

10 February 2025

At the conclusion of the Corporate, Finance, Properties
and Tenders Committee

Environment and Climate Change Committee

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Adoption - Managing Asbestos Policy**
- 4. Public Exhibition - Weed Management Policy and Pesticide Use Notification Plan**

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1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.
Confirmation of Minutes

Minutes of the following meetings of the Environment and Climate Change Committee are submitted for confirmation:

Meeting of 9 December 2024

Item 2.**Statement of Ethical Obligations**

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.

Adoption - Managing Asbestos Policy

File No: S111706

Summary

The purpose of the Managing Asbestos Policy is to communicate the role and powers the City and other organisations have in managing asbestos and the City's approach to dealing with sites contaminated by asbestos.

The policy applies to all land within the City's Local Government Area and applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable).

The policy outlines the City's commitment and responsibilities in relation to safely managing asbestos. The policy is reviewed every 4 years and is now due and includes revisions to ensure that it reflects current legislation, codes of practice, public advice and regulatory best practice.

Minor revisions have been made to the policy wording to improve readability and remove unnecessary definitions.

Recommendation

It is resolved that:

- (A) Council adopt the updated Managing Asbestos Policy, as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Managing Asbestos Policy to correct any minor drafting errors and finalise design, artwork and accessible formats for publication..

Attachments

Attachment A. Managing Asbestos Policy (showing changes)

Background

1. The Managing Asbestos Policy outlines the City's commitment and responsibilities in relation to safely managing asbestos. The policy is reviewed every 4 years and is now due and draft includes revisions to ensure that it reflects current legislation, codes of practice, public advice and regulatory best practice.
2. The City has had a policy with regards to managing asbestos since 2006.
3. In 2013, Local Government NSW released the Model Asbestos Policy for use by NSW Councils. The model policy was developed by NSW Asbestos Coordination Committee (NACC) (formally Heads of Asbestos Coordination Authorities) to promote a consistent approach to asbestos management across NSW.
4. Council subsequently adopted a Managing Asbestos Policy soon after. The Managing Asbestos Policy replaced the City's 2006 Asbestos Policy.
5. The Director General of the Division of Local Government has issued a direction that requires local Councils to have a policy that outlines how they will manage the risks associated with asbestos and have regard to the Model Policy when drafting their own policy.
6. Section 23A of the Local Government Act 1993 makes it a requirement for Councils to comply with relevant guidelines and policies enacted by the Director General.
7. The policy is reviewed every 4 years and is now due and includes revisions to ensure that it reflects current legislation, codes of practice, public advice and regulatory best practice.
8. In drafting the revised policy, the Health and Building Unit consulted with Local Government NSW (LGNSW) and Safework NSW.
9. The City has an important dual role in minimising exposure to asbestos, as far as is reasonably practicable, for residents, workers and visitors to the Local Government Area (LGA); and the City's workplaces.
10. The City's legislative functions for minimising the risks from asbestos apply in various scenarios including:
 - (a) contaminated land management
 - (b) land, building and asset management
 - (c) emergency response
 - (d) land use planning (including development approvals and demolition)
 - (e) regulation of activities (non-work sites) and
 - (f) waste management and regulation.
11. The City is committed to working collaboratively with other government agencies and where appropriate, other stakeholders as needed to respond to asbestos issues.

12. Complaints and enquiries may be directed to the City about incidents in public places and private properties. Complaints and enquiries regarding a workplace should be directed to SafeWork NSW. Complaints and enquiries regarding licensed and government premises under the Protection of the Environment Operations Act 1997 should be directed to the NSW Environment Protection Authority (EPA).

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

13. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
 - (a) Direction 1 - Responsible governance and stewardship - the policy provides effective direction and response to asbestos management to protect the health and well-being of our communities and the environment.
 - (b) Direction 2 - A leading environmental performer - the policy provides access to education and support initiatives to assist residents, and businesses in reducing environmental impacts.

Organisational Impact

14. The revised policy continues the City's previously adopted policy position and has negligible impact on service levels, staffing, facilities or processes.

Risks

15. The policy has been revised to reflect current best practices and legislation.
16. This policy aligns with the City's risk appetite, which states:
 - We are dedicated to actively identifying and addressing environmental risks associated with our activities and services. We prioritise prevention and proactive measures to minimise our ecological footprint, conserve resources and protect ecosystems.
 - We have no appetite for decisions, activities and practices that result in long term or irrevocable environmental damage.
 - We have minimal appetite for non-compliance with environmental laws, regulations and industry standards. In many cases we strive to exceed base level legal requirements and engage in sustainable practices that align with the best interests of the environment.

Social / Cultural / Community

17. The revised policy provides advice to the community on safe handling and disposal practices for asbestos in residential and commercial settings and clarifies the regulatory role of Council and the penalties for improper handling or disposal.

Environmental

18. It is anticipated that the revised policy will continue to have a positive environmental impact within the Local Government Area. The intention of the policy is to educate the community on the safe handling and disposal of asbestos and minimise the mishandling of asbestos containing materials.

Relevant Legislation

19. The Director General of the Division of Local Government require councils to have a policy outlining how they will manage the risks associated with asbestos in their local government area and must have regard to the Model Policy when drafting their own policy.
20. Section 23A of the Local Government Act 1993 makes it a requirement for Councils to comply with relevant guidelines and policies enacted by the Director General.

Critical Dates / Time Frames

21. The policy is reviewed every 4 years and is now due.

Options

22. The Director General of the Division of Local Government requires councils to have a policy outlining how they will manage the risks associated with asbestos and must have regard to the Model Policy when drafting their own policy.
23. Section 23A of the Local Government Act 1993 makes it a requirement for Councils to comply with relevant guidelines and policies enacted by the Director General.

