



Noxious Weeds Strategy

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Introduction

Woollahra Council's Noxious Weed Policy sets out a framework for the control of noxious weeds on private and public land within the Woollahra Local Government Area (LGA). Council's Noxious Weed Strategy provides for the implementation of that policy based on:

- the exercising of regulatory powers under the *Noxious Weeds Act 1993* (NWA 1993); and
- the undertaking of specific on-ground weed control activities; and
- the dissemination of educational and instructional information to the broader community;
- the monitoring and recording of the presence and distribution of noxious weeds within the Woollahra LGA; and
- the development of a co-operative regional planning approach for weed control with other Local Control Authorities (LCAs), public authorities and land holders generally.

Council, in its role as the Local Control Authority (LCA) for the Woollahra LGA, has specific responsibilities under the NWA (1993). This Strategy is based primarily on legislative requirements as contained in the Act.

Scope

This Strategy applies to all private, **but not** all public land within the Woollahra LGA. Council as the LCA is not directly responsible for obligations under the NWA 1993 in respect of land owned by other public authorities (eg. Historic Houses Trust, NSW National Parks and Wildlife Service) or land under the control of another LCA. Woollahra Council does however have responsibility for the control of noxious weeds on all other public land that it manages including roadways.

This Strategy deals principally with noxious weed control. Importantly, it also takes account of the control of environmental weeds that have a measurable negative impact on natural ecosystems within the Woollahra LGA and therefore have the potential to be declared noxious at a future date. Refer to Woollahra's Noxious Weed Policy for definitions of **noxious** and **environmental** weeds.

Related Plans and Strategies

This Strategy is consistent with the aims and objectives of the following plans and strategies:

- Regional Weed Plans (Sydney Regional Weeds Committees)
- Weeds Cooperative Research Centre Strategic Plan 2004-2008 (Federal Department of Education, Science and Training)
- NSW Weed Strategy 1998 (NSW Department of Primary Industries)
- National Weeds Strategy 1997 (Federal Department of Agriculture Fisheries and Forestry)
- Woollahra Local Environment Plan 1995
- Plans of Management for Class 4 noxious weeds
- Woollahra Vegetation Management Strategy (under development and partly adopted)
- Draft Weed Management Strategy for the Sydney Metropolitan Catchment 2006 (Sydney Weeds Committees and Sydney Metropolitan Catchment Management Authority)

Actions

As the LCA for the Woollahra LGA, Council seeks to meet the objectives of its Noxious Weeds Policy through a strategy that undertakes action in three specific areas:

- 1) Regulatory
 - Apply for the making of Weed Control Orders in accordance with the NWA 1993 (requires application to the Minister for Primary Industries)
 - Amend and prepare weed control management plans as required by legislation for existing and future Class 4 noxious weeds
 - Develop weed management agreements with occupiers/owners of private land on which noxious weeds are known to occur
 - Conduct property inspections and serve Notice of Weed Control Orders on private land as required, in accordance with the NWA 1993, using Council's Noxious Weed Property Inspection and Notification Procedure
 - Comply with all requirements and responsibilities in respect of notifiable weeds as set out in the NWA 1993
 - Utilize powers under the NWA 1993 to prevent the propagation, sale and distribution of noxious weeds through inspection of local nurseries, florists, markets and other businesses dealing in plant material
 - Keep a record of noxious weed occurrence and distribution within the Woollahra LGA as required under the NWA 1993

2) Educational

- Promote awareness, knowledge and skill development in respect of noxious weed and environmental weed control through:
 - Preparation and distribution of noxious and environmental weed fact sheets, brochures and related information including the distribution of Environmental Weed Notifications
 - Provision of advice and instruction in response to resident inquiries about noxious weeds and environmental weeds on private land
 - Staging regular Bushcare information and training events

3) On-Ground and Related Activities

- Control noxious weeds on public land and support the control of noxious weeds on private land according to the control requirements of the Class to which they belong
- Control environmental weeds on public land in a prioritised manner with available resources
- Maintain Council's Bushcare program, thereby removing and suppressing noxious weeds
- Maintain Council's scheduled bush regeneration, horticultural maintenance team and roadway weed treatment programs
- Maintain an environmental capital works program that addresses noxious and environmental weeds issues
- Apply for environmental grant funding in support of noxious and environmental weed control
- Liaise with other public authorities on noxious and environmental weed issues in respect of the development of regional weed control plans, joint grant applications and any other issue which would facilitate improved control of noxious and environmental weeds regionally
- Maintain Council membership of the Sydney Central Regional Weeds Committee

Program for Weed Control

Weed Control on Public Land

Council has in place this Strategy in order to eradicate, contain or prevent the establishment and spread of noxious and environmental weeds in a prioritised approach based on available resources. Weed control programs are based on Council and contract labour, with volunteer support provided through Council's Bushcare program.

Council is obliged by legislation to control weeds listed under a Weed Control Order of the NWA 1993 for the Woollahra LGA. Additionally, Council controls weeds that are not presently listed but have a measurable impact on the sustainability of native biodiversity in bushland areas and on the aesthetics, functionality and/or recreation value of general parks, reserves, streetscapes and roadways.

Specifically, Council has in place:

- A detailed scheduled bush regeneration program for all bushland areas under Council management control within the Woollahra LGA;
- A volunteer-based Bushcare program supplementing bushland maintenance schedules;
- A detailed scheduled horticultural maintenance program for parks, reserves and streetscapes;
- A weed spraying program within local roadways; and
- An Environmental Capital Works program that includes contracted weed clearance and revegetation projects within Council's bushland parks.

Within bushland areas Council adopts an integrated weed management (IWM) approach, using a range of suitable chemical and non chemical control methods that are practical, cost effective, and reduce reliance on herbicide. An IWM approach requires knowledge of weed control methods, weed biology and life cycle, and good planning. In this sense, weed control does not always equate with weed eradication. This is acknowledged in recent amendments to the NWA 1993, wherein Class 4 weeds are to be controlled according to a management plan prepared by individual LCAs (or a regional collective of LCAs that uniformly declare a particular weed as being noxious). A Class 4 weed control management plan may allow a plan of action that results in effective control based on containment and prevention of spread of a noxious weed rather than complete eradication which is often unrealistic over large areas.

Weed Control on Private Land

Noxious Weeds

Council as the LCA for the Woollahra LGA ensures control of noxious weeds on private land through the dissemination of relevant information, the making of Weed Management Agreements and the exercising of regulatory powers.

Under Section 36 of the NWA 1993, Woollahra Council as the Local Control Authority must:

“ensure, so far as is practicable, that owners and occupiers of land (other than public authorities or other local control authorities) carry out obligations to control noxious weeds imposed under this Act”

Specifically in relation to private land within the Woollahra LGA and under Sec.12 of the NWA 1993:

“An occupier (other than a public authority or a local control authority) of land to which a weed control order applies must control noxious weeds on the land as required under the order”.

Woollahra Council seeks to meet the objectives of the NWA 1993 through an approach that encourages education of, and dialogue with, occupiers and/or owners of private land within the Woollahra LGA on which noxious weeds occur.

Weed Management Agreements will be sought with private land occupiers/owners that outline required short and long term outcomes in respect of noxious weed control and control methods to be utilized.

If a Weed Management Agreement results in inadequate control of identified noxious weed/s on private land then pursuant to the provisions of Section 18 of the NWA1993, a Weed Control Notice can be issued that compels the occupiers/owners of such land to meet their obligations under Section 12 of the Act. Penalties are set out under Sec.19 of the Act for non-compliance. In the event of non-compliance with a Weed Control Notice, Council has additional powers under Sec. 20 of the Act to enter land and arrange for the control of noxious weeds at the expense of the land occupiers/owners.

Property Inspection and Weed Control Notification Procedure for Private Land

A flowchart (Attachment 5) outlines the procedure for noxious weed inspection, the making of Noxious Weed Agreements on private land and the serving of Weed Control Notices on private land owners/occupiers within the Woollahra LGA. It specifies minimum time periods that should be allowed between key events in the procedure, as stipulated in the NWA 1993. However, the Minister has the right to issue an *Emergency Control Order* with much shorter time periods specified.

The General Procedure is summarized as follows:

Step 1: Property Inspection carried out after giving prior notice. If noxious weeds present then,

Step 2: Weed Management Agreement (Attachment 2) made outlining required short and long term outcomes in respect of noxious weed control and control methods to be utilized. If a Weed Management Agreement results in inadequate control of an identified noxious weed/s on private land then,

Step 3: Notification to Property Owner/Occupier of Intention to serve notice of a Weed Control Order (Attachment 3) is given pursuant to the provisions of Section 18A of the NWA 1993. This notice sets out the terms of the proposed notice and the period within which the proposed action must be taken. The notice of intention must specify a period (being not less than 7 days) within which submissions about the proposed notice may be made to Council. Council must consider any submissions made by or on behalf of an owner or occupier. Finally, Council must determine whether to proceed with the proposed notice and, if proceeding, whether to change its terms. If reasons to proceed remain then,

Step 4: Weed Control Notice (Attachment 4) served pursuant to the provisions of Section 18 of the NWA 1993. The Notice sets out the action to be taken and specifies a period being not less than 14 days in which that action is to be taken. If it results in inadequate control then,

Step 5: Court Action can be initiated under Section 19 of the NWA 1993 **and/or** Council may **enter land** under Section 20 of the NWA 1993 and control weeds at expense of owner/occupier

Environmental Weeds

Council encourages increased awareness and control of environmental weeds on private land through the distribution of Environmental Weed Notices (Attachment 1), the dissemination of educational and instructional information and the promotion and ongoing development of Council's Bushcare program. This supports Council's broader integrated weed management approach that acknowledges that many environmental weeds that impact upon the sustainability of natural ecosystems have the potential to be declared noxious.

Strategy Duration

Amendments to the *Noxious Weeds Act 1993* came into force on 1 March 2006. The Act is to be reviewed after five years from this date. This Strategy will be reviewed at the same time.

Want to know more?

For further information on this Strategy contact our Parks and Street Trees Section on 9391 7980

This Strategy provides for the implementation of Council's Noxious Weeds Policy. This Strategy should be read in conjunction with the Policy.

Gary James
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