

PURPOSE

This policy provides the framework for Council's 'no spray' register in accordance with section 26 of the Code of Practice for Spraying in Public Places.

SCOPE

This policy applies to:

- all road reserves in Glenorchy City
- all Council staff involved in chemical spraying in public places and all contractors and workers undertaking such work on Council's behalf
- all property owners seeking to have the adjacent road reserve exempt from chemical spraying

STRATEGIC PLAN ALIGNMENT

Leading Our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes

RELATED DOCUMENTS

- Customer Service Charter

STATUTORY REQUIREMENTS

Acts	<i>Agricultural and Veterinary Chemicals (Control of Use) Act 1995</i>
Regulations	N/A
Australian/International Standards	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))

DEFINITIONS

Weed means 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 Council.

Pest control plan means 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.

Register means the no spray register established and maintained by Council under this policy.

POLICY STATEMENT

Property owners may apply for road frontage to be excluded from chemical spraying

1. Council may undertake chemical spraying of its road reserves as necessary to maintain its assets efficiently and ensure a tidy and attractive environment. However, Council acknowledges that some property owners wish to avoid the use of chemical sprays near their properties.
2. In accordance with section 26 of the Code of Practice for Spraying in Public Places, property owners may apply for Council to desist in the chemical spraying of vegetation and weeds in road reserves abutting their property.
3. Any application for an exclusion to Council's spraying program must be accompanied by a proposed pest control plan detailing how the property owner intends to control the problem themselves.
4. Applications relating to a tenanted property, unit complex or strata property must be accompanied by written confirmation from tenant, landlord or body corporate (as applicable) in support of the request.
5. Applications are non-transferrable.

Matters to be addressed in a pest control plan

6. The property owner's pest control plan is 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
 - the plan applies the entire frontage, including the side and rear of the property if abutting a Council's road reserve
 - no trees or vegetation are to be removed from the road reserve without permission from the Council.

Matters to be considered in determining an application

7. When considering any application from a property owner, Council will assess the following matters:
 - whether the adjoining land is used for certified organic vegetable/fruit production

- existence of a medical condition in the household that 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 Register and has undertaken the required obligations to Council's satisfaction.

Application decision and inclusion on No Spray Register

8. Council will advise applicants in writing of the outcome of its decision within four weeks after their application is accepted.
9. Successful applications will be included on Council's Register for a period of 24 months starting from 1 July. Any road reserve adjacent to a property on the Register will be exempt from chemical spraying.
10. Applications for inclusion on the Register will be advertised annually for a period of two months and promoted on Council's website, and by other means as deemed suitable.

Failure to adequately control weeds and vegetation

11. Should the applicant fail to control weeds and vegetation to the satisfaction of Council, Council will advise the applicant in writing that maintenance must occur within 14 days of the date of the correspondence.
12. Should the applicant fail to conduct maintenance of the area within fourteen 14 days to Council's satisfaction Council will, without further notice:
 - undertake any necessary work to control the vegetation
 - resume responsibility for the maintenance of the land, using chemical products if necessary
 - remove the property from the Register.
13. The applicant may re-apply to be placed on the Register for the next application period.

Implementation of Policy

14. Tenders and contracts for the spraying of city road reservations are to acknowledge 'no spray' zones and properties as listed on the Register.
15. Procedures to implement the above policy will be developed to the satisfaction of the Manager Works and implemented as soon as practicable after the policy is adopted.

DOCUMENT CONTROL

Version:	1.0	Adopted	28 September 2020	Commencement Date	29 Sept 2020
Minutes Reference	28 September 2020, Item 15			Review Period	4 Years from adoption
Previous Versions:	Not applicable				
Responsible Directorate	Infrastructure and Works	Controller:	Manager Works		
ECM Reference	Council policies by directorate				