

THE NOXIOUS WEEDS ACT, 1950.

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It is not the purpose of this paper to enquire into the reason for the failure of the policy of noxious-weed control throughout New Zealand up to the present time. Such an enquiry would possibly prove embarrassing to certain authorities and in any case, would hardly serve any useful purpose. Rather is it intended simply to point out the principal features of the new Act and their application, without, I hope, too much tedious detail. Also, I hope to stress the part which it is expected that County Councils will play in the administration of the new Noxious Weeds Act, 1950.

Under the 1928 Act, Borough Councils and Town Boards were given the option of assuming the responsibility of administering the Act within their respective areas. No mention was made in this Act of County Councils acting in a similar manner. In the 1934 Amendment to the Noxious Weeds Act, however, County Councils were given the option. Since this latter date, and up to the introduction of the 1950 Act, less than half the County Councils in New Zealand had availed themselves of the chance of assuming responsibility.

Of the counties that have been administering the Act, some have achieved some measure of progress in the control of noxious weeds, whilst others have been less successful. It must be admitted that most of the good work has been confined to the control and eradication of ragwort, for which work substantial Government subsidies have been available, whilst other weeds have been seriously neglected.

In the 1950 Act the administration of the Act by Boroughs and Town Boards is mandatory, whilst every inducement is extended to the counties to assume responsibility within their areas.

A large part of the new Act deals with the powers that can be given to any County Council that decides to administer the Act, and, from a perusal of the Act, one can gather that the Government realises that the counties have a definite moral obligation to see that the noxious weeds are at least controlled, if not eliminated, from lands that they control. There are great possibilities for good work if County Councils decide to administer this Act, provided Councillors are prepared to ensure that the provisions of the Act are enforced fearlessly, and without favouritism.

Under Section 22, Sub-section 4, of the 1950 Act, the Minister of Finance may pay a subsidy to County Councils that decide to administer the Act. The amount of this subsidy has lately been fixed at the rate of £ for £ and it is limited to the actual administration costs covering the salary and travelling expenses of any inspectors appointed.

There are ample powers given to counties to borrow money for the purposes of noxious-weed eradication. It is presumed that these monies would be used in the purchase of equipment such as power-spray outfits, special ploughs, or crushing machines, which would be too expensive for any individual farmer to purchase. Such equipment could possibly be hired out to farmers, or the work could be done by county gangs on a contract basis.

Special rating-powers are conferred on a county to raise funds for noxious-weed work and such rating may be on a differential basis, according to the degree of infestation of the lands concerned, much on the same lines as that adopted by certain Rabbit Boards.

Another new provision of the Act empowers a county to acquire weed-infested land for afforestation. The planting of trees under properly controlled conditions is well recognised as a means of eliminating certain noxious weeds, and this scheme is to be commended to counties as a sound long-term investment.

Another new feature of the 1950 Act is the presentation of the Schedule of Weeds that a local body may declare to be noxious. A county may declare weeds to be noxious within certain specified areas of a county. The only schedule of weeds in this Act contains the names of some 60 or 70 weeds,

all or any of which may be declared to be noxious by a local authority within the area under its jurisdiction. There is no schedule comparable to the 1st Schedule of the old Act. It will be remembered that this 1st Schedule contained the names of four weeds which were declared to be noxious over the whole of the country. There are, however, two weeds that are not mentioned in the Schedule, but that must be cleared from market gardens or nurseries in any district. These are Bermuda buttercup and nut-grass.

An indication of the growing realisation of the importance of chemical sprays in the control of noxious weeds is given, I think, in the new interpretation of the term "clear" in relation to weeds. In the 1928 Act "clear" meant "cutting down, or grubbing, or pulling up the stem, or root, of any noxious weed". In 1934, the Amendment to the Act, described "clear" as the "doing of any act or acts which destroy or effectively control the spread of noxious weeds". This was, I think, an excellent and practical interpretation. Under the new Act, the definition is much shorter, but probably more comprehensive when it is given that "clear" in relation to any plant, means "to do any act which destroys that plant".

It must not be lost sight of that the primary responsibility for weed clearance rests with the individual farmer, but the county, through its inspector, can give its ratepayers invaluable assistance in the way of advice, hire of machinery, etc., using the penal clauses of the Act only against those who fail to respond to persuasion.

In many counties, infested areas are very extensive, and the appointment of a full time inspector is fully warranted. Such an officer should have sufficient inducement to make a real study of the problems in his district, to keep up-to-date on the latest scientific methods, and to be not only an enforcement officer but also an advisory officer. A servant of the county who has to divide his time between noxious-weeds work and other duties such as dog-tax collector, ranger, or overseer, can hardly be expected to work up the enthusiasm required for this specialised job.

Many counties are utilising the services of Rabbit Board inspectors as Noxious Weed inspectors, and this has proved very successful on account of the intimate knowledge these men have of their areas. In these cases, however, the services of a Supervising Inspector would probably be required to ensure uniformity of action between the different Inspectors and to enable them to keep up-to-date on modern methods of control.

Where neighbouring counties feel that they have each insufficient work to warrant the employment of a full-time inspector, provision is made whereby two or more counties may combine in the administration of the Noxious Weeds Act. This may well prove the deciding factor where on these grounds, counties are hesitating to administer the Act. This would ensure both uniformity of control and an economy in overhead charges.

A further way in which co-operation between neighbouring counties may be obtained, is for a group of counties each to appoint a representative to a Central Advisory Committee, to which one or more departmental officers would also be appointed, in an advisory capacity. The function of this Central Committee would be to co-ordinate generally all aspects of noxious-weed control. This would include, primarily, a more or less uniform list of noxious weeds in each county. In the past, anomalies have frequently occurred in that weeds have been declared noxious in one county, but were not so declared in an adjoining county. Further valuable work could be done by these Central Committees in obtaining specialised advice from scientific workers and passing it on to member counties, in supervising field trials, and in circulating results to others. This would avoid the considerable waste of time and money that would occur if each county were to conduct its own small field trials.

If, or when, it is found that a county after having assumed the responsibility for the administration of this Act, has, for some reason failed in satisfactorily preventing the spread of noxious weeds, or is taking no steps towards eradication, the Minister may, after due notice, again take over the administration of the Act in that county's area.

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D I S C U S S I O N  
ON NOXIOUS WEEDS ACT 1950

MR. SAXBY: I would like to make a few comments for I do feel that as far as the Act is concerned the key man is always the inspector and not a group of County Councils. I think that is rather overlooked. One does see quite extensive lists of weeds that could not possibly grow in that particular area, which does show that the declaration on weeds is a matter that should be more carefully considered than it has been.

MR. ROBINSON: I must compliment the speaker on the manner in which he has described the interpretation of such a comprehensive subject. Section 22 of the Act states that the Minister may grant subsidies to County Councils, and Road Boards who have taken over the administration of the Noxious Weeds Act, but no provision is made for a subsidy to Town Boards or Borough Councils although it is now mandatory for them to administer the Act. Being a county inspector I have been given the authority by the Local Bodies situated within my county to administer the Act within their districts, which now means that while I am on inspections of Town Board and Borough Councils, my Council will not be able to claim any subsidy from the Minister. The only reason my Council granted the use of their inspector to these bodies was to ensure a complete coverage of the county, and a universal method of administration.

MR. HUBBARD: I think it is specifically stated in the Act that subsidies are only granted to Councils and Road Boards. There is no provision for Borough Councils and Town Boards. I think that is because of the small amount of area involved and the inspectors would not be full time noxious weeds inspectors.

MR. BANFIELD: I understand that the counties now have the power to take over any land that is not kept up, Maori land for instance. Can you clarify the position as to what these powers are?

MR. HUBBARD: The power to take over land is given and will be taken under the Public Works Acts.

MR. BANFIELD: That land could actually be taken over?

MR. HUBBARD: I think the taking over of the land would apply only to abandoned land or land that is not being farmed properly.

DR. YEATES: Mr. Hubbard has mentioned that provision has been made for clearing weeds from Crown lands of all sources. One of the major sources of weed distribution through the country is the railway. There are some railway men here I know and I would like to know whether the Minister is going to give his approval for something to be done about this matter.

MR. HUBBARD: We hope that it will be. When you mention railway land I know it has been rather a sticky problem in the past. The Railway Department has its own system for the control of noxious weeds on its property. They have in the past had gangs going along the permanent way spraying and so forth, but, where that work is not being done, representations should be made to the Railway Department by the county concerned, and if they are unsuccessful the matter should be taken to a higher level, and I am sure some results would be obtained if the position were pointed out to the Minister of Railways. I know the Railways have funds for the control of noxious weeds.

MR. BARRON: I have made representations on several occasions and I have never had any trouble. The Department has always been most helpful.

MR. NEILL: I think I have had more trouble with them than anyone else in this country. We have tried every means at our disposal to induce them to do something. We have even approached the Minister. We have never been able to get anything done, particularly with blackberry. We have sprayed road-sides running parallel to the railways and have shown and advised them what to do, all to no avail. I think the railway lands could be taken as unkept Crown land under the Act and that we have power to apply to the Minister to do that work with a grant from the Department. We have had no end of trouble from the Railway Department and it is very unfortunate.