional Weed Management Officer will then check the identity of the plant and if spiny burr-grass 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 spiny burr-grass or any material or thing containing or carrying spiny burr-grass; or

(b) purchase or offer to purchase spiny burr-grass or any material or thing containing or carrying spiny burr-grass; or

(c) grow, propagate or scatter spiny burr-grass; or

(d) store spiny burr-grass or any material or thing containing or carrying spiny burr-grass; or

(e) hire or offer for hire any material or thing containing or carrying spiny burr-grass; or

(f) use spiny burr-grass or any material or thing containing or carrying spiny burr-grass; or

(g) deal with spiny burr-grass or any material or thing containing or carrying spiny burr-grass 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 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 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 agricultural produce or agricultural, roadworking or earthmoving machinery should verify that these items do not harbour spiny burr-grass contaminants by using appropriate inspection and cleaning techniques. Any plant identification queries may be referred to a [Regional Weed Management Officer](#).

(2) Section 56(1) of the Act does not apply in respect of feed grain for animals that is:

(a) carrying a declared weed; and

(b) imported into Tasmania in accordance with any measures prescribed for the purpose of section 57(2) of the Act and as detailed in part 4(2) of this Management Plan.

(3) 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 spiny burr-grass plants, eradicate spiny burr-grass from an area or restrict spiny burr-grass 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 spiny burr-grass should contact a [Regional Weed Management Officer](#) without delay.
- Persons responsible for managing a site that has had imported agricultural produce (e.g. imported seed) spread over it should check that site for the emergence of spiny burr-grass.
- Persons responsible for managing a site to which imported stock have been released should check that site for the emergence of spiny burr-grass.
- 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 spiny burr-grass.
- Persons wishing to dispose of spiny burr-grass or any thing contaminated with spiny burr-grass 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 spiny burr-grass 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 spiny burr-grass should contact an Inspector or a [Regional Weed Management Officer](#) without delay. The contaminated thing should not be moved, treated or disposed of prior to making this contact. If spiny burr-grass 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 spiny burr-grass in Tasmania at this time.

10. Exemptions:

Persons wishing to gain exemption from any of provisions of the *Act* that relate to spiny burr-grass 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, DPIPW.

12. Management of spiny burr-grass 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 spiny burr-grass.

Zone A Municipalities - eradication: Eradication is the most appropriate management objective for Zone A municipalities which have little or no spiny burr-grass, 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 spiny burr-grass 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 spiny burr-grass from existing infestations to areas free or in the process of becoming free of spiny burr-grass.

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 spiny burr-grass, 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 spiny burr-grass eradication, in which case it would be re-classed as Zone B.

There are no known naturalised spiny burr-grass populations in Tasmania. Therefore all municipalities are currently classed as Zone A (eradication) for spiny burr-grass.