



NORTHERN MIDLANDS COUNCIL

POLICY MANUAL

NO SPRAY REGISTER

Originated Date: Adopted 16 November 2020 – Min. No 394/20

Amended Date/s:

Applicable Legislation: *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*
Section 26 of the Code of Practice for Spraying in Public Places

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

Administration: Works and Infrastructure

Review Cycle/Date: Every 4 years, next review 2024

1. BACKGROUND

Council 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.

Council undertakes a minimum of 2 spray cycles per year, covering all urban areas across the municipal area.

In the use of chemical herbicides, Council 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 Council 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 Council.

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.

2. POLICY

That:

2.1 In accordance with **Section 26** of the ***Code of Practice for Spraying in Public Places***, Council consider requests by property owners to desist in the chemical spraying of vegetation and weeds in road reserves abutting their property.

2.2 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 Council road reserve;
- Removal of existing trees and vegetation must not occur without permission from the Council.

2.3 Council's consideration of an application under Section 26 of the Code is to consider the following:



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- 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 Council's satisfaction.

2.4 Successful applications be included on the Council's 'No Spray Register', as detailed below:

- The register be for a period of up to 12 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 and promoted on the Council's website, and by other means as deemed suitable.

2.5 Should the applicant not manage the control of weeds and vegetation to the satisfaction of the Council, the following occur:

- Council advise 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 Council undertaking, without further notice, any necessary work to control the vegetation.
- Council 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.

2.6 Tenders and contracts for the spraying of council 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.

2.7 Procedures to implement the above policy be developed to the satisfaction of the Works Manager.

3. 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 (i.e. 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 Council.

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)
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ATTACHMENT 1: NO SPRAY REGISTER – REQUEST FORM (NEW & RENEWAL)

Use this form if you would like the front of or alongside your property excluded from Council’s Weed Spraying Control Program.

Requests to be on the register expire on 30 June each year.

For further information on how a request is considered, including the responsibilities of the applicant and Council please refer to the No Spray Register Policy which can be found under www.northernmidlands.tas.gov.au

APPLICANT DETAILS:

First Name: _____ Surname: _____

Email: _____

Telephone B/H: _____ Mobile: _____

ADDRESS TO BE REGISTERED

Street No.: _____ Street Name: _____

Suburb/Town: _____ Postal Code: _____

Is this your postal address: Yes No

In some instances we may need to pass on your contact details to a third party provider if it is determined that they are responsible. Please indicate if you give permission for us to pass on your details if needed: Yes No

Additional information you may wish to provide: (e.g. my property is on a corner block)

I would like to: Make a request to join the No Spray Register Renew an existing request to remain on the No Spray Register

Property Type: Owned & Occupied Rented Unit or Strata Complex

What is the proposed method of weed control: Manual Control Environmental Management Mechanical Control Chemical Control

Please provide any further information that describes how you plan to control the vegetation / weeds (add an extra page if you need to):

CONDITIONS AND DECLARATION

Terms and conditions

By being on the No Spray Register it is the applicant’s responsibility to control the weeds in the address listed on this request to at least the same standard that can be achieved by the Council’s herbicide control method and the area shall be maintained at regular intervals.

Should the Council deem that the control is not to a satisfactory standard as determined by it, Council may resume responsibility for the maintenance of the land, using herbicide products if deemed necessary.

The Council will undertake regular inspections of the property.

Requests to be on the register expire on 30 June each year. At this time it is the applicants responsibility to renew their registration if they would like to remain on the No Spray Register.

In making this application:

- I have read and agree to the terms and conditions outlined above.
- I acknowledge that my request is valid for a maximum period up to 30 June of each year at which time I am required to renew my request if I would like to remain on the register.
- If my property is rented or a unit or strata complex, I declare that I have written consent from the landlord or body corporate.

Signature: _____ Date: _____

Office Use Only

Date details recorded in Register: _____ Office Official’s Signature: _____