

Authorised Version No. 001
Catchment and Land Protection Regulations
2012

S.R. No. 90/2012

Authorised Version as at
1 September 2012

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1 Objectives

The objectives of these Regulations are to prescribe, for the purposes of the **Catchment and Land Protection Act 1994**—

- (a) the particulars that a land owner must provide when notifying the Secretary that he or she has taken measures to comply with a notice under the Act;
- (b) the measures that the Secretary may direct a land owner to take for the eradication or control of a noxious weed or the European Rabbit.

2 Authorising provision

These Regulations are made under section 95 of the **Catchment and Land Protection Act 1994**.

3 Commencement

These Regulations come into operation on 1 September 2012.

4 Revocation

The following Regulations are **revoked**—

- (a) Catchment and Land Protection Regulations 2002¹;
- (b) Catchment and Land Protection (Amendment) Regulations 2006²;

- (c) Catchment and Land Protection (Amendment) Regulations 2007³;
- (d) Catchment and Land Protection Amendment Regulations 2008⁴.

5 Definitions

In these Regulations—

Australian Pesticides and Veterinary Medicines

Authority means the body corporate continued in existence under section 6 of the Agricultural and Veterinary Chemicals (Administration) Act 1992 of the Commonwealth;

European Rabbit means a rabbit of the species known by the scientific name of *Oryctolagus cuniculus*;

Note

Feral and wild populations of the European Rabbit are declared to be pest animals under the Act.

the Act means the **Catchment and Land Protection Act 1994**.

6 Prescribed particulars of measures taken to comply with notices

For the purposes of sections 46, 47E and 70D of the Act, the prescribed particulars as to the measures that the land owner has taken are—

- (a) a description of each measure; and
- (b) the date on which each measure was taken; and
- (c) the name of the persons engaged in taking each measure and, if any person so named is not the land owner, the telephone number or other information by which that person may be contacted; and

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- (d) if a measure taken was the application of a herbicide product registered by the Australian Pesticides and Veterinary Medicines Authority, the name of the herbicide product and the method and rate of application; and
 - (e) if a measure taken was the application of a pesticide product registered by the Australian Pesticides and Veterinary Medicines Authority, the name of the pesticide product and a statement as to whether or not the pesticide was applied in accordance with the product label and the directions for use.

7 Prescribed measures for the eradication or control of noxious weeds

- (1) For the purposes of sections 47B and 70B of the Act, the following is a prescribed measure for the eradication or control of the noxious weeds in Column 1 of the table in the Schedule—

the application, in accordance with the product label and directions for use, of a herbicide product that is registered by the Australian Pesticides and Veterinary Medicines Authority, the product label of which allows for the control of the relevant noxious weed, and if that herbicide is delivered through a hand held appliance, the incorporation of a compatible marker dye in the herbicide.

- (2) For the purposes of sections 47B and 70B of the Act, the following is a prescribed measure for the eradication or control of the noxious weeds in Column 2 of the table in the Schedule—

the cultivation of the soil by means of turning over the soil in which the noxious

weed is located to a depth of not less than 15 centimetres.

- (3) For the purposes of sections 47B and 70B of the Act, the following is a prescribed measure for the eradication or control of the noxious weeds in Column 3 of the table in the Schedule—

the removal of the entire noxious weed, including its roots, from the soil.

- (4) For the purposes of sections 47B and 70B of the Act, the following is a prescribed measure for the eradication or control of the noxious weeds in Column 4 of the table in the Schedule—

the reduction to mulch of as much of the noxious weed as appears above the soil.

Note

A direction under section 70B(1) or a declaration under section 47A(1) of the Act does not obviate the need to comply with any other laws of Victoria or the Commonwealth.

