

*Hawkesbury River County Council*

WEED MANAGEMENT  
POLICY

*Adopted April, 2006*

6 Walker Street  
*SOUTH WINDSOR N.S.W 2756*

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## ***Introduction***

Weed management is an essential activity on all land in respect to State legislation, Common Law, the community's desire to maintain local landscape and Council's commitment to the principals and practices of Ecologically Sustainable Development (ESD). Aspects of health, safety, biodiversity conservation and amenity can be seriously affected by weeds.

Hawkesbury River County Council is a single purpose authority for the control of noxious weeds, and came into existence in 1948.

As presently constituted, the County consists of the combined areas of the four Constituent councils of Baulkham Hills Shire, Blacktown, Hawkesbury and Penrith Cities; a combined County area of 3,823 square kilometres.

The population of the Hawkesbury/Nepean River catchment is increasing due to the northward and westward expansion of Sydney's urban areas. This expansion has created water quality problems, especially in the lower reaches of the catchment. The increased levels of nitrogen and phosphorus from treated sewerage and the increase in water temperature due to urban run-off has promoted the growth of aquatic, and terrestrial plant life, many of the species in the river are exotic and not constrained by natural predators and environmental conditions.

Undisturbed aquatic ecosystems have the capacity to regulate plant life in its system; this natural balance no longer exists in the Hawkesbury/Nepean River due to the pressures of the "Urban Sprawl".

This policy outlines Council's weed management philosophy in respect to relevant legislation and community concerns, and provides guidance for various Council programs. The policy also allows recognised actions outlined in the National and State strategies and various regional and catchment weed management strategies.

## ***1.0 Weed Management Policies***

### **1.1 Weed Control on Private Property / Regulatory Control**

- Make private property owners or occupiers aware of the presence of noxious weeds on their land.
- Ensure private property owners or occupiers control noxious weeds in accordance with their obligations under the Noxious Weeds Act (1993) and ensure that their actions are undertaken in an environmentally sensitive manner, particularly in or near waterways.
- Make exceptions, in respect to the removal of Class 4 noxious weed trees, where a tree is deemed to have heritage significance (as per the Noxious Weeds Act, 1993) - ie. where the tree is a significant in the local landscape, or is on an identified heritage property or is within an Urban Conservation Area.
- Make declared noxious weeds and urban environmental weeds exempt from protection under Constituent Council's Tree Preservation Orders.
- To enforce compliance with removal of noxious weeds on sites adjoining natural areas that are weed free.

### **1.2 Development Control**

**1.2.1** Require the removal of noxious weeds as a condition of development consent.

**1.2.2** Require amendments to be made to landscape plans submitted as part of Development Applications, where they include or retain noxious weeds.

**1.2.3** Make exceptions, in respect to the removal of Class 4 noxious weeds, where a tree is deemed to have heritage significance (as per the Noxious Weeds Act, 1993) - ie. where the tree is significant in the local landscape, or is on an identified heritage property or is within an Urban Conservation Area.

**1.2.4** Require the removal of noxious weeds as a condition of development consent within 300m of a Natural Area except where noxious weeds are to be mown and physical barriers are constructed that are capable of restricting vegetative spread.

### **1.3 Weed Control on Public Land**

**1.3.1** Undertake immediate eradication of noxious weed species that are not known to occur elsewhere in Hawkesbury River County Council (e.g. Class 1 and 2 noxious weeds).

**1.3.2** Control and eradicate all species of noxious weeds on public land in accordance with the weed management priorities listed below.

**1.3.3** Undertake weed control in Natural Areas in accordance with the following priorities; where weeds impact on:

- biodiversity (threatened species and communities);
- management burn areas (pre and post-fire weeding);
- bushland areas in good condition;
- local bushland areas maintained by Bushcare volunteers;
- health and safety of recreational users;
- private property, causing private nuisance;
- aesthetic values.

**1.3.4** Undertake weed control in Constituent Council Parks & Sportsgrounds in accordance with the following priorities; where noxious weeds impact on:

- health and safety of recreational users;
- use and enjoyment of recreational users;
- native vegetation or natural areas;
- private property, causing private nuisance;
- aesthetic values.