Public Consultation

24. Local Government NSW (LGNSW) and SafeWork NSW have been consulted in the review of this document.
25. As the document represents legislative and existing best practice requirements and is based on model policy developed by State Government, further public consultation has not been conducted.
26. Once adopted by Council the revised policy will be made available for public viewing on the City of Sydney website.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Josh Bradshaw, Standards and Policy Manager Health and Building

Attachment A

Managing Asbestos Policy

Managing Asbestos Policy

Purpose

~~This policy aims~~The purpose of this policy is to outline the role of the City of Sydney Council (the 'City') and other organisations in managing asbestos, and the City's relevant regulatory powers. ~~Please refer to the City's Managing Asbestos Guidelines for information on:~~

~~the City's approach to dealing with naturally occurring asbestos, sites contaminated by asbestos and emergencies or incidents involving asbestos;~~

~~general advice for residents on renovating homes that may contain asbestos; the City's development approval process for developments that may involve asbestos and conditions of consent; waste management and regulation procedures for asbestos waste in the Local Government Area (LGA); and sources of further information.~~

Scope

This policy applies to ~~all of~~all the land within the City's ~~L~~Local Government Area and.

~~The policy along with the City's Managing Asbestos Guidelines provides information for the local community and wider public.~~

~~The policy~~ applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable).

The policy outlines the City's commitment and responsibilities in relation to safely managing asbestos and general advice is contained within the City's Managing Asbestos Guidelines. For specific advice, individuals are encouraged to contact the City or the appropriate organisation.

The policy does not provide detail on specific procedures. Practical guidance on how to manage risks associated with asbestos and asbestos containing material can be found via the SafeWork NSW website.

~~SafeWork Asbestos Hazards A-Z - <https://www.safework.nsw.gov.au/hazards-a-z/asbestos>
SafeWork Australia Model Code of Practice on how to safely remove asbestos (ISBN 978-0642-33317-9; Model Code of Practice: How to manage and control asbestos in the workplace https://www.safeworkaustralia.gov.au/sites/default/files/2020-07/model_code_of_practice_how_to_manage_and_control_asbestos_in_the_workplace.pdf
ISBN 978-0-64233315-5 and also within additional guidance material listed in the City's Managing Asbestos Guidelines.~~

Definitions

Term	Meaning
Asbestos	Asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following: <u>a. actinolite asbestos</u> <u>b. grunerite (or amosite) asbestos (brown)</u> <u>c. anthophyllite asbestos</u> <u>d. chrysotile asbestos (white)</u> <u>e. crocidolite asbestos (blue)</u> <u>f. tremolite asbestos</u> <u>g. mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).</u> a. actinolite asbestos a. grunerite (or amosite) asbestos (brown) b. anthophyllite asbestos c. chrysotile asbestos (white) d. crocidolite asbestos (blue)
Airborne asbestos	Any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.
Asbestos containing material (ACM)	Any material or thing that, as part of its design, contains asbestos.
Asbestos-related work	Any work involving asbestos that is permitted under the Work Health and Safety Regulation 2017 ⁴ , other than asbestos removal work. (Refer to Clause 419 of the WHS Regulation 2017).
Asbestos waste	Any waste that contains asbestos. This includes asbestos or asbestos containing material removed and disposable items used during asbestos removal work including plastic sheeting, personal protective equipment and disposable tools.

Contamination of land	The presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.
Development means:	<u>Development means:</u> <u>a. the use of land</u> <u>b. the subdivision of land</u> <u>c. the erection of a building</u> <u>d. the carrying out of a work</u> <u>e. the demolition of a building or work</u> <u>f. any other act, matter or thing referred to in section 3.14 of the Environmental Planning and Assessment Act 1979 that is controlled by an environmental planning instrument.</u> a. the use of land b. the subdivision of land c. the erection of a building d. the carrying out of a work e. the demolition of a building or work f. any other act, matter or thing referred to in section 3.14 of the Environmental Planning and Assessment Act 1979 that is controlled by an environmental planning instrument.
<u>Development application</u>	<u>An application for consent under part 4 of the Environmental Planning and Assessment Act 1979 to carry out development but does not include an application for a complying development certificate.</u>
<u>Exempt development</u>	<u>Minor development that does not require any planning or construction approval because it is exempt from planning approval.</u>
<u>Friable asbestos</u>	<u>Material that:</u> <u>a. is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry</u> <u>contains asbestos.</u> <u>b.</u>
<u>Health</u>	<u>Physical and psychological health</u>

<u>Non-friable asbestos</u>	<u>Material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.</u> <u>Note. Non-friable asbestos may become friable asbestos through deterioration (see definition of friable asbestos).</u>
<u>Naturally occurring asbestos</u>	<u>The natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.</u>
<u>Waste facility</u>	<u>Any premises used for the storage, treatment, processing, sorting or disposal of waste (except as provided by the regulations).</u>

Policy Statement

The City acknowledges the serious health hazard of exposure to asbestos.

In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. Yet asbestos legacy materials still exist in many homes, land, buildings, and other assets and infrastructure. It is estimated that at one time approximately one in three Australian homes contained asbestos.

Where material containing asbestos is in a non-friable form (that is, cannot be crushed by hand into a powder), undisturbed and painted or otherwise sealed, it may remain safely in place. However, where asbestos containing material is broken, damaged, disturbed or mishandled, fibres can become loose and airborne posing a risk to health. Breathing in dust containing asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

It is often difficult to identify the presence of asbestos by sight. Where a material cannot be identified or is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions. Further information about asbestos and the health impacts of asbestos including website links to additional information can be found in the City's Managing Asbestos Guidelines.

The City has an important dual role in minimising exposure to asbestos, a_s_far_ as is reasonably practicable, for ~~both:~~

residents, workers and visitors to the ~~and the public within the~~ Local GoGo Government Area (LGA); and ~~workers and other persons in the the~~ City's s workplaces.

The City's legislative functions for minimising the risks from asbestos apply in various scenarios including:

- contaminated land management;
- land, building and asset management;
- emergency response;
- land use planning (including development approvals and demolition);
- regulation of activities (non-work sites); and
- waste management and regulation.

Responsibilities

Educating residents

The City shall assist residents to access appropriate information and advice on the:

- prohibition ~~of on the~~ use and re-use of asbestos containing materials
- requirements in relation to development, land management
- waste management; risks of exposure to asbestos
- ~~; requirements in relation to development, land management and waste management; risks of exposure to asbestos;~~ safe management of asbestos containing materials;
- ~~and~~ safe removal and disposal of minor quantities of asbestos containing materials.

Educational information and website links ~~to for~~ educational materials can be found in the City's Managing Asbestos Guidelines.