8 Prescribed measures for the eradication or control of the European Rabbit

For the purposes of sections 47B and 70B of the Act, the following are prescribed measures for the eradication or control of the European Rabbit—

- (a) twice ripping the earth in which a warren of the European Rabbit is located and the earth four metres beyond each warren entrance, where the individual rip lines are not more than 50 centimetres apart and not less than 50 centimetres deep and where the second rip is made at right angles to the first rip;
- (b) the application to a warren, in accordance with the product label and directions for use, of a fumigant product that is registered for the fumigation of the European Rabbit by the Australian Pesticides and Veterinary

Medicines Authority and making the warren inaccessible to the European Rabbit by ensuring that all entrances to that warren are blocked, sealed and remain closed.

Sch.

SCHEDULE

Regulation 7

**NOXIOUS WEEDS FOR WHICH MEASURES ARE
PRESCRIBED**

<i>Item</i>	<i>Column 1 Application of herbicide</i>	<i>Column 2 Cultivation</i>	<i>Column 3 Removal</i>	<i>Column 4 Mulching</i>
1	<i>Acroptilon repens</i> Hardheads/ Russian Knapweed		<i>Acroptilon repens</i> Hardheads/ Russian Knapweed	
2	<i>Ailanthus altissima</i> Tree of Heaven		<i>Ailanthus altissima</i> Tree of Heaven	
3	<i>Allium vineale</i> Wild Garlic	<i>Allium vineale</i> Wild Garlic	<i>Allium vineale</i> Wild Garlic	
4	<i>Alternanthera pungens</i> Khaki Weed	<i>Alternanthera pungens</i> Khaki Weed	<i>Alternanthera pungens</i> Khaki Weed	
5	<i>Amsinckia</i> spp. Amsinckia	<i>Amsinckia</i> spp. Amsinckia	<i>Amsinckia</i> spp. Amsinckia	
6	<i>Asphodelus fistulosus</i> Onion Weed	<i>Asphodelus fistulosus</i> Onion Weed	<i>Asphodelus fistulosus</i> Onion Weed	
7	<i>Calicotome spinosa</i> Spiny Broom	<i>Calicotome spinosa</i> Spiny Broom	<i>Calicotome spinosa</i> Spiny Broom	
8	<i>Carduus tenuiflorus/C. pycnocephalus</i> Slender/Shore Thistle		<i>Carduus tenuiflorus/C. pycnocephalus</i> Slender/Shore Thistle	
9	<i>Carthamus lanatus</i> Saffron Thistle	<i>Carthamus lanatus</i> Saffron Thistle	<i>Carthamus lanatus</i> Saffron Thistle	

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<i>Item</i>	<i>Column 1 Application of herbicide</i>	<i>Column 2 Cultivation</i>	<i>Column 3 Removal</i>	<i>Column 4 Mulching</i>
10	<i>Cenchrus longispinus</i> Spiny Burr Grass/Gentle Annie	<i>Cenchrus longispinus</i> Spiny Burr Grass/Gentle Annie	<i>Cenchrus longispinus</i> Spiny Burr Grass/Gentle Annie	
11	<i>Centaurea calcitrapa</i> Star Thistle	<i>Centaurea calcitrapa</i> Star Thistle	<i>Centaurea calcitrapa</i> Star Thistle	
12	<i>Centaurea solstitialis</i> St Barnaby's Thistle	<i>Centaurea solstitialis</i> St Barnaby's Thistle	<i>Centaurea solstitialis</i> St Barnaby's Thistle	
13	<i>Cestrum parqui</i> Chilean Cestrum		<i>Cestrum parqui</i> Chilean Cestrum	
14	<i>Chondrilla juncea</i> Skeleton Weed		<i>Chondrilla juncea</i> Skeleton Weed	
15	<i>Chrysanthemoides monilifera</i> Boneseed/ Bitou Bush		<i>Chrysanthemoides monilifera</i> Boneseed/ Bitou Bush	
16	<i>Cirsium arvense</i> Californian/ Perennial Thistle		<i>Cirsium arvense</i> Californian/ Perennial Thistle	
17	<i>Cirsium vulgare</i> Spear Thistle	<i>Cirsium vulgare</i> Spear Thistle	<i>Cirsium vulgare</i> Spear Thistle	
18	<i>Conium maculatum</i> Hemlock	<i>Conium maculatum</i> Hemlock	<i>Conium maculatum</i> Hemlock	
19	<i>Convolvulus arvensis</i> Bindweed	<i>Convolvulus arvensis</i> Bindweed	<i>Convolvulus arvensis</i> Bindweed	

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Item	<i>Column 1</i> <i>Application</i> <i>of herbicide</i>	<i>Column 2</i> <i>Cultivation</i>	<i>Column 3</i> <i>Removal</i>	<i>Column 4</i> <i>Mulching</i>
20	<i>Crataegus monogyna</i> Hawthorn		<i>Crataegus monogyna</i> Hawthorn	
21	<i>Cuscuta</i> spp. Dodder	<i>Cuscuta</i> spp. Dodder	<i>Cuscuta</i> spp. Dodder	
22	<i>Cynara cardunculus</i> Artichoke Thistle		<i>Cynara cardunculus</i> Artichoke Thistle	
23	<i>Cytisus scoparius</i> English Broom		<i>Cytisus scoparius</i> English Broom	
24	<i>Datura ferox</i> Thorn Apple (Long-spine)	<i>Datura ferox</i> Thorn Apple (Long-spine)	<i>Datura ferox</i> Thorn Apple (Long-spine)	
25	<i>Datura inoxia</i> Thorn Apple (Recurved)	<i>Datura inoxia</i> Thorn Apple (Recurved)	<i>Datura inoxia</i> Thorn Apple (Recurved)	
26	<i>Datura stramonium</i> Thorn Apple (Common)	<i>Datura stramonium</i> Thorn Apple (Common)	<i>Datura stramonium</i> Thorn Apple (Common)	
27	<i>Diploaxis tenuifolia</i> Sand Rocket/Sand Mustard	<i>Diploaxis tenuifolia</i> Sand Rocket/Sand Mustard	<i>Diploaxis tenuifolia</i> Sand Rocket/Sand Mustard	
28	<i>Dipsacus fullonum</i> Wild Teasel	<i>Dipsacus fullonum</i> Wild Teasel	<i>Dipsacus fullonum</i> Wild Teasel	
29	<i>Dittrichia graveolens</i> Stinkwort	<i>Dittrichia graveolens</i> Stinkwort	<i>Dittrichia graveolens</i> Stinkwort	
30	<i>Echium plantagineum</i> Paterson's Curse		<i>Echium plantagineum</i> Paterson's Curse	

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<i>Item</i>	<i>Column 1 Application of herbicide</i>	<i>Column 2 Cultivation</i>	<i>Column 3 Removal</i>	<i>Column 4 Mulching</i>
31	<i>Echium vulgare</i> Viper's Bugloss		<i>Echium vulgare</i> Viper's Bugloss	
32	<i>Emex australis</i> Spiny Emex		<i>Emex australis</i> Spiny Emex	
33	<i>Eragrostis curvula</i> African Love-grass	<i>Eragrostis curvula</i> African Love-grass	<i>Eragrostis curvula</i> African Love-grass	
34	<i>Foeniculum vulgare</i> Fennel		<i>Foeniculum vulgare</i> Fennel	
35	<i>Genista linifolia</i> Flax-leaved Broom		<i>Genista linifolia</i> Flax-leaved Broom	
36	<i>Genista monspessulana</i> Cape Broom/ Montpellier Broom		<i>Genista monspessulana</i> Cape Broom/ Montpellier Broom	
37	<i>Hypericum androsaemum</i> Tutsan		<i>Hypericum androsaemum</i> Tutsan	
38	<i>Hypericum perforatum</i> St John's Wort		<i>Hypericum perforatum</i> St John's Wort	
39	<i>Hypericum tetrapterum</i> St Peter's Wort	<i>Hypericum tetrapterum</i> St Peter's Wort	<i>Hypericum tetrapterum</i> St Peter's Wort	
40	<i>Juncus acutus</i> Spiny Rush		<i>Juncus acutus</i> Spiny Rush	
41	<i>Lavandula stoechas</i> Topped Lavender	<i>Lavandula stoechas</i> Topped Lavender	<i>Lavandula stoechas</i> Topped Lavender	

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<i>Item</i>	<i>Column 1 Application of herbicide</i>	<i>Column 2 Cultivation</i>	<i>Column 3 Removal</i>	<i>Column 4 Mulching</i>
42	<i>Lepidium draba</i> Hoary Cress		<i>Lepidium draba</i> Hoary Cress	
43	<i>Leucanthemum vulgare</i> Ox-eye Daisy		<i>Leucanthemum vulgare</i> Ox-eye Daisy	
44	<i>Lycium ferocissimum</i> African Boxthorn		<i>Lycium ferocissimum</i> African Boxthorn	
45	<i>Marrubium vulgare</i> Horehound	<i>Marrubium vulgare</i> Horehound	<i>Marrubium vulgare</i> Horehound	
46	<i>Melianthus comosus</i> Tufted Honeyflower		<i>Melianthus comosus</i> Tufted Honeyflower	
47	<i>Moraea flaccida</i> Cape Tulip (One-leaf)		<i>Moraea flaccida</i> Cape Tulip (One-leaf)	
48	<i>Moraea miniata</i> Cape Tulip (Two-leaf)		<i>Moraea miniata</i> Cape Tulip (Two-leaf)	
49	<i>Nassella trichotoma</i> Serrated Tussock	<i>Nassella trichotoma</i> Serrated Tussock	<i>Nassella trichotoma</i> Serrated Tussock	
50	<i>Onopordum acanthium</i> Scotch/ Heraldic Thistle		<i>Onopordum acanthium</i> Scotch/ Heraldic Thistle	

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<i>Item</i>	<i>Column 1 Application of herbicide</i>	<i>Column 2 Cultivation</i>	<i>Column 3 Removal</i>	<i>Column 4 Mulching</i>
51	<i>Onopordum acaulon</i> Stemless Thistle		<i>Onopordum acaulon</i> Stemless Thistle	
52	<i>Onopordum illyricum</i> Illyrian Thistle		<i>Onopordum illyricum</i> Illyrian Thistle	
53	<i>Opuntia monacantha</i> Prickly Pear (Drooping)		<i>Opuntia monacantha</i> Prickly Pear (Drooping)	
54	<i>Opuntia robusta</i> Wheel Cactus		<i>Opuntia robusta</i> Wheel Cactus	
55	<i>Opuntia stricta</i> Prickly Pear (Erect)		<i>Opuntia stricta</i> Prickly Pear (Erect)	
56	<i>Pennisetum macrourum</i> African Feather-grass	<i>Pennisetum macrourum</i> African Feather-grass	<i>Pennisetum macrourum</i> African Feather-grass	
57	<i>Physalis viscosa</i> Prairie Ground Cherry		<i>Physalis viscosa</i> Prairie Ground Cherry	
58	<i>Picnomon acarna</i> Soldier Thistle		<i>Picnomon acarna</i> Soldier Thistle	
59	<i>Proboscidea louisianica</i> Devil's Claw (Purple- flower)		<i>Proboscidea louisianica</i> Devil's Claw (Purple- flower)	
60	<i>Proboscidea lutea</i> Devil's Claw (Yellow- flower)		<i>Proboscidea lutea</i> Devil's Claw (Yellow- flower)	

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<i>Item</i>	<i>Column 1 Application of herbicide</i>	<i>Column 2 Cultivation</i>	<i>Column 3 Removal</i>	<i>Column 4 Mulching</i>
61	<i>Rosa rubiginosa</i> Sweet Briar		<i>Rosa rubiginosa</i> Sweet Briar	
62	<i>Rubus fruticosus</i> agg. Blackberry		<i>Rubus fruticosus</i> agg. Blackberry	<i>Rubus fruticosus</i> agg. Blackberry
63	<i>Salpichroa organifolia</i> Pampas Lily- of-the-Valley	<i>Salpichroa organifolia</i> Pampas Lily- of-the-Valley	<i>Salpichroa organifolia</i> Pampas Lily- of-the-Valley	
64	<i>Scolymus hispanicus</i> Golden Thistle		<i>Scolymus hispanicus</i> Golden Thistle	
65	<i>Senecio jacobaea</i> Ragwort	<i>Senecio jacobaea</i> Ragwort	<i>Senecio jacobaea</i> Ragwort	
66	<i>Senecio pterophorus</i> African Daisy		<i>Senecio pterophorus</i> African Daisy	
67	<i>Silybum marianum</i> Variegated Thistle		<i>Silybum marianum</i> Variegated Thistle	
68	<i>Solanum elaeagnifolium</i> Silverleaf Nightshade		<i>Solanum elaeagnifolium</i> Silverleaf Nightshade	
69	<i>Solanum linnaeanum</i> Apple of Sodom		<i>Solanum linnaeanum</i> Apple of Sodom	
70	<i>Solanum rostratum</i> Buffalo Burr		<i>Solanum rostratum</i> Buffalo Burr	

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<i>Item</i>	<i>Column 1 Application of herbicide</i>	<i>Column 2 Cultivation</i>	<i>Column 3 Removal</i>	<i>Column 4 Mulching</i>
71	<i>Tribulus terrestris</i> Caltrop		<i>Tribulus terrestris</i> Caltrop	
72	<i>Ulex europaeus</i> Gorse/Furze	<i>Ulex europaeus</i> Gorse/Furze	<i>Ulex europaeus</i> Gorse/Furze	<i>Ulex europaeus</i> Gorse/Furze
73	<i>Verbascum thapsus</i> Great Mullein		<i>Verbascum thapsus</i> Great Mullein	
74	<i>Watsonia meriana</i> var. <i>bulbillifera</i> Wild Watsonia		<i>Watsonia meriana</i> var. <i>bulbillifera</i> Wild Watsonia	
75	<i>Xanthium spinosum</i> Bathurst Burr	<i>Xanthium spinosum</i> Bathurst Burr	<i>Xanthium spinosum</i> Bathurst Burr	
76	<i>Xanthium strumarium</i> (incl. <i>X. occidentale</i> and <i>X. orientale</i>) Noogoora Burr/ Californian Burr	<i>Xanthium strumarium</i> (incl. <i>X. occidentale</i> and <i>X. orientale</i>) Noogoora Burr/ Californian Burr	<i>Xanthium strumarium</i> (incl. <i>X. occidentale</i> and <i>X. orientale</i>) Noogoora Burr/ Californian Burr	

ENDNOTES

1. General Information

The Catchment and Land Protection Regulations 2012, S.R. No. 90/2012 were made on 28 August 2012 by the Governor in Council under section 95 of the **Catchment and Land Protection Act 1994**, No. 52/1994 and came into operation on 1 September 2012: regulation 3.

The Catchment and Land Protection Regulations 2012 will sunset 10 years after the day of making on 28 August 2022 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

There are no amendments made to the Catchment and Land Protection Regulations 2012 by statutory rules, subordinate instruments and Acts.

Endnotes

3. Explanatory Details

¹ Reg. 4(a): S.R. No. 83/2002 as amended by S.R. Nos 149/2006, 23/2007 and 91/2008.

² Reg. 4(b): S.R. No. 149/2006.

³ Reg. 4(c): S.R. No. 23/2007.

⁴ Reg. 4(d): S.R. No. 91/2008.