**1.3.5** Undertake weed management in Constituent Council Road Reserves, Car Parks, Pathways and Business Centres in accordance with the following priorities; where noxious weeds impact on:

- vision of vehicular traffic;
- health and safety of pedestrian users;
- native vegetation or natural areas;
- private property, causing private nuisance;
- aesthetic values.

**1.3.6** Undertake weed eradication in conjunction with planned landscape refurbishment within Parks, Sportsgrounds, Road Reserves, Business Centres, Car Parks and Pathways.

**1.3.7** Participate in relevant catchment, regional and State weed plans and projects.

**1.3.8** Inform Government authorities, responsible for managing land in Hawkesbury River County Council area, as to Council's commitment to control noxious weeds and, where necessary, encourage them to fulfil their legal obligations and responsibilities to the local community.

## **1.4 Weed Eradication Methods & Applications**

**1.4.1** Undertake appropriate methods for the eradication of noxious weeds, in accordance with Council's standards depending upon the species, location and land use. Such methods can include:

- Physical removal with minimum disturbance to the surrounding environment;
- Herbicide applied by injection, direct application or controlled spraying used in accordance with the Registered Label, Permit or Pesticide Order; or
- Biological controls that are approved by the Commonwealth Scientific & Industrial Research Organisation (CSIRO).

**1.4.2** Not undertake herbicide spraying on blackberry when in fruit.

**1.4.3** When spraying in or near watercourses, ensure herbicides registered for use in or near waterways are used, or that appropriate licences are obtained which include conditions to minimise the impact on the environment.

**1.4.4** Consider alternative weed eradication techniques before spraying with herbicides.

**1.4.5** Ensure that the least toxic herbicides are used in operations when herbicides are considered the appropriate control method.

**1.4.6** Notify adjacent residents and interest groups as to the intention to spray herbicide on road verges.

**1.4.7** Inform users of Parks & Sportsgrounds of reserve closures when undertaking controlled broad spraying of herbicide.

**1.4.8** Ensure Council employees undertaking weed control on public land conduct their activities in accordance with Council's Occupational Health and Safety Policy.

**1.4.9** Ensure contract staff carrying out weed control on public land, conduct their activities in accordance with this policy, occupational health and safety requirements and the Pesticides Act (1999).

## **1.5 Prevention**

**1.5.1** Ensure landscape and erosion control materials used by Council (such as topsoil and straw bales etc.) are free of weed seeds and propagules.

**1.5.2** Ensure council staff and contractors do not discard noxious weed material into Natural Areas.

**1.5.3** Regulate private companies involved with the sale of plants, to ensure that they do not stock or distribute noxious weeds (including hybrids), and discourage sale of urban environmental weeds and nuisance plants.

## **1.6 Community Education**

**1.6.1** Provide assistance to the public with the identification of noxious weeds, urban environmental weeds and nuisance plants.

**1.6.2** Undertake educational and awareness programs to encourage private owners or occupiers to eradicate and not propagate noxious weeds, urban environmental weeds and nuisance plants on their land.

**1.6.3** Encourage and provide advice as to suitable replacement species for noxious weeds, urban environmental weeds and nuisance plants, including the nursery industry.

## 1.7 Incentives

1.7.1 Investigate, encourage and utilise opportunities for incentive programs which encourage the removal of noxious weeds on private or public land.

## 2.0 Administration

This policy is administered and enacted in accordance with the delegations of authority from the Council to the General Manager and subsequent delegations from the General Manager to staff. It will be reviewed every four years or as required.

The attached schedule in the appendix may be reviewed and amended by the Minister for Agriculture and Council and declared or adopted separately without alterations to the policy statements in section 1 of this document.

## 3.0 Definitions

**Biodiversity:** is the variety of life forms, the different plants, animals and micro-organisms, the genes they contain and the ecosystems they form. It is usually considered at three levels: genetic diversity, species diversity and ecosystem diversity.

**Bushland:** is land on which there is vegetation that is either a remnant of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

**Ecologically Sustainable Development (ESD):** is development that uses, conserves and enhances the community's resources so that ecological processes, on which life depends, are maintained and the total quality of life now and in the future can be increased.