Managing land

The City is responsible for managing public land. This may include land with naturally occurring asbestos and land contaminated with asbestos as outlined in the City's Managing Asbestos Guidelines. ~~Managing Asbestos Guidelines.~~

Managing Waste

Where the City is the appropriate regulatory or planning authority, the City has certain obligations and powers provided for by legislation including:

- issuing clean up notices to address illegal storage or disposal of asbestos waste or after an emergency or incident (under the Protection of the Environment Operations Act 1997);
- issuing prevention or clean up notices where asbestos waste has been handled (including stored, transported or disposed of) in an unsatisfactory manner (under the Protection of the Environment Operations Act 1997);
- issuing penalty infringement notices for improper transport of asbestos (under the Protection of the Environment Operations Act 1997);
- taking Court action to prosecute offences or to ensure compliance with legislation; and
- applying planning controls to proposals to dispose of asbestos waste on-site, seeking advice from the NSW Environment Protection Authority (EPA) on this matter and

making notations on planning certificates, section 10.7 (previously 149) certificates where on-site disposal is permitted.

Waste facilities that are licensed to accept asbestos waste are listed in ~~Appendix C~~ in the City's [Managing Asbestos Guidelines](#).

Regulatory responsibilities

The City has regulatory responsibilities under the following legislation, and maintains policies and standards in situations where the City is the appropriate regulatory authority or planning authority:

- ~~Contaminated Land Management Act 1997;~~
- ~~Environmental Planning and Assessment Act 1979;~~
- ~~Environmental Planning and Assessment Regulation 202100;~~
- ~~Local Government Act 1993;~~
- ~~Protection of the Environment Operations Act 1997;~~
- ~~Protection of the Environment Operations (General) Regulation 202209;~~
- ~~Protection of the Environment Operations (Waste) Regulation 2014;~~
- ~~State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; and State Environmental Planning Policy No. 55—Remediation of Land~~
- [State Environmental Planning Policy \(Resilience and Hazards\) 2021.](#)

Additional legislation, policies and standards relating to the safe management of asbestos are listed in the City's [Managing Asbestos Guidelines](#).

The situations in which the City has a regulatory role in the safe management of asbestos are listed in the City's [Managing Asbestos Guidelines](#).

Responsibilities to workers

The City is committed to fulfilling its responsibilities to workers and other persons under the NSW Work Health and Safety Act 2011 and NSW Work Health and Safety Regulation 2017 and maintaining a safe work environment through the City's:

- ~~general responsibilities~~
- ~~education, training and information for workers~~
- ~~health monitoring for workers~~
- ~~procedures for identifying and managing asbestos containing materials in the City's premises.~~

These responsibilities are outlined in ~~t~~The City's Workplace Health & Safety Policies [and procedures](#); ~~(a~~Available on the City's [external and internal websites](#)~~s)~~ ~~and Asbestos in the Workplace Operational Procedure (located in the City's internal Safety Management System).~~

Other stakeholders involved in managing asbestos

The City is committed to working collaboratively with other government agencies and where appropriate, other stakeholders as needed to respond to asbestos issues.

Please refer to the City's Managing Asbestos Guidelines for details of the agencies involved in managing asbestos. Various asbestos scenarios requiring stakeholders to work together are also outlined in these guidelines.

Complaints and investigations

Complaints and enquiries may be directed to the City about incidents in public places and private properties. Complaints and enquiries regarding a workplace should be directed to SafeWork NSW. Complaints and enquiries regarding licensed and government premises under the Protection of the Environment Operations Act 1997 should be directed to the EPA.

The City will respond to complaints and enquiries in accordance with the City's Compliance Policy regarding:

- development, land management and waste management
- derelict properties
- general asbestos safety enquiries
- illegal dumping
- safe removal and disposal of minor quantities of asbestos materials
- unsafe work at a residential property conducted by a homeowner or tenant.

~~Complaints about the City in relation to asbestos may be directed to the NSW Ombudsman.~~

Implementing the City's asbestos policy

Supporting documents

The implementation of this policy is supported by the City's:

- Managing Asbestos Guidelines
- Standard Conditions of Development Consent (details of these can be found on the City's website)
- Asbestos Dumping Response Procedure and Flowchart
- Asbestos Complaints Practice note
- Safety Management System
- Maintenance and inspection schedules for the City's owned assets
- The City's Asbestos Register.

Communicating the policy

This is a publicly available policy via the City's website. ~~The policy is to be made available via:~~

~~The :~~ www.cityofsydney.nsw.gov.au

The City shall incorporate a statement regarding compliance with this policy in all relevant contracts and agreements with workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public).

In the case of any substantive revisions to the policy, the revisions will be approved by Council and the CEO will notify all persons who may have cause to undertake, arrange or supervise any potentially hazardous activities listed in the City's Managing Asbestos Guidelines on behalf of, or for, the City.

Consultation

This policy was developed in consultation with the following:

External Stakeholders

- The NSW Environment Protection Authority (EPA)
- Local Government NSW (LGNSW)
- NSW Ministry of Health (NSW Health)
- NSW Department of Planning, Housing and Infrastructure ~~Industry and Environment (DPI (DPHI))~~
- ~~SafeWork NSW~~
-
- The NSW Asbestos Coordination Committee (NACC)
- Fire and Rescue NSW

Internal Stakeholders

- Legal Services
- City Planning, Development and Transport
- Property Services
- Risk Management and Governance
- Work, Health and Safety
- Cleansing and Waste
- City Rangers

References

Laws and Standards

- [Australian Standard AS 2601 – 2001: The demolition of structures](#);
- [Contaminated Land Management Act 1997](#);
- [Environmental Planning and Assessment Act 1979](#);
- [Environmental Planning and Assessment Regulation 2000](#);
- [Local Government Act 1993](#);
- [Local Government \(General\) Regulation 2015](#)
- [Protection of the Environment Operations Act 1997](#);
- [Protection of the Environment Operations \(General\) Regulation 2009](#);
- [Protection of the Environment Operations \(Waste\) Regulation 2014](#);
- [NSW Work Health and Safety Act 2011](#)
- [NSW Work Health and Safety Regulation 2017](#)
- [Work Health and Safety Amendment \(Penalty Notices\) Regulation 2022](#)
- [State Environmental Planning Policy \(Exempt and Complying Development Codes\)](#)
- [State Environmental Planning Policy \(Resilience and Hazards\) 2021](#)
- ~~2008 State Environmental Planning Policy No. 55 – Remediation of Land.~~

Policies and Procedures

- [Managing Asbestos Guidelines](#)
- [Work Health and Safety Policy](#)
- [Compliance Policy](#)
- [Prosecution and Civil Enforcement Policy](#)
- [Safety Management System \(SMS\)](#)
- [Asbestos in the Workplace Operational Procedure](#)
- [Asbestos in the Workplace Operational Procedure](#)

Review period

This policy will be reviewed every 4 years.

