

Policy

Title: No Spray Register

Category: Recreation, Parks, Bushland and Reserves

Date Last Adopted: 15 February 2022

1. Objectives

This policy provides the framework for the City's No Spray Register in accordance with the Section 26 of the Code of Practice for Spraying in Public Places.

2. Background

The City is responsible for vegetation and weed management within its road reserves.

Management methods for the control of vegetation include mowing, slashing and the use of chemical herbicides to eradicate vegetation growing in the road reserve.

The City undertakes a minimum of 4 spray cycles per year, covering fourteen urban suburban areas across the municipal area.

In the use of chemical herbicides, the City abides by the **Code of Practice for Spraying in Public Places**, issued by the Department of Primary Industries, Parks, Water and Environment in support of the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*, that outlines the minimum acceptable standards in the spraying of weeds and vegetation in public places.

In respect to spraying within road reserves abutting non-council owned land, Section 26 of the Code of Practice provides property owners the opportunity to request the City to not apply chemical products for weed or insect pest control in front of their property, subject to the owner undertaking weed and vegetation control to the satisfaction of the City.

26. *Property owners who request the Council to desist from spraying in front of their properties on public land must prepare a proposed pest control plan detailing how they intend to control the problem themselves.*

The plan must be approved by the Council and carried out in a timely manner.

If the issue is not dealt with satisfactorily, the Council may resume responsibility for the maintenance of the land using chemical products if necessary.

3. Policy

That:

1. In accordance with **Section 26 of the Code of Practice for Spraying in Public Places**, the City consider requests by property owners to desist in the chemical spraying of vegetation and weeds in road reserves abutting their property.
2. The property owner's vegetation/weed (pest) control plan to ensure the following:
 - Control of all weed species;
 - Keeping the road frontage clear and/or tidy;
 - Keeping drainage and or paths free of obstruction and fully operational at all times;
 - Ensuring kerbs, footpaths and gutters are free of vegetation growth;
 - Be applicable to the entire frontage, including the side and rear of the property if abutting a City road reserve;
 - Removal of existing trees and vegetation must not occur without permission from the City;
3. The City's consideration of an application under Section 26 of the Code is to consider the following:
 - Whether the adjoining land is used for certified organic vegetable/fruit production;
 - Existence of a medical condition in the household which may be exacerbated by exposure to herbicides or associated additives;
 - The applicant holding other mitigating circumstances that may warrant an area not being exposed to the use of herbicide chemicals;
 - Whether the proposed alternative method for the control of weeds is deemed an achievable method;
 - Whether the applicant may have previously been on the no spray register and has undertaken the required obligations to the City's satisfaction.

4. Successful applications be included on the City's No Spray Register, as detailed below:
 - The register be for a period of 24 months starting from 1 July.
 - Applications are non-transferrable;
 - Tenants of a property or residents part of a unit complex or strata property to provide written confirmation from the landlord or body corporate in support of the request.
 - Applications for inclusion on the Register be advertised annually for a period of two months and promoted on the City's website, and by other means as deemed suitable.
 - An orange delineator marker will be placed on the property boundaries on the nature strip or footpath, to assist with identifying properties. Should the property be removed from the register the delineator will be removed.
5. Should the applicant not manage the control of weeds and vegetation to the satisfaction of the City, the following occur:
 - The City advice the applicant in writing that maintenance must occur within fourteen (14) days of the date of the correspondence.
 - Failure by the applicant to conduct maintenance of the area within fourteen (14) days to result in the City undertaking, without further notice, any necessary work to control the vegetation.
 - The City resume responsibility for the maintenance of the land, using chemical products if necessary.
 - The applicant be removed from the Register at the end of the fourteen (14) day period, without further notice, if the required maintenance has not been completed.
 - The applicant may reapply to be placed on the register at the next application period, June 30.
6. Tenders and contracts for the spraying of city road reservations are to acknowledge no spray zones and properties as listed on the Register.
 - Council Officers and contractors are to abide by the No Spray Register.
7. Procedures to implement the above policy be developed to the satisfaction of the Director City Amenity.

4. Legislation, Terminology and References

Terminology:

Pest control plan:

A plan detailing how the property owner intends to control a pest. A pest is defined in the Code of Practice for Spraying in Public Places as a weed or insect pest.

Weed:

A plant which is either growing in an undesirable location (ie. within a footpath or kerb and gutter) or a weed listed in a Federal or State weed index, or other weed list recognised by the City.

References:

Code of Practice for Spraying in Public Places

Prepared by the Agricultural and Veterinary Chemicals Program of the Department of Primary Industries, Parks, Water and Environment. (Issued June 2004)

Agricultural and Veterinary Chemicals (Control of Use) Act 1995.

Responsible Officer:	Director City Amenity
Policy first adopted by the Council:	23/11/2015
History	
Annual Policy Review	7/3/2016
Amended by Council	23/9/2019
Amended by Council	15/2/2022
Next Review Date:	September 2023
File Reference:	F16/65245