**Landscape:** is the composite of natural and human features that characterise the surface of the land; includes spatial, textural, compositional and dynamic aspects of the land.

**Natural Areas:** are areas of community land that have been classified by Council under the Local Government Act (1993) as bushland, wetland, escarpment, watercourse or foreshore.

**Noxious Weeds:** are declared by the Minister of Agriculture under the provisions of the Noxious Weeds Act, 1993. Noxious weeds are considered to be a serious threat to human or animal health, agricultural production, natural resources or native ecological communities.

**Nuisance Plants:** are considered by Council to be pest species in public open space.

**Tree:** as defined in Council's Tree Preservation Order is a woody plant greater than 5 metres in height or has a branch spread exceeding 4 metres.

**Urban Environmental Weeds:** are identified by Council as species that constantly cause public and private nuisance in Hawkesbury River County Council area.

**Weed:** is a plant growing in a location where it degrades the designated land use, or a plant in a location that can readily spread to degrade other land.

## ***4.0 Legislation***

### **4.1 Statutory Obligations**

Hawkesbury River County Council has the statutory responsibility and powers with respect to weed management under the following NSW legislation and State Planning Policies:

- Pesticides Act 1999.
- Noxious Weeds Act, 1993.
- Occupational Health and Safety Act, 2000.
- State Environmental Planning Policy No.19 - Bushland in Urban Areas, 1986.
- Environmental Planning and Assessment Act, 1979.

### **4.2 Pesticides Act, 1999**

The Pesticides Act (1999) aims to protect and minimise risks to human health, the environment, property and trade in relation to use of pesticides. This includes the use of herbicides for weed control. It is an offence to use a pesticide in a way that causes injury or likely injury to another person, damage or likely damage to another person's property or harm to a non-target plant or animal.

The Act requires all pesticides and container labels to be registered and approved by the Australian Pesticides and Veterinary Medicines Authority. The Act also requires all persons intending to use or store pesticides, to read and carefully follow all instructions on the product label for the correct use, storage and disposal of the pesticide, and not alter, deface, obliterate or destroy the product label. When using or storing a pesticide, persons shall not willingly or carelessly disregard any instructions or use the pesticide contrary to the product label unless a Permit or Order for off-label use has been issued.

### **4.3 Noxious Weeds Act, 1993**

The Noxious Weeds Act (1993) provides for the Minister for Agriculture to issue an Order declaring a plant noxious. This declaration may specify a plant to be noxious in a determined portion, or the whole of the State.

The weeds declared as noxious in the Hawkesbury River County Council area are listed in Appendix A. These noxious weeds have been listed into five (5) Classes as specified in the Act, being Class 1,2,3,4,and 5.

In Hawkesbury River County Council area, the action required for each control Class is:

**CLASS 1:** State Prohibited Weeds. “The plant must be eradicated from the land and the land must be kept free of the plant”.

**CLASS 2:** Regionally Prohibited Weeds. “The plant must be eradicated from the land and the land must be kept free of the plant”.

**CLASS 3:** Regionally Controlled Weeds. “The plant must be fully and continuously suppressed and destroyed”.

**CLASS 4:** Locally Controlled Weeds. “The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority”.

**CLASS 5:** Restricted Plants. “The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with”.

The control objectives for each Class are as follows:

**CLASS 1:** the control objective for weed control class 1 is to prevent the introduction and establishment of those plants in NSW.

**CLASS 2:** the control objective for weed control class 2 is to prevent the introduction and establishment of those plants in parts of NSW.

**CLASS 3:** the control objective for weed control class 3 is to reduce the area and the impact of those plants in parts of NSW.

**CLASS 4:** the control objective for weed control class 4 is to minimise the negative impact of those plants on the economy, community or environment of NSW.

**CLASS 5:** the control objective for weed control class 5 is to prevent the introduction of those plants into NSW, the spread of those plants within NSW or from NSW to another jurisdiction.

The Minister for Agriculture is responsible for the control of noxious weeds in the State and for ensuring the public authorities and Council control noxious weeds on land that they manage.