Approval Status

The Council approved this policy on ~~14 December 2020~~ [xxx](#)

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	5 June 2006	Approved by Council	
Review	21 October 2013	Policy redrafted based on the Local Government NSW – Model Asbestos Policy for Councils developed by the Heads of Asbestos Coordination Authorities Approved by Council	2013/432301
Review	26 April 2017	Fit for purpose Minor changes made to reflect amended state authority names and referenced standards and legislation Endorsed by the Executive	2017/262873
Review	14 Dec 2020	Minor changes made to reflect amended state authority names and referenced standards and legislation, also changed to new policy template	2017/262873
Commence Review Date	14 Dec March 2024	Minor changes made to wording to improve readability and removal of unnecessary definitions	
Approval Due Date	14 Dec 2024		

Ownership and approval

Responsibility	Role
Author	Environmental Health Specialist
Owner	Standards and Policy Manager
Endorser	City of Sydney Executive

Approver	Council
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Item 4.

Public Exhibition - Weed Management Policy and Pesticide Use Notification Plan

File No: X111526

Summary

Weeds pose a substantial threat to the use, enjoyment, function and maintenance of the City of Sydney's (the City's) natural and built assets and can affect the health and wellbeing of our communities if not managed strategically.

The City undertook a multi-year review of the City's weed management encompassing research, field trials, benchmarking and interviews with public authorities, universities and industry. The review recommended an integrated weed management approach prioritising non-chemical management in the first instance.

The City has a statutory obligation to prevent the spread of weeds and eradicate weeds where able, and to contain those that cannot be eradicated. When non-chemical management fails and pesticide use is required the City has a statutory obligation to notify the community of how and when the City will use pesticides on public land.

The draft Weed Management Policy (the Policy) and draft Pesticide Use Notification Plan (the Plan) were informed by the weed management review and respond to our statutory obligations by clearly defining a framework for how the City will:

- manage weeds through an integrated weed management approach, and
- notify the community of pesticide use in public places by the City.

Both the Policy and the Plan emphasise a holistic approach, prioritising the use of non-chemical pest management in the first instance. This approach reduces the impact of chemical use on our environment and communities, whilst also meeting the City's service levels, mitigating risks, contributing to strategic targets and ensuring assets are responsibly managed.

The Policy applies to all City owned and managed land. The Plan applies to all City owned and managed land accessible to and intended for use by the public.

It is proposed to exhibit the draft Policy and the draft Plan for a minimum period of 28 days to obtain community feedback before bringing both documents back to Council for approval.

Recommendation

It is resolved that:

- (A) Council approve the draft Weed Management Policy and the draft Pesticide Use Notification Plan, as shown in Attachment A and Attachment B to the subject report, for public exhibition; and
- (B) Council note that the draft Weed Management Policy and the draft Pesticide Use Notification Plan, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Weed Management Policy and the draft Pesticide Use Notification Plan.

Attachments

Attachment A. Draft Weed Management Policy

Attachment B. Draft Pesticide Use Notification Plan

Background

1. Weeds pose a substantial threat to the use, enjoyment, function and maintenance of the City's natural and built assets and can affect the health of our communities if not managed strategically.
2. As a Local Control Authority under the Biosecurity Act 2015 NSW (the Biosecurity Act), the City has an obligation to prevent, eliminate, minimise and manage biosecurity risks posed by weeds and to develop, implement and co-ordinate weed control programs.
3. The economic impact of weeds in New South Wales (NSW) is conservatively estimated at over a billion dollars per annum by the NSW Department of Primary Industries and Regional Development. Given this, the City has a responsibility not only to the communities and lands within our City of Sydney Local Government Area (LGA) but to the Greater Sydney Region to proactively manage our biosecurity risks.
4. The City is guided by and follows the regulatory advice of the Australian Pesticides and Veterinary Medicines Authority and the NSW Environment Protection Authority in relation to weed management and pesticide use.
5. The City has undertaken a review of its existing weed management and pesticide use spanning a 4-year period. The review included research, benchmarking, field trials and interviews with industry, universities and other public authorities. Field trials included steam, organic and synthetic herbicides and integrated weed management. Trials of flame, infrared and ultraviolet light weeding were excluded in the research and benchmarking stage due to risk.
6. The weed management review recommended:
 - (a) an integrated weed management approach, prioritising non-chemical approaches in the first instance
 - (b) review the already limited use of glyphosate to identify further reduction opportunities by asset type
 - (c) review and update the Pesticide Use Notification Plan
 - (d) develop a weed management policy and operational procedure.

The recommendation of using an integrated weed management approach aligns with Australian capital city councils such as City of Melbourne Council, Brisbane City Council, City of Perth Council and Australian Capital Territory Government, and other local and state government authorities across Australia.

These recommendations have informed the development of the Policy and the Plan.

Weed Management Policy (new)

7. Based on the findings of the weed management review, the City has developed the Policy detailing how the City's integrated weed management approach will provide high-quality public places, meet our statutory obligations and minimise the use of herbicides through the application of herbicide-alternative products and methodologies where safe and feasible.

8. The objectives of the Policy are to:
 - (a) Contribute to the biosecurity of the Greater Sydney Region.
 - (b) Provide safe, high-quality and welcoming public places.
 - (c) Demonstrate the City's commitment to minimising the use of herbicides and prioritising the use of herbicide-alternatives where safe, feasible and effective.
 - (d) Protect the natural environment and public places.
9. The Policy documents the City's existing integrated weed management approach. The approach uses a variety of design approaches and manual techniques in combination with herbicide use, with the aim of reducing reliance on herbicides alone and increasing the chances of successful weed control or eradication.
10. The integrated weed management approach is defined through the following framework in order of implementation, prioritising non-chemical approaches in the first instance:
 - (a) Proactive Treatment - weed prevention:
 - (i) Designing public places with consideration for weed management, such as hard-edge treatments between turf and garden beds.
 - (ii) Growing healthy turf and plants to out compete weeds and achieve full ground cover.
 - (iii) Maintaining dense plant populations in garden beds to restrict solar access and nutrients to weeds.
 - (iv) Building and nurturing resilient soil with diverse microbiome and complex structure to support healthy turf and plants and reduce the need for fertilisers.
 - (v) Applying mulch.
 - (vi) Installing porous pavement street tree surrounds where possible.
 - (vii) Street sweeping and high-pressure cleaning footpaths, gutters and streets.
 - (viii) Mowing and whipper snipping.
 - (ix) Targeted application of pre-emergent herbicide.
 - (b) Reactive Manual Treatment - weed control or eradication:
 - (i) Removing weeds prior to flowering or setting seed and fruit.
 - (ii) Hand pulling.
 - (iii) Chipping and frilling.
 - (iv) Scraping.
 - (v) Whipper snipping and brush cutting.

(c) Reactive Herbicide Treatment - weed control or eradication:

If a herbicide is required, City staff and service providers will choose the appropriate and least toxic herbicide required for the weed, public place, situation and risk to meet the City's service levels, noting the following service levels for all public places:

- (i) Manually remove any weed equal to or greater than 50mm wide and tall, outside of bush restoration areas.
- (ii) Manually remove any weed in bush restoration areas equal to or greater than 150mm wide and tall for soft-wooded weeds and 400mm wide and tall for woody weeds.

City staff and service providers may elect to use herbicides in combination with one or more proactive or reactive methods listed above.

Organically certified pesticides are used where feasible and effective to treat specific weeds within Sydney City Farm and in community gardens.

Herbicides are not used in or within the immediate vicinity of playgrounds and waterplay areas.

11. A 4-year review period is proposed for the Policy, or when circumstances require a review of the Policy prior to 4 years.

Pesticide Use Notification Plan (revised)

12. The Pesticide Use Notification Plan (the Plan) is a legislative requirement of the Pesticides Regulation 2017 (NSW) (the Regulation).
13. The objective of the Plan is to detail how the City will notify the community of pesticide use by the City in public places owned or managed by the City.
14. The current Pesticide Use Notification Plan was adopted by Council on 25 February 2013 under the Pesticides Regulation 2009 (NSW).
15. The Plan has been revised to reflect the City's integrated management approach and align with the new Policy. This approach is based on pesticide use being responsible, justified, minimised and the lowest toxicity pesticide necessary is used to achieve the service levels.
16. The Plan aligns with the NSW Environment Protection Authority's Pesticide Use Notification Plan template, with additional detail to align with the Policy.
17. The Plan includes:
- (a) a spray-free register for members of the community to request no spraying take place adjacent their property
 - (b) a spray application schedule so the community has transparency about when and where spraying is occurring so they can choose to avoid a public place
 - (c) arrangements for notifying the owners of Sensitive Places as defined under the Regulation

- (d) City-designed pesticide notification signage for display at pesticide application sites.
- 18. The City has a webpage for the existing 2013 Pesticide Use Notification Plan. This webpage will be updated for the revised Plan, once adopted, to provide the community with one place for information about the Plan, spray-free register, spray application schedule and a list of pesticides the City may use.
- 19. A 4-year review period is proposed for the Plan or when circumstances require a review of the Plan prior to 4 years.

Reducing Pesticide Use

- 20. The success of the existing integrated weed management approach can be measured by the 93% reduction in the volume of glyphosate concentrate used in our public squares, streets, laneways and footpaths over the last 8 years. This was achieved whilst not compromising the City's service levels.
- 21. Beyond the initial weed management review, the City continues to review herbicide-alternative approaches in response to changes in industry practices, emerging technology and research. The City continues to collect and review data to inform our approach.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

- 22. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This Policy and Plan align with the following strategic directions and objectives:
 - (a) Direction 2 - A leading environmental performer - the Policy and Plan will support:
 - (i) The target to increase green cover to 40 percent across the LGA and to protect and improve naturally occurring locally indigenous vegetation and the habitat of priority fauna species.
 - (ii) The City's efforts in reducing pesticide use whilst still achieving service levels for the community.
 - (b) Direction 3 - Public places for all - the Policy and Plan will support safe, clean and high-quality public places by maintaining the visual amenity and functional integrity of the City's street, park and open space assets.
 - (c) Direction 5 - A city for walking, cycling and public transport - the Policy and Plan support this Direction by ensuring the City's network of streets, parks and open spaces are safe, accessible, visually appealing and support active transport all year round.
 - (d) Direction 6 - An equitable and inclusive city - the Policy and Plan will support equitable access for all communities to high-quality public places and information about the City's pesticide use in public places.

- (e) Direction 7 - Resilient and diverse communities - the Policy and Plan will support community engagement with the City's management of pests and how pesticides are used as part of an integrated management approach. The City models responsible land management and environmental stewardship through the integrated management framework outlined in the Policy.
- (f) Direction 9 - A transformed and innovative economy - the Policy and Plan will support the local economy by enabling people to spend greater time and money in safe, clean and high-quality public places. An integrated pest management approach ensures the City delivers on its statutory obligation to manage biosecurity risks for the Greater Sydney Region, where pests can have devastating economic impacts on industry and agriculture.

Organisational Impact

- 23. In developing the Policy and Plan, consultation was undertaken with relevant City staff.
- 24. The Policy and Plan principles and actions will be implemented by the City's Greening and Leisure and Properties Services business units, including embedding in operations and service contracts and the development of work health and safety and standard operating procedures.

Risks

- 25. The Policy and Plan clearly identifies environments and assets where pesticides will not be used, such as within or in the vicinity of playgrounds and waterplay areas, childcare centres and water sensitive urban design features.
- 26. Weed management at Sydney City Farm and in community gardens is guided by organic gardening principles and this includes the use of pesticides. Organically certified pesticides are used where feasible and effective to treat the specific weed.
- 27. When manual weed control alone fails to meet the service levels, the Policy sets out the following measures for the safe use of herbicides:
 - (a) The use of risk assessments to determine the appropriate weed management approach.
 - (b) Only pesticides registered by the Australian Pesticides and Veterinary Medicines Authority are to be used and in conjunction with the label and manufacturer's directions.
 - (c) The City uses pesticides of the lowest toxicity available that will achieve the service levels.
 - (d) City staff and service providers who are involved in the use of pesticides including mixing, calibrating spray equipment and applying pesticides must hold valid qualifications.

- (e) City staff and service providers will:
 - (i) comply with the City's Pesticide Use Notification Plan
 - (ii) read, be inducted into and familiar with and adhere to the relevant Safe Work Method Statement and herbicide Safety Data Sheet prior to applying herbicides
 - (iii) wear the required personal protective equipment.
- 28. Integrated weed management provides the most economically sustainable solution for the City, not only in directly managing weeds but broader asset management for the community and natural environment. The benefit comes from the combination of manual and chemical approaches as experienced by other local, state and federal authorities.
- 29. This approach is within the City's risk appetite, which states:
 - We recognise the critical importance of environmental protection and sustainability in our operations and decision-making. We are committed to minimising our negative impact on the environment and striving for a more sustainable future. We accept that sometimes environmental protection (e.g. pollution) and environmental sustainability (e.g. cleaner energy) place us at opposite ends of the risk appetite spectrum.
 - We are dedicated to actively identifying and addressing environmental risks associated with our activities and services. We prioritise prevention and proactive measures to minimise our ecological footprint, conserve resources and protect ecosystems.
 - We have an open appetite for changes to procedures and practices to accommodate improved environmental outcomes.
 - We have robust risk management in place to minimise environmental incidents, adapt to climate change impacts and to enhance our resilience against unforeseen challenges.

Social / Cultural / Community

- 30. Weeds have the potential to impact the community's use and enjoyment of public places by:
 - (a) reducing visual amenity of places, impacting perception and accessibility of an area, and affecting the mental health of the communities using the place
 - (b) creating trip hazards and impeding pedestrian and vehicle sightlines
 - (c) affecting human and animal health by causing allergies, injuries, dermatitis and respiratory issues
 - (d) contributing to the deterioration of sports fields and park turf, impacting formal and passive recreation.

31. The integrated approach outlined in the Policy and Plan is key to the management of high-quality enduring public places, assets and amenities. The Policy and Plan work with the City's service levels and statutory obligations to facilitate the management of inclusive, welcoming places the City is known for.
32. The Policy and Plan achieve a sustainable social balance between meeting the service levels to maintain high-quality public places, while reducing chemical use and fulfilling the community's right to know about pesticide use.

Environmental

33. The City's integrated pest management approach - prioritising non-chemical methods in the first instance - aids the City in reducing our overall chemical use whilst still contributing to strategic targets and meeting service levels for the community.
34. The City's bush restoration areas, wetlands, endangered Temperate Coastal Saltmarsh communities and mangroves are all threatened by weeds. The Policy supports the integrated management of these areas, where herbicides are required at times in an effort to eradicate or contain environmental, aquatic and regional priority weeds.
35. In the NSW Biosecurity Strategy 2022 - 2030, the NSW Department of Primary Industries and Regional Development reported:
 - (a) The number of pest and disease introductions into Australia has quadrupled in the last five years, with an ever-increasing upward trend.
 - (b) Pests threaten more than 70% of threatened species and endangered ecological communities in NSW.

The Policy and Plan form a key component of the City's statutory obligation to prevent and manage biosecurity risks under the Biosecurity Act. This is an important contribution the City can make to protecting the natural environments of the local area, the Greater Sydney Region and the state.

Economic

37. The Policy and Plan will deliver economic benefits for the local economy through high-quality public places that contribute to property values, commercial activity and tourism. Safe, clean and visually appealing places encourage people to spend greater time in retail and commercial precincts and tourist attractions across the city.
38. In the NSW State of the Environment Report 2021, the NSW Environment Protection Authority reported:
 - (a) Pest animals cost the NSW economy \$170 million every year in lost production and management costs.
 - (b) Pest weeds cost the NSW economy \$1.8 billion every year in lost agriculture production and management costs.

39. The Policy and Plan will contribute to minimising the economic impact of biosecurity risks and invasive species across the Greater Sydney Region. By providing a proactive management approach and clear direction on reactive management, the City is equipped to manage pests within the LGA in an effort to stop the spread beyond it.

Financial Implications

40. The implementation of the Policy and Plan is funded from within the City's existing operational budget (and capital projects, on occasion) and forward estimates that form part of the City's Long Term Financial Plan.
41. The Policy and Plan will not directly generate income.

Relevant Legislation

42. Local Government Act 1993.
43. Pesticides Act 1999 and Pesticides Regulation 2017.
44. Biosecurity Act 2015 (NSW) and Biosecurity Regulation 2017.
45. Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.
46. Protection of the Environment and Operations Act 1997 and Protection of the Environment Operations (General) Regulation 2022.

Critical Dates / Time Frames

47. It is proposed that the Policy and Plan will be publicly exhibited for a minimum of 28 days in early 2025, with a report back to Council following the exhibition period and an assessment of the submissions received in mid-2025.

Options

The Policy

48. Approve for public exhibition. This is the recommended option.
49. Approve for public exhibition with amendments.
50. Not approve for public exhibition. The City will continue to manage weeds operationally through the existing integrated weed management approach.

The Plan

51. Approve for public exhibition. This is the recommended option.
52. Approve for public exhibition with amendments subject to statutory compliance.

Public Consultation

- 53. Following approval by Council, the draft Policy and Plan will be placed on public exhibition for a minimum of 28 days.
- 54. Public exhibition will be undertaken through the Sydney Your Say web page and advertised via the City's communication channels.
- 55. Notice of the exhibition will be published on the City's website.
- 56. The City will prepare a final version of the Policy and the Plan taking into consideration any submissions made for Council endorsement.

VERONICA LEE

Executive Director City Services

William Pearce, Contract Coordinator Parks

Attachment A

Draft Weed Management Policy

Draft Weed Management Policy

Purpose

This policy details how the City of Sydney (the City) manages Weeds through an Integrated Weed Management approach to achieve and maintain safe, high-quality Public Places, to meet our statutory obligations and to minimise the use of Pesticides.

Scope

This policy applies to:

- land under the ownership of the City
- land under the care, control or management of the City
- land licensed under the City's Community Gardens Guidelines

This policy does not apply to:

- land the City owns and has leased to a third party

Definitions

Term	Meaning
Contracted Service Provider	A third party contracted to provide services on behalf or with the City, being an organisation, including for profit and not-for-profit organisations, private companies, and government entities. It excludes any contracted service provider engaged by an entity external to the City such as utility subcontractors.
Employee	All City of Sydney employees including permanent (whether full-time or part-time), temporary, casual employees and apprentices.
Herbicide	Any substance or mixture of substances intended for preventing, destroying or controlling any unwanted plant, including algae or aquatic weeds. Herbicide is a type of Pesticide.
Integrated Weed Management	The coordinated use of a variety of design approaches and manual methods and techniques in combination with Herbicide use, with the aim of reducing reliance on Herbicides alone, and increasing the chances of successful Weed control or eradication.
Pesticide	Any substance, or mixture of substances, other than a feed additive, intended for preventing, destroying or controlling any pest.
Public Place	Places that are accessible to and intended for use by the public that the City owns or manages, such as parks and open space, squares, streets, footpaths, leisure and community centres and interiors of some council buildings.

Term	Meaning
Service Levels	Defined outcomes to achieve the presentation and condition of a Public Place relating to the presence of weeds. Service Levels vary depending upon the type and use of a Public Place. However, all Service Levels encourage Integrated Weed Management and specify work health and safety and statutory requirements that must be met whilst planning and undertaking any services in Public Places.
Volunteer	A person who gives their time to the City, without financial remuneration and for the benefit of the community at the direction of the City's Employees.
Weed	A plant that has an adverse effect on, or is suspected of having an adverse effect on, the environment, the economy or the community because it has the potential to: • out-compete other organisms for resources including food, water, nutrients, habitat and sunlight • transmit disease to other plants • cause harm to other organisms through its toxicity • damage infrastructure • reduce the amenity or aesthetic value of a Public Place • harm or reduce biodiversity
Worker	All Employees, agency contractors (labour hire), work experience students and Contract Service Providers. Excludes Volunteers.

Policy Context

The City of Sydney covers an area of approximately 26 square kilometres. The land use within the Local Government Area (LGA) is diverse, and includes the Central Business District, urban renewal residential areas, industrial, warehousing and commercial development, heritage buildings and infrastructure, roads, squares, parks and open spaces, sports fields and recreation amenities and bush restoration areas.

Weeds pose a substantial threat to the use, enjoyment, function, integrity and maintenance of these areas by:

- damaging the function and structure of our land-based and aquatic natural and restored ecosystems, through habitat destruction and outcompeting endemic flora and fauna for nutrients. The City's bush restoration areas, wetlands, endangered Temperate Coastal Saltmarsh communities and mangroves are all threatened by Weeds
- affecting the human and animal health of our communities by causing allergies, injuries, dermatitis and respiratory issues
- having the potential to impact the function of our roads, footpaths and public squares and undermining the integrity of cliff faces and built infrastructure
- affecting the visual amenity and enjoyment of our parks and the condition and use of our sports fields and recreation areas.

The economic impact of Weeds in New South Wales (NSW) is conservatively estimated at over a billion dollars per annum by the NSW Department of Primary Industries and Regional

Development. Given this, the City has a responsibility, not only to the communities and lands within our LGA, but to the Greater Sydney Region to proactively manage our biosecurity risks.

In response to these impacts and the threat Weeds pose, the City:

- has a responsibility to the community to provide safe, functional, welcoming, well maintained and aesthetically pleasing Public Places
- has a statutory obligation under the Biosecurity Act 2015 (NSW) to prevent, eliminate, minimise and manage biosecurity risks posed by Weeds and to develop, implement and co-ordinate Weed control programs
- is committed to ensuring that Herbicide use is safe, responsible, justified and minimised in our efforts to prevent, control and eradicate Weeds.

Policy Statement

The objectives of the Weed Management Policy are to:

- contribute to the biosecurity of the Greater Sydney Region
- demonstrate the City's commitment to minimising the use of Herbicides and prioritising the use of Herbicide alternatives where safe, feasible and effective
- provide safe, high-quality and welcoming Public Places
- protect the natural environment and Public Places

The City manages Weeds in accordance with the below statements.

Weed Management Approach

Integrated Weed Management (IWM)

The City's weed management approach is an integrated one, emphasising the use of Herbicide alternatives to prevent, control and eradicate Weeds to the extent possible, without the use of Herbicides. Herbicides are only used where other techniques or methods are partially or fully ineffective.

IWM requires planning, knowledge of a Weed's biology and ecology, and appropriate control methods for the situation, Public Place and the community's interaction with the area.

IWM involves a range of methods and approaches. Workers will in the first instance assess the Weed, Public Place, situation and risks to determine which individual or combination of IWM methods is required to prevent, control or eradicate the specific Weed.

IWM approaches are grouped within the following sequence:

Proactive Treatment – Weed prevention

- designing Public Places with consideration for Weed management, such as hard edge treatments between turf and garden beds
- growing healthy turf and plants to achieve full ground cover
- maintaining dense plant populations in garden beds to restrict solar access and nutrients to Weeds
- building and nurturing resilient soil with diverse microbiome and complex structure to support healthy turf and plants, and reduce the need for fertilisers
- applying mulch

- installing porous pavement street tree surrounds where possible
- street sweeping and high pressure cleaning footpaths, gutters and streets
- mowing and whipper snipping
- targeted application of pre-emergent Herbicide

Reactive Manual Treatment – Weed control or eradication

- removing Weeds prior to flowering or setting seed and fruit
- hand pulling
- chipping and frilling
- scraping
- whipper snipping and brush cutting

Reactive Herbicide Treatment – Weed control or eradication

If a Herbicide is required, the Worker will choose the appropriate and least toxic Herbicide required for the Weed, Public Place, situation and risk to meet the Service Levels, noting the following Service Levels for all Public Places:

- Manually remove any Weed equal to or greater than 50mm wide and tall, outside of bush restoration areas
- Manually remove any Weed in bush restoration areas equal to or greater than:
 - 150mm wide and tall for soft-wooded Weeds
 - 400mm wide and tall for woody Weeds

The Worker may elect to use Herbicides in combination with one or more proactive or reactive methods listed above.

Weed management at Sydney City Farm and in community gardens is guided by organic gardening principles and this includes the use of Herbicides. Organically certified Herbicides are used where feasible and effective to treat the specific Weed.

IWM approaches are applied through the following workflow:

Proactive -
Weed prevention



Reactive Manual Treatment -
Weed control or eradication



Reactive Herbicide Treatment -
Weed control or eradication

Weed Management Principles

The below principles inform and drive the application of the City's IWM across our Public Places:

Public Place	Weed Management Priority
Street gardens and turf verges	- line of sight and clearance for pedestrians, cyclists and drivers - health and safety of pedestrians
Streets, laneways, footpaths, kerbs and gutters	
Bush restoration areas	- contribute to the biosecurity of the Greater Sydney Region - aesthetic values
All other Public Places	- health and safety of users - contribute to the biosecurity of the Greater Sydney Region - create and enhance habitat for priority fauna species
	- health and safety of users - contribute to the biosecurity of the Greater Sydney Region - use and enjoyment of recreational users - aesthetic values

Weed Management of Public Places

The below table outlines the City's weed management approach for different Public Places.

Public Place	IWM Approach
Playgrounds	- Proactive - Reactive manual treatment - No Herbicide use
Waterplay	
Childcare centres	
Water Sensitive Urban Design	
City managed waterbodies (within 10m of)	
Sydney City Farm	- Proactive - Reactive manual treatment - Herbicide use guided by organic gardening principles
Community gardens	
Parks and sports fields	- Proactive - Reactive manual treatment - Reactive Herbicide treatment used only when Proactive and Reactive
Bush restoration areas	
Street gardens and turf verges	

Public Place	IWM Approach
Public squares	manual measures alone will fail to achieve the required Service Levels
Streets, laneways and footpaths	
Council depots, buildings, and facilities (exterior surrounds of)	
Cliff faces and rock walls	
City managed waterbodies (aquatic Weeds located within the waterbody or its banks)	• Proactive • Reactive manual treatment • Reactive Herbicide treatment used only when Proactive and Reactive manual measures alone will fail to achieve the required Service Levels. Only Herbicide products registered for aquatic use by the Australian Pesticides and Veterinary Medicines Authority (APVMA)

Safe and Responsible Herbicide Use

Herbicide Use

The City only uses Herbicides registered by the APVMA.

The following control mechanisms are implemented when using Herbicides:

- the City uses Herbicides with the lowest toxicity available that will achieve the Service Levels
- Herbicides are used in accordance with the APVMA-approved manufacturer's directions
- notification of pesticide use will be provided as per the City's Pesticide Use Notification Plan
- the City will not use Herbicides where they interfere with bookings for Public Places
- the City will not spray Herbicides on windy days
- use nozzle cones on spray wands wherever possible
- not use pressure sprays where a person or animal is at risk of coming into direct contact with the Herbicide during the application.
- make and keep records of all Herbicide applications in accordance with the City's statutory obligations.

Training

Workers who are involved in the use of pesticides including mixing, calibrating spray equipment and applying pesticides are required to:

- hold a valid Australian Qualifications Framework (AQF) qualification:

- AQF level 2 if they use Pesticides under supervision of a Worker who has achieved AQF level 3 competency
- AQF level 3 if they use Pesticides independently, or supervise the use of Pesticides by other Workers
- hold valid proof of competency
- renew their qualification every five (5) years.

Work Health and Safety

To meet the Service Levels and statutory requirements, Workers using Herbicides are required to:

- adhere to the following SafeWork NSW Codes of Practice:
 - Safe use of pesticides in non-agricultural workplaces
 - Managing risks of hazardous chemicals in the workplace
- carry out a risk assessment:
 - to inform the development of an IWM approach, and;
 - prior to applying Herbicides, including assessing the weather conditions and use of the Public Place
- comply with the City's Pesticide Use Notification Plan
- read, be inducted into and familiar with and adhere to the relevant Safe Work Method Statement and Herbicide Safety Data Sheet prior to applying Herbicides
- wear the required personal protective equipment.

Volunteers are not permitted to use Herbicides.

Responsibilities

The Manager City Greening and Leisure and the Manager Property Services are responsible for the implementation of the Weed Management Policy.

Workers will:

Follow and comply with this policy.

Volunteers will

Follow and comply with this policy.

Consultation

This policy has been developed in consultation with:

- City Services
- Chief Operations Office
- Legal and Governance
- City Planning Development and Management
- People, Performance and Technology

- Strategic Development and Engagement

The initial policy was open for public comment from **day date month** to **day date month year** through the City of Sydney website.

References

Laws and Standards
• Biosecurity Act 2015 NSW
• Biosecurity Regulation 2017 NSW
• Greater Sydney Regional Strategic Weed Management Plan
• Pesticides Act 1999 NSW
• Pesticide Regulation 2017 NSW
• Protection of the Environment and Operations Act 1997 NSW
• Protection of the Environment Operations (General) Regulation 2022 NSW
• Work Health and Safety Act 2011 NSW
• Work Health and Safety Regulation 2017 NSW

Policies and Procedures
• Hazardous Chemicals Operational Procedure
• Personal Protective Equipment Operational Procedure
• Pesticide Use Notification Plan
• Work Health and Safety Policy

Review period

This policy will be reviewed every four (4) years.

Approval Status

Council approved this policy on **[DD MONTH YYYY]**.

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	(Date, month, year)	Approved by Council	20XX/XXXXXX
Reviewed	(Date, month, year of when it	Briefly summarise key changes	20XX/XXXXXX (Governance to populate)

Stage	Date	Comment	TRIM Reference
	was approved by Council)		
Commence Review Date	DD MONTH YYYY		
Approval Due Date	DD MONTH YYYY		

Ownership and approval

Responsibility	Role
Author	Contract Coordinator Parks
Owner	Manager City Greening and Leisure
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Attachment B

Draft Pesticide Use Notification Plan
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Plan
Month 2025

Draft Pesticide Use Notification Plan

We acknowledge the Gadigal of the Eora Nation
as the Traditional Custodians of our local area.

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1. Introduction

This Pesticide use notification plan (the Plan) has been prepared in accordