

2.24 Weed Management

POLICY TITLE: WEED MANAGEMENT

FILE REF: SC252

EXPIRY DATE: SEPTEMBER 2026

PURPOSE OF POLICY

To control the impact of all listed priority weeds on the community, industry, environment, and economy within the Lockhart Shire Council area.

SCOPE

The control of weeds in NSW is specified by the *NSW Biosecurity Act 2015* (the Act). This policy has been developed to set out the actions required by land managers or occupiers to fulfil their obligations under the Act within the Shire boundaries including but not limited to:

- Lockhart Shire Council
- Private landowners and/or occupiers
- Public authorities.

BACKGROUND

This policy has been developed to set out the actions and procedures required by land managers to fulfill their obligations under the Act.

POLICY

1. Obligations

Council's focus is to control priority weeds in agricultural areas, high risk pathways and sites.

Council is responsible for implementing the Act within its area as follows:

- Responsibility for the control of priority weeds by occupiers of land (other than public authorities or local control authorities),
- Control of priority weeds on land owned or occupied by the local control authority and on certain roads and watercourses, rivers or inland waters as provided by the Act,
- To ensure, so far as practicable, that owners and occupiers of land (other than public authorities or other local control authorities) carry out obligations to control priority weeds imposed under the Act,
- To develop, implement, co-ordinate and review weed control policies and weed control programs,
- Inspection of land within the local area in connection with its weed control functions,
- To report, at the request of the Minister, on the carrying out of the local control authority's functions under the Act,
- To co-operate with local control authorities of adjoining areas to control priority weeds, where appropriate,
- Any other functions that are conferred or imposed on the local control authority by or under the Act.

2. Supporting Documentation

The control of weeds in NSW is specified by the Act and associated regulations. Lockhart Shire Council has obligations under the Act as a landholder, and as a Local Control Authority.

3. Definitions

Definitions used in Biosecurity legislation and associated documentation shall apply.

Authorised Officer: A person who is appointed as an authorised officer under this Act and authorised by that appointment to exercise the function in relation to which the expression is used.

Biosecurity Impact: A biosecurity impact means an adverse effect on the economy, the environment or the community that arises, or has the potential to arise, from biosecurity matter, a carrier or dealing with biosecurity matter or a carrier, being an adverse effect that is related to:

- The introduction, presence, spread or increase of a disease or disease agent into or within the State or any part of the State, or

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- The introduction, presence, spread or increase of a pest into or within the State or any part of the State, or Stock food or fertilisers, or
- Animals, plants, or animal products becoming chemically affected, or
- Public nuisance caused by bees, or a risk to public safety caused by bees or non-indigenous animals, or
- Anything declared by the regulations to be a biosecurity impact.

Biosecurity Matter: Biosecurity matter is:

- Any living thing, part of a living thing or product of a living thing (other than a human),
- A disease, prion or contaminant, or
- A disease agent that can cause disease in a living thing (other than a human) or that can cause disease in a human via transmission from a nonhuman host (i.e. zoonosis).

Biosecurity Undertaking: An Authorised Officer may accept undertakings as follows:

- An Authorised Officer may accept a written undertaking (a Biosecurity Undertaking) given by a person if the person has contravened or the authorised officer suspects that the person has contravened or is likely to contravene a requirement imposed by the Act.
- An Authorised Officer may accept a biosecurity undertaking from a person instead of giving the person a Biosecurity Direction.
- The giving of an undertaking does not constitute an admission of guilt by the person giving it in relation to the contravention, suspected contravention, or likely contravention to which the undertaking relates.
- A Biosecurity Undertaking must specify:
 - The contravention, suspected contravention, or likely contravention to which the biosecurity undertaking relates, and
 - The measures that the person has agreed to implement to remedy or prevent the contravention, suspected contravention, or likely contravention,
 - The period or periods by the end of which the measures must be implemented.

Carrier: A carrier means anything (whether alive, dead, or inanimate, and including a human) that has, or can have, any biosecurity matter on it, attached to it or contained in it.

General Biosecurity Direction: An Authorised Officer may give a General Biosecurity Direction to the public generally or to a specified class of persons, if the officer reasonably believes it is necessary to do so for any of the following purposes:

- To prevent, eliminate or minimise a biosecurity risk
- To prevent, manage or control a biosecurity impact that has occurred, is occurring or is likely to occur
- To enforce, administer or execute the Act (including any instrument made under the Act).

Individual Biosecurity Direction: An Authorised Officer may give an Individual Biosecurity Direction to a person if the officer reasonably believes it is necessary to do so for any of the following purposes:

- To prevent the person from contravening or continuing to contravene a requirement imposed by or under the Act,
- To prevent, eliminate or minimise a biosecurity risk
- To prevent, manage or control a biosecurity impact that has occurred, is occurring or is likely to occur
- To enforce, administer or execute the Act (including any instrument made under the Act).

Adopted by Council – 18 September 2023
Refer Minute No. 170/23

Adopted by Council – 17 August 2020
Refer Minute No. 161/20

Adopted by Council – 16 February 2015
Refer Minute No. 36/15

Adopted by Council – 17 August 2009
Refer minute 283/09

Adopted by Council – 15 May 2006
Refer Minute No. 149/06

Amendments adopted by Council – 20 February 2006
Refer Minute No. 7/06

Amendments adopted by Council – 17 July 2000
Refer Minute No. 22273