



Noxious Weed Policy

DOCUMENT REVIEW AND APPROVAL

This document has been approved by:

	Approved by	Minute No.	Date Approved
1.	Environment Health and Regulation Committee – EHR025-13		10 December 2012
2.			

Revision history:

Version	Author	Date	Revision
1.	Manager – Parks & Waterways	26 November 2012	Original Version
2.	Manager – Parks & Waterways	24 March 2014	Policy reviewed as part of annual review process. Policy is to be maintained in current format.
3.	Manager – Parks Operations/ Coordinator Bushland	29 February 2016	Policy reviewed as per annual process. Minor amendments in reference to new Legislation and addition of link to NSW DPI website.
4.	Governance Manager	20 June 2016	Policy reviewed and minor amendments made – formatting/ presentation.

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1. PURPOSE

The purpose of this policy is summarised as follows:

- Protect the Sutherland Shire's natural and constructed environments from noxious weeds.
- Minimise the impact of noxious weeds on council owned/managed land and privately owned land.
- Deter and reduce the further spread of existing or new noxious weed species within the Sutherland Shire Council LGA.
- Promote public awareness of noxious weed management.
- Facilitate legal action against landholders who do not control noxious weeds as defined by this policy and the *Noxious Weed Act 1993*.

The Noxious Weed Policy provides clear principles and guidelines to Sutherland Shire Council and the community on how noxious weed species located within the Sutherland Shire Council local government area, both on public and privately owned land, are to be managed and the legal actions that may be taken to enforce their removal or control.

This policy is a guide for Council staff, the community and contractors in correct procedures and will assist with the numerous requests that Council receives every year for noxious weed management and removal. It provides direction for how and when requests will be inspected, assessed and prioritised according to their significance and importance. It provides Council staff with guidelines for a consistent and appropriate response to noxious weed presence on privately owned land. It aims to prevent unsustainable or non strategic work practices from being carried out that often cause increased associated problems.

This policy provides a framework for council responses to noxious weed presence that are consistent with council's Urban Tree and Bushland Policy, the Threatened Species Conservation Act 1995 and the Noxious Weed Act 1993.

2. APPLICATION

This policy applies to any listed noxious weeds present on land owned or managed by Sutherland Shire Council and on privately owned land. Noxious weeds currently declared under the *Noxious Weed Act 1993* for the Sutherland Shire Council LGA can be found as per NSW DPI website link in Appendix A.

3. DEFINITIONS

Noxious Weed – is a plant declared by an Order under Section 7 of the Noxious Weeds Act to be a noxious weed. The following is a link to the Noxious Weed Act:

http://www.austlii.edu.au/au/legis/nsw/consol_act/nwa1993182/sch99.html

4. PRINCIPLES

4.1 Weed Control on Public Land

The management of noxious weed species in public reserves will be conducted in areas where long-term control programs will deliver the greatest benefits to ensure the long term protection of Sutherland Shire Council's endemic natural ecosystems, public health and social values.

- In Bushland Reserves, noxious weeds will be priority managed where they are impacting on;
 - Threatened Species
 - Wildlife corridors.
 - Endangered ecological communities and vegetation corridors
 - Management burn areas (pre and post-fire weeding).
 - Council bushland maintained by Bushcare volunteers.
 - Health and Safety for recreation.
- In Parks, Reserves and Sports fields, noxious weeds will be priority managed where they are impacting on;
 - Health and Safety for recreational users
 - Native vegetation or natural areas
 - Aesthetic values
- In road reserves, car parks, pathways & business centres, noxious weeds will be priority managed where they are impacting on;
 - Vision of vehicular traffic
 - Health and safety of pedestrians
 - Native vegetation or natural areas
- The control of noxious weed species will conform to Council's responsibilities under the relevant legislation.
- Noxious weeds will not be removed if the area is considered a low priority or if the noxious weeds are providing important habitat to native fauna and their removal would negatively impact the wildlife.

4.2 Weed Control on Private Property

Regulatory Control will be achieved by:

- Providing clear direction and expert advice to the public and private land managers on how to best identify and manage weeds on their land.
- Encouraging and enforcing the compliance of private landholder's obligations under the *Noxious Weeds Act 1993*. The procedure for enforcement of legal requirements under the *Noxious Weeds Act 1993* is shown in Appendix B.
- The Implementation and continuation of ongoing public education campaigns on the negative impacts of noxious weeds.

4.3 Noxious Weed Management Methods & Applications

All noxious weed management/eradication will be undertaken using appropriate industry-endorsed methods for the control of noxious weeds. This will depend on location, noxious weed species and land use. Management/eradication methods may include the following:

- Physical removal:
 - To be undertaken with minimal disturbance to surrounding land
 - Following appropriate health and safety guidelines for weed removal
- Chemical application:
 - Herbicide applied in accordance with the Registered Label, Permit or Pesticide Order;
 - Follow correct procedure for spraying near watercourses
 - Ensure public notification of herbicide applications is consistent with Council's Pesticide Notification Plan.
 - Ensure Council employees, contractors and volunteers undertaking weed control on public land conduct their activities in accordance with Council's Workplace Health and Safety Policy.
- Biological controls:
 - Approved by the Commonwealth Scientific & Industry Research Organisation (CSIRO).

5. PROVISIONS FOR ENFORCEMENT ON PRIVATE PROPERTY

Council will implement the appropriate actions listed below according to the severity of the noxious weed present as defined by the Weed Control Class Categories in the *Noxious Weeds Act 1993*.

- Weed Control Categories – Class 1, Class 2 and Class 3
Council will fully implement the requirements of the *Noxious Weeds Act 1993* using the procedure defined in Appendix B.
- Weed Control Categories – Class 4
Noxious weed notices for Class 4 noxious weeds will only be issued to private properties where;
 - The noxious weed is having a negative impact on threatened species or high conservation areas.
 - The noxious weed is growing on private property and is impacting a Council land.
 - Noxious weeds are coming from Council land and impacting the private property.
 - There are multiple Class 4 weeds present at site.
 - The request for removal is accompanied by a doctor's certificate stating that the weed species is causing health problems.

- Weed Control Categories – Class 5
Council will conform to the requirements in the *Noxious Weeds Act 1993* for a notifiable weed and supply educational information to private property owners.

6. PREVENTION OF FURTHER SPREAD OF NOXIOUS WEEDS

Council will:

- Ensure all works on Council lands do not include planting of noxious weeds or environmental weeds that may in the future be listed as noxious weeds.
- Ensure landscape and erosion control materials used by Council (such as topsoil and straw bales etc.) are free of noxious weed seeds and propagules.
- Ensure council staff and contractors do not discard vegetation material (e.g. lawn clippings) into Natural Areas.
- Investigate and prosecute illegal dumping in Natural Areas.

7. RELEVANT LEGISLATION

- **Threatened Species Conservation Act 1995**

The main objective of the TSC Act is to conserve biological diversity. The Act provides for the listing of threatened species populations and ecological communities. The Act also provides for the preparation of recovery plans for threatened species, populations and ecological communities and the designation of areas as habitat critical to the survival of those listed as endangered. The Act provides for the identification of key threatening processes and the amelioration of these through the preparation and implementation of threat abatement plans.

- **Noxious Weeds Act 1993**

Under this Act the Minister for Agriculture has the power to make Orders declaring plants as “noxious weeds” (listed in Schedule 1 of the Act). Weeds can be declared “noxious” if they pose a threat to agriculture, the environment or community health, and there is a public benefit from such declaration. A number of environmental weeds have now been declared under this Act, for example, bitou bush in all coastal councils. Noxious weeds are classified into five categories with different control requirements. These control categories stipulate levels of control required to be undertaken by the responsible landowner and authority.

- **Other Relevant Legislation**

- Biosecurity Act 2015
- Environment Protection and Biodiversity Conservation Act 1999
- Biological Controls Act 1985
- Occupational Health and Safety Act 2000
- Environmental Planning and Assessment Act 1979

- Pesticides Act 1999
- Sydney Local Land Services Transition Catchment Action Plan 2013-2023

This plan assists in prioritising and implementing weed management programs in the diverse landscapes throughout the Greater Sydney Local Land Services region. This plan is a guide for the concentration efforts, resources and funding toward minimising the impact of new and existing weeds.

- **New South Wales Invasive Species Plan 2015-22**

This plan aims to prevent new incursions, containing existing populations and adaptively manage widespread species. The goal is to foster a cooperative culture where all relevant parties contribute with the aim of minimising the impacts of invasive species in NSW.

8. RELATED AND ASSOCIATED COUNCIL POLICY AND PROCEDURES

- Council's Urban Tree and Bushland Policy
- Sutherland Shire Biodiversity Strategy
- Plans of Management – Natural Areas

9. RESPONSIBLE OFFICER

Manager Park Operations is responsible for:

- Implementation of the Policy;
- Compliance with relevant legislation;
- Biennial review of the Noxious Weeds Policy.

10. RESPONSIBILITIES

Responsibilities of:

Staff – application of policy, control of Noxious Weeds;

Councillors – adoption of policy;

Managers – implementation of policy;

Directors – implementation of policy.

11. MONITORING

Application of the policy will be monitored by the Natural Areas Manager through liaison with Council service providers.

Updating of the policy in response to customer feedback or external changes will be implemented through a review process.

12. REVIEW DATE

Council will review this policy on a biennial basis within the first quarter of the relevant calendar year or at the request of Council or in response to legislative and statutory requirements.

13. RECORD KEEPING, CONFIDENTIALITY AND PRIVACY

- Records in all formats must be managed in accordance with legislation and Council's Record Keeping Program.
- Information and records relating to customers is held in accordance with Council's a Privacy Management Plan.
- Access to information relating to noxious weeds is to be carried out in accordance with Council's Access to Information Policy.
- A copy of the Policy will be available for inspection at Council's Administration office during ordinary business hours and on Council's website.

14. BREACHES AND SANCTIONS

Council is committed to the standards contained in this policy. All staff must adhere to this policy in regards to providing an effective service to the community.

Any staff member acting outside this policy will be subject to the process as outlined in Council's Staff Disciplinary Policy.

APPENDIX A

Noxious weed declarations for Sutherland Shire Council are managed under the *Noxious Weeds Act 1993*, as per the NSW Department of Primary Industry weed list in following link:
<http://www.dpi.nsw.gov.au/WeedDeclarations?RegionId=102>

APPENDIX B

Procedure for enforcement of legal requirements under the *Noxious Weeds Act 1993*.

