

Name of policy:	Weeds Biosecurity		
Adoption by Council:		Minute number:	
Last review date:			
Review timeframe:	2 years		
Next scheduled review date:	June 2025 or sooner if changes to legislation occur.		
Related legislation:	<i>Biosecurity Act 2015</i> <i>Biosecurity Regulation 2017</i>		
Associated policies/documents:	<ul style="list-style-type: none"> • NSW Weeds Action Program 2020 – 2025 • Hunter Regional Strategic Weed Management Plan 2017 - 2022 • NSW Invasive Species Plan 2018 – 2021 • NSW Biosecurity Strategy 2013 – 2021 • MidCoast Council Delegations Register • MidCoast Council Records Management Policy • MidCoast Council Compliance Policy • Weeds and the Biosecurity Act – A handbook for local councils and councillors in NSW 		
Responsible division:	Liveable Communities		

Policy objective

To effectively manage weeds biosecurity as allowed and required by outlined in the *Biosecurity Act 2015* (NSW) (Act) and the *Biosecurity Regulation 2017* (NSW).

Biosecurity

Biosecurity means protecting the economy, environment, and community from the negative impacts of pests and diseases, weeds and contaminants.

Weeds biosecurity includes:

- preventing the entry of new weeds
- finding, containing and eradicating emerging weeds
- minimising the impacts from weeds that cannot be eradicated.

Policy statement

Council will:

- Ensure systems are in place to enable Council to effectively function as the Local Control Authority under the Act;
- Apply the NSW Weed Risk Management System process to the MidCoast local government area to determine local priority weeds; and
- Undertake compliance and enforcement activities to manage State, regional and local priority weed species as a Local Control Authority;
- Ensure our community is aware of the impact of weeds on natural resources and biodiversity, especially on agricultural lands, our bushland, foreshores and wetlands.

Coverage of the policy

This policy applies to Council staff and Authorised Officers who have responsibilities under the Act, and the community who have responsibility and obligations under the Act.

Strategic plan link

Our environment - We protect, maintain and restore our natural environment

Policy content

The control of weeds in NSW is specified by the NSW Biosecurity Act 2015 and associated regulations.

MidCoast Council has obligations under the Act as a landholder, and as a Local Control Authority.

Under the Act, Council Authorised Officers are authorised to enter and inspect any land to which this Act applies for the purposes of inspection. To ensure compliance with the Act an Individual Biosecurity Direction may be issued. An Individual Biosecurity Undertaking may be accepted under certain circumstances.

Failure to comply with either may result in Council issuing a penalty infringement notice under the Act or initiating court proceedings. Council may enter the property to carry out the work at the owners' expense.

Managing biosecurity risk

Council is committed to managing a biosecurity risk (posed, or potential risk), by reducing the impacts of local priority Biosecurity (Weeds) on human health, the economy, community and environment through the implementation of the following programs:

- Control weeds on Council managed lands
- Inspect and control weeds on high risk sites and pathways
- inspect private, public and Crown lands to ensure landowners and occupiers meet their obligations to manage the biosecurity risk identified under the Act,
- Implement an Inspection Program, focusing on early identification to aid control.

- Educate and advise landholders and the community so they are aware, willing and able to assist in weed control measures as required.
- Issue infringements where appropriate to landholders who fail to comply, or to pursue legal action where necessary.
- Control weeds with available resources on lands owned and controlled by Council.
- Enforce control on private land when necessary (as a recoverable expense).

Records management

Staff must maintain all records relevant to administering this policy in accordance with Council's Records Management Policy.

Definitions

<u>Authorised Officer</u>	means a person who is appointed as an authorised officer under the Act and authorised by that appointment to exercise the function in relation to which the expression is used.
<u>Act</u>	means the <i>Biosecurity Act 2015</i>
<u>Biosecurity Direction</u>	means a direction that prohibits, regulates or controls (absolutely or conditionally) the doing of anything to enforce, administer or execute this Act.
<u>Biosecurity Matter</u>	Anything as defined in section 10 of the Act as being Biosecurity Matter.
<u>Biosecurity Undertaking</u>	means the measures that the person has agreed to implement to remedy or prevent the contravention, suspected contravention or likely contravention of a requirement imposed by or under this Act.
<u>Council</u>	Means MidCoast Council
<u>General Biosecurity Duty</u>	means any person who deals with Biosecurity Matter has a Biosecurity Duty to ensure that, so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimised.
<u>Local Control Authority</u>	means Council as described in section 370 of the Act.
<u>NSW Weeds Risk Management System (WRM System)</u>	The NSW WRM system aims to provide a standard, nationally accepted and transparent process to help make decisions about the introduction, prioritisation and declaration of weed species.
<u>Pathways</u>	Are ways of identifying methods of distribution or transfer of weed matter

References and related documents

- NSW Weeds Action Program 2020 – 2025
- Hunter Regional Strategic Weed Management Plan 2017 - 2022
- NSW Invasive Species Plan 2018 – 2021
- NSW Biosecurity Strategy 2013 – 2021
- MidCoast Council Records Management Policy
- MidCoast Council Compliance Policy
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Responsible officer

Manager Natural Systems