

1 Policy History

Revision No.	Council Meeting Date	Minute No.	Adoption Date
1	25 Jun 1991	C333	25 Jun 1991
2	14 Jan 2003	25	14 Jan 2003
3	14 Mar 2006	92	14 Mar 2006
4	11 May 2010	0142	11 May 2010
5	11 Nov 2014	0392	11 Nov 2014
6	12 Jun 2018	18/174	13 Jul 2018
7	26 Nov 2024	24/312	3 Jan 2025

2 Policy Objective

The goal of this policy is to outline the activities of Council to reduce the impact of listed priority weeds on the community, industry, environment and economy within the Griffith City Council Local Government Area (LGA) in line with the Riverina Regional Strategic Weed Management Plan as far as reasonably practicable with the resources available.

3 Policy Statement

The control of weeds in NSW is specified by the *NSW Biosecurity Act 2015*. This policy has been developed to set out the actions required by public and private owners and occupiers of land as well as Griffith City Council as the local control authority to fulfil their obligations under the Act.

It aims to provide standardised, tenure neutral and prioritised approaches to weed management planning, investment and delivery across the region.

This policy applies to all land owners and land managers in the Local Government Area including, but not limited to:

- Private landowners/occupiers
- Council
- Public Authorities

Council's main focus will be on controlling priority weeds in agricultural areas and along high-risk pathways.

Council is responsible for implementing the *NSW Biosecurity Act 2015* within its Local Government Area as follows:

- Control of priority weeds on land owned or occupied by Griffith City Council and on certain roads and watercourses, rivers or inland waters as provided by the Act.
- To ensure, so far as is reasonably practicable, that owners and occupiers of land carry out their obligations to control priority weeds imposed under the Act.
- To develop, implement, co-ordinate and review weed control policies and weed control programs.
- To inspect land within the local area in connection with its weed control functions.
- To report on the carrying out of the local control authority's functions under the Act to the Weeds Biosecurity information System – Weeds.
- To co-operate with local control authorities of adjoining areas to control priority weeds, where appropriate.

Council will:

- Implement the Regional Inspection Program, focusing on prevention and early eradication activities.
- Educate and advise landholders and the community so they are aware, willing and able to assist in weed identification and control.
- Carry out compliance and enforcement process against people whose actions (or failure to act) adversely affect other landholders, or who fail to comply voluntarily with the provisions of the Act.
- Control priority weeds, with available resources on lands owned and controlled by Council. Control works will be targeted towards weeds in their early stages of invasion to ensure the best return on investment of public funds.
- Continue to evaluate and assess practices to ensure that strategies used are appropriate and reasonable.

Policy Implementation Guidelines:

The implementation of this policy will set out Council's weed control program and its commitments to achieve the requirements for weed control work as agreed by the Riverina Regional Weeds Committee. Council will maintain membership and active involvement in the Riverina Regional Weeds Committee in delivering on the objectives of this policy and the outcomes and objectives of the Riverina Regional Strategic Weed Management Plan and its associated supplementary plans and policies.

Given that financial resources for weed control are limited, Council will place greater emphasis on those weeds that pose greatest risks to human health, the environment, livestock or the agricultural industry. The highest priority in implementation of this policy is given to the control of weeds in the following hierarchy as identified in the Riverina Regional Strategic Weed Management Plan.

1. State-determined Priority Weeds for the Riverina Region - PREVENTION
2. State-determined Priority Weeds for the Riverina Region - ERADICATION
3. State-determined Priority Weeds for the Riverina Region - CONTAINMENT
4. Region-determined Priority Weeds for the Riverina Region - ERADICATION
5. Region-determined Priority Weeds for the Riverina Region - CONTAINMENT
6. Other regional weeds - CONTAINMENT

PREVENTION applies to those weeds that are currently not found in some parts of the state, pose significant biosecurity risk, and prevention of the biosecurity risk posed by these weeds is a reasonably practical objective for the Riverina region.

ERADICATION applies to those weeds that are present in limited distribution and abundance in some parts of the state. Elimination of the biosecurity risk posed by these weeds is a reasonably practical objective within the Riverina region.

CONTAINMENT applies to weeds where broad scale elimination is not practicable, but minimisation of the biosecurity risk posed by these weeds is reasonably practicable. The list of priority weeds for the Riverina region can be found in the Riverina Regional Strategic Weed Management Plan.

4 Definitions

Some selected definitions from the Biosecurity Act 2015 or other sources as identified are selected below to summarise the various roles and responsibilities of Council.

Authorised Officer	A person who is appointed as an authorised officer under the Biosecurity Act 2015 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 further detailed in section 13 of the Biosecurity Act 2015.
Biosecurity Undertaking	A biosecurity undertaking is a written undertaking by a person, that specifies the measures a person agrees to implement to remedy a contravention, likely contravention, or suspected contravention of the Act and a date by which those measures will be implemented by. It is an offence to contravene a biosecurity undertaking. <i>(page 11 Riverina Regional Strategic Weed Management Plan 2023-2027)</i>

	Part 10 of the Biosecurity Act 2015 provides further details of an undertaking.
Biosecurity Direction	An authorised officer may issue a biosecurity direction that directs a person or class of persons to do or to cease doing something, if the officer reasonably believes it is necessary to prevent, eliminate or minimise a biosecurity risk or to prevent, manage or control a biosecurity impact. It is an offence not to comply with a biosecurity direction. <i>(page 11 Riverina Regional Strategic Weed Management Plan 2023-2027)</i>
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: <ul style="list-style-type: none"> • 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 <i>NSW Biosecurity Act 2015</i>
Individual Biosecurity Direction	An Authorised Officer may give an Individual Biosecurity Direction to a particular person if the officer reasonably believes it is necessary to do so for any of the following purposes: <ul style="list-style-type: none"> • 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 <i>NSW Biosecurity Act 2015</i>

5 Exceptions

None

6 Legislation

NSW Biosecurity Act 2015

NSW Biosecurity Regulation 2017

Under the Act, Council Authorised Officers are able to enter and inspect any land to which this Act applies for the purposes of inspection. A Biosecurity Undertaking, a General Biosecurity Direction or an Individual Biosecurity Direction may be issued under the Act to require control works to be undertaken by the land owner.

Failure to comply with a Biosecurity Undertaking or Biosecurity Direction can result in Council instituting court proceedings, or the issue of a penalty infringement notice under Section 138 and 145 of the Act. Following this, Council may enter onto the property to carry out the work at the owners' expense.

7 Related Documents

NSW Biosecurity Act 2015 and associated regulations

NSW Local Government Act 1993 and associated regulations

NSW Local Land Services Act 2017 and associated regulations

NSW Biosecurity Strategy 2020-2030

Australian National Weeds Strategy 2017-2027

Riverina Local Land Services Strategic Plan 2020-2030

Riverina Regional Strategic Weed Management Plan 2023-2027

8 Directorate

Infrastructure & Operations