

Yellow Nut Sedge - Statutory Weed Management Plan

Cyperus esculentus L.

Interpretation:

In this Weed Management Plan (approved 25 November 2006):
(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 yellow nut sedge 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 yellow nut sedge by municipality](#) (Section 12) for details.

- “Yellow nut sedge” means *Cyperus esculentus* L. and includes whole plants and plant parts. It does not include products such as tablets, lotions, tinctures or other preparations that contain extracts of these plants or other dead *Cyperus esculentus* materials. People who are uncertain about whether certain products (e.g. dried materials) contain plant parts capable of regenerating should contact a [Regional Weed Management Officer](#).

1. Purpose of this management plan:

The purpose of this Weed Management Plan for yellow nut sedge is to:

- Provide direction upon the implementation of the *Act* with respect to yellow nut sedge.
- Specify measures to prevent the introduction and distribution of yellow nut sedge 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:

Yellow nut sedge is an erect perennial sedge from throughout the world’s tropical and temperate regions.

This plant can invade a large number of crops, and is also known to invade natural environments. It has potential to grow in a number of Tasmanian regions.

Yellow nut sedge is not known to be present in Tasmania although plants thought to be yellow nut sedge, now apparently eradicated, were detected on sandy soils in association with a flower and bulb enterprise in the State’s north east in 1995. Declaration therefore assists preventative management of this plant by limiting its importation and requiring early eradication.

See the DPIPW [Yellow Nut Sedge 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 yellow nut sedge.

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.

Actions to assist compliance in this matter could include but are not limited to the following:

- Persons travelling to Tasmania, in particular from areas infested with yellow nut sedge, 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 yellow nut sedge should have these checked for the presence of the plant. This can be arranged through Quarantine Tasmania.
- Persons importing ornamental plants should ensure their stock does not include yellow nut sedge.

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 yellow nut sedge occurrences. The Regional Weed Management Officer will then check the identity of the plant and if yellow nut sedge 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 yellow nut sedge or any material or thing containing or carrying yellow nut sedge; or

(b) purchase or offer to purchase yellow nut sedge or any material or thing containing or carrying yellow nut sedge; or

(c) grow, propagate or scatter yellow nut sedge; or

(d) store yellow nut sedge or any material or thing containing or carrying yellow nut sedge; or

(e) hire or offer for hire any material or thing containing or carrying yellow nut sedge; or

(f) use yellow nut sedge or any material or thing containing or carrying yellow nut sedge; or

(g) deal with yellow nut sedge or any material or thing containing or carrying yellow nut sedge 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 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.

Actions to assist compliance in this matter could include but are not limited to the following:

- Persons giving away, bartering or selling, purchasing, growing, propagating or scattering, storing, using, or otherwise dealing with ornamental plants should verify that these do not include yellow nut sedge. 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 yellow nut sedge plants, eradicate yellow nut sedge from an area or restrict yellow nut sedge 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.

Actions to assist compliance in this matter could include but are not limited to the following:

- Persons discovering any plant resembling yellow nut sedge should contact a [Regional Weed Management Officer](#) without delay.
- Persons wishing to dispose of yellow nut sedge or any thing contaminated with yellow nut sedge should notify a Weed Inspector or a [Regional Weed Management Officer](#) first, in order to receive direction and 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 yellow nut sedge 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.

Actions to assist compliance in this matter could include but are not limited to the following:

- A person who discovers or suspects he/she possesses any thing contaminated with yellow nut sedge 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 yellow nut sedge is confirmed, the person will be directed and assisted 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 yellow nut sedge in Tasmania at this time.

10. Exemptions:

Persons wishing to gain exemption from any of provisions of the *Act* that relate to yellow nut sedge 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 yellow nut sedge 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 yellow nut sedge.

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

The decision regarding which category is most appropriate for a particular municipality at a particular time is made jointly by DPIPWEE 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 yellow nut sedge, 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 yellow nut sedge eradication, in which case it would be re-classified as Zone B.

There are no known naturalised yellow nut sedge populations in Tasmania. Therefore all municipalities are currently classed as Zone A (eradication) for yellow nut sedge.