#### **4.4 Occupational Health and Safety Act, 1983**

The Occupational Health and Safety Act (2000) requires Council to ensure the health, safety and welfare of staff or voluntary personnel carrying out weed management activities on Constituent Council land. This applies in particular to those persons involved with the use of machinery and herbicides. Various regulations and codes of practice under the Act relate to the control of hazardous substances including most pesticides. For example, the Occupational Health and Safety (Hazardous Substances) Regulation 2001 covers identification of hazardous substances in the workplace and the assessment and control of risks associated with their use.

## 4.5 State Environmental Planning Policy No. 19

State Environmental Planning Policy No. 19 requires Council to remove weeds from bushland in accordance with the policy's primary aim "to protect and preserve bushland within the urban area, so as to provide representation of the original vegetation in its natural state and enable the existing plant communities to survive in the long term". In accordance with this policy, developments adjacent to bushland are subject to Council's conditions of consent.

## 4.6 Environmental Planning and Assessment Act, 1979

The Environmental Planning and Assessment Act (1979) enables Council to undertake environmental planning and development control and consider the protection of existing vegetation. The Act allows Council to request and assess landscape plans and impose appropriate conditions of consent on development.

These conditions of consent may require existing noxious weeds to be removed. Under the Act, Council also has to consider the impact on the environment as a result of the removal of large trees, some of which may be listed as noxious weeds.

### Appendix A. - Noxious Weeds

Declared under Noxious Weeds Act (1993); as at 1<sup>st</sup> March 2006.  
(refer section 4.3 for control category descriptions)

Common Name	Botanical Name	Class
Anchored Water Hyacinth	<i>Eichhornia azurea</i>	1
Black knapweed	<i>Cenraurea nigra</i>	1
Broomrapes	<i>Orobanche</i> species except the native <i>O. cernua</i> variety <i>australiana</i> and <i>O. minor</i>	1
Chinese Violet	<i>Asystasia gangetica</i> ssp <i>micrantha</i>	1
East Indian Hygrophila	<i>Hygrophila polysperma</i>	1
Eurasian Water Milfoil	<i>Myriophyllum spicatum</i>	1
Hawkweed	<i>Hieracium</i> spp.	1
Horsetail	<i>Equisetum</i> spp.	1
Hymenachne	<i>Hymenachne amplexicaulis</i>	1
Karoo Thorn	<i>Acacia karoo</i>	1
Kochia	<i>Kochia scoparia</i>	1
Lagarosiphon	<i>Lagarosiphon major</i>	1
Mexican Feather Grass	<i>Stipa tenuissima</i>	1
Miconia	<i>Miconia</i> spp.	1
Mimosa	<i>Mimosa pigra</i>	1
Parthenium Weed	<i>Parthenium hysterophorus</i>	1
Pond Apple	<i>Annona glabra</i>	1
Prickly Acacia	<i>Acacia nilotica</i>	1
Rubbervine	<i>Cryptostegia grandiflora</i>	1
Senegal Tea Plant	<i>Gymnocoronis spilanthoides</i>	1
Siam Weed	<i>Chromolaena odorata</i>	1
Spotted knapweed	<i>Centaurea maculosa</i>	1
Water Caltrop	<i>Trapa</i> spp	1
Water Lettuce	<i>Pistia stratiotes</i>	1
Water Soldier	<i>Stratiotes aloides</i>	1
Witchweed	<i>Striga</i> spp except native spp & <i>S.parviflora</i>	1
Yellow Burrhead	<i>Limnocharis flava</i>	1

Hygrophila	<i>Hygrophila costata</i>	2
Alligator Weed	<i>Alternanthera philoxeroides</i>	3
Giant Parramatta Grass	<i>Sporobolus indicus</i> Var. <i>major</i>	3
Green Cestrum	<i>Cestrum parqui</i>	3
Ludwigia	<i>Ludwigia peruviana</i>	3
Mother of Millions	<i>Bryophyllum</i> species and hybrids	3
Salvinia	<i>Salvinia molesta</i>	3
Water Hyacinth	<i>Eichhornia crassipes</i>	3
African Boxthorn	<i>Lycium ferrocissimum</i>	4
Blackberry	<i>Rubus fruticosus</i> (agg. spp.)	4
Californian/Cockle/Bathurst/No ogooora Burrs	<i>Xanthium</i> spp.	4
Chilean Needle Grass	<i>Nassella neesiana</i>	4
Columbus Grass	<i>Sorghum x alumum</i>	4
Crofton Weed	<i>Ageratina adenophora</i>	4
Johnson Grass	<i>Sorghum halepense</i>	4
Harrisia Cactus	<i>Harrisia</i> species	4
Long-leaf Willow Primrose	<i>Ludwigia longifolia</i>	4
Pampas Grass	<i>Cortaderia</i> spp.	4
Paterson's Curse and Vipers/Italian Bugloss	<i>Echium</i> spp.	4
Pellitory	<i>Parietaria judaica</i>	4
Prickly Pear	<i>Cylindropuntia</i> species	
Prickly Pear	<i>Opuntia</i> species except <i>O. ficus-india</i>	
Privet (Broadleaf)	<i>Ligustrum lucidum</i>	4
Privet (Narrowleaf/Chinese)	<i>Ligustrum sinense</i>	4
Rhus Tree	<i>Toxicodendron succedaneum</i>	4
Serrated Tussock	<i>Nassella trichotoma</i>	4
Spiny Burrgrass	<i>Cenchrus incertus</i>	4
Spiny Burrgrass	<i>Cenchrus longispinis</i>	4
St Johns Wort	<i>Hypericum perforatum</i>	4
African Feather Grass	<i>Pennisetum macrourum</i>	5
African Turnip Weed	<i>Sisymbrium runcinatum</i>	5
African Turnip Weed	<i>Sisymbrium thellungii</i>	5
Annual Ragweed	<i>Ambrosia artemisifolia</i>	5
Arrowhead	<i>Sagittaria montevidensis</i>	5
Artichoke Thistle	<i>Cynara cardunculus</i>	5
Athel Tree/Athel Pine	<i>Tamarix aphylla</i>	5
Bridal Creeper	<i>Asparagus asparagoides</i>	5
Burr Ragweed	<i>Ambrosia confertiflora</i>	5
Cabomba	<i>Cabomba</i> spp.	5
Cayenne Snakeweed	<i>Stachytarpheta cayennensis</i>	5
Clockweed	<i>Gaura lindheimeri</i>	5
Clockweed	<i>Gaura parviflora</i>	5
Corn Sowthistle	<i>Sonchus arvensis</i>	5
Dodder	All <i>Cuscuta</i> spp except the native species <i>C. australis</i> , <i>C. tasmanica</i> & <i>C. victoriana</i> .	5
Espartillo	<i>Achnatherum brachychaetum</i>	5
Fine-bristled Burr Grass	<i>Cenchrus brownie</i>	5
Fountain Grass	<i>Pennisetum setaceum</i>	5
Gallon's Curse	<i>Cenchrus biflorus</i>	5

Glaucous Star Thistle	<i>Carthamus glaucus</i>	5
Golden Thistle	<i>Scolymus hispanicus</i>	5
Lantana	<i>Lantana species</i>	5
Mexican Poppy	<i>Argemone Mexicana</i>	5
Mossman River Grass	<i>Cenchrus echinatus</i>	5
Onion Grass	All <i>Romulea</i> species and varieties except <i>R. rosea</i> var. <i>australis</i>	5
Oxalis	All <i>Oxalis</i> species and varieties except the native species <i>O. chnoodes</i> , <i>O. exilis</i> , <i>O. perennans</i> , <i>O. radicata</i> , <i>O. rubens</i> , and <i>O. thompsoniae</i>	5
Red Rice	<i>Oryza rufipogon</i>	5
Sagittaria	<i>Sagittaria platyphylla</i>	5
Sand Oat	<i>Avena strigosa</i>	5
Smooth-stemmed Turnip	<i>Brassica barrelieri ssp oxyrrhina</i>	5
Soldier Thistle	<i>Picnoman acarna</i>	5
Texas Blueweed	<i>Helianthus ciliaris</i>	5
Willows	<i>Salix</i> spp except <i>S. babylonica</i> , <i>S. x reichardtii</i> , <i>S. x calodendron</i> .	5
Yellow Nutgrass	<i>Cyperus esculentus</i>	5

This plan has been adopted by Hawkesbury River County Council.



24 April 2011