**Declared noxious weeds**

Under the *Catchment and Land Protection Act 1994* (CaLP Act) certain plants are declared as noxious weeds in Victoria. These plants cause environmental or economic harm or have the potential to cause such harm. They can also present risks to human health. The CaLP Act defines four categories of noxious weeds:
 *·         State Prohibited Weeds

·         Regionally Prohibited Weeds

·         Regionally Controlled Weeds

·         Restricted Weeds*.

Invasive plants are categorised into one of the above four categories for each catchment region in Victoria.

**State prohibited weeds**

These invasive plants either do not occur in Victoria but pose a significant threat if they invade, or are present, pose a serious threat and can reasonably be expected to be eradicated. If present, infestations of a State prohibited weed are relatively small.

They are to be eradicated from Victoria if possible or excluded from the State. The Victorian Government is responsible for their eradication, but under Section 70(1) of the CaLP Act, it may direct land owners to prevent their growth and spread.

**If you think you have purchased or seen a State prohibited weed, please contact the Department of Environment and Primary Industries by telephoning 136 186. Please do not attempt to control or dispose of these weeds yourself**

**Regionally prohibited weeds**

Regionally prohibited weeds are not widely distributed in a region but are capable of spreading further. It is reasonable to expect that they can be eradicated from a region and they must be managed with that goal. Land owners, including public authorities responsible for crown land management, must take all reasonable steps to eradicate regionally prohibited weeds on their land.

**Regionally controlled weeds**

These invasive plants are usually widespread in a region. To prevent their spread, ongoing control measures are required. Land owners have the responsibility to take all reasonable steps to prevent the growth and spread of Regionally controlled weeds on their land.

**Restricted weeds**

This category includes plants that pose an unacceptable risk of spreading in this State and are a serious threat to another State or Territory of Australia. Trade in these weeds and their propagules, either as plants, seeds or contaminants in other materials is prohibited.

**Noxious aquatic species**

Some aquatic plants pose a serious threat to fisheries, the aquatic environment or human health. The *Fisheries Act 1995* has declared some species as noxious aquatic plants. It is an office to bring them into Victoria or posses, sell, transport or release them

Key points for all land owners and land occupiers about noxious weed and pest animal management

**Under s 20 of the CaLP Act, all land owners, including the Crown, public authorities and licensees of Crown lands, must, in relation to their land, take all reasonable steps to:**

·         avoid causing or contributing to land degradation which causes or may cause damage to land of another land owner;

·         eradicate regionally prohibited weeds;

·         prevent the growth and spread of regionally controlled weeds on their land;

·         prevent the spread of, and as far as possible, eradicate established pest animals.

In the case of non-compliance with s 20 of the CaLP Act, *the government may serve a Directions Notice and/or Land Management Notice on a land owner outlining measures that must be taken for the control or eradication of noxious species on their land. Not complying with the conditions of a Directions Notice or Land Management Notice is an offence and penalties may apply.*

The CaLP Act also contains provisions to prevent the spread of declared noxious weeds, through regulating the purchase, sale, possession for the purposes of sale, display, propagation or transport of these species into or within Victoria. Under the CaLP Act it is furthermore prohibited to bring into Victoria, keep, sell or release declared pest animals without an authority (permit).

In summary, it is an offence to:

·         sell or trade any restricted weeds;

·         remove or sell soil, sand, stone, gravel, fodder or grain likely to contain any part of a noxious weed without a permit. A person who contravenes any of these prohibitions may be directed to remove the noxious weed from any infested goods (animal, plants, vehicle, soil, sand, gravel and stone) or destroy them or restrict the movement if it is likely to spread weeds;

·         buy, sell, possess for sale, bring into the State or transport within the State without a permit noxious weeds, seeds of noxious weeds or any part of a noxious weed capable of growing;

·         sell or offer for hire, without a permit from DPI, any machinery that is for primary production that contains seeds of noxious weeds or other parts of noxious weeds that are capable of growing;

·         sell an animal that is carrying the seeds of a noxious weed without a permit from DPI, unless it is a farm animal being sold directly to a meat processing facility within the meaning of the *Meat Industry Act 1993*;

·         deposit on land, without a permit from DPI, a noxious weed or a part of a noxious weed that is capable of germinating;

·         import, keep, sell or release any pest animal in Victoria without a valid permit.

·         fail to comply with a Directions Notice

·         fail to comply with a Land Management Notice

**Penalties for offences under the CaLP Act**
Land owners should be aware that the maximum penalty for a single offence involving responsibilities for the management of noxious weeds is approximately $30,000 in 2012/13. For a single offence of importing, keeping, releasing or selling a prohibited pest animal, the maximum penalty is approximately $60,000 in 2012/13.