

LAND (PLANNING AND ENVIRONMENT) ACT 1991

EXPLANATORY STATEMENT

INSTRUMENT NO. 204 of 2001

Outline

The *Land (Planning and Environment) Act 1991* (Section 254(1)(b)) states that the Minister may by instrument declare a class of plants to be pest plants; either generally or in a specified area.

The instrument cannot be made unless the Minister has consulted with the Flora and Fauna Committee established under the *Nature Conservation Act 1980*. The Flora and Fauna Committee has been consulted and supports the proposed action.

After making a declaration, the Act requires the Minister to prepare a plan for the control of the propagation of plants of the relevant class.

The declaration of these plants as 'Pest Plants' does not require the immediate removal of these plants from gardens in the ACT. The declaration requires that a plan be prepared to control the spread of these plants. The plan will identify as one of its components public education about the threats these plants pose to the environment.

Plans for the control of the already declared pest plants are part of the ACT Weed Control Program prepared each year.

This Instrument is a disallowable instrument and will be published in the ACT Government Gazette. Previously, thirty-two plants were published in the ACT Government Gazette on 30 June 1999 as the ACT Pest Plants List (Instrument No. 120 of 1999). The new instrument will revoke the previous declaration.

The additional plants to be declared are:

- *Cabomba caroliniana* (Cabomba);
- *Cotoneaster* spp: *Cotoneaster franchettii*; *Cotoneaster glaucophyllus*; *Cotoneaster pannosus*; *Cotoneaster salicifolius*; *Cotoneaster simonsii*;
- *Ligustrum* spp: *Ligustrum lucidum*; *Ligustrum sinense*
- *Pyracantha* spp: *Pyracantha angustifolia*; *Pyracantha. Coccinea*; *angustifolia*; and
- *Salix* ALL species (willows), except for the **permitted species**, *Salix babylonica* var *babylonica*; *Salix x calodendron*; *Salix x reichardii*.

Schedule 1 of the Instrument lists the plants that are declared 'Pest Plants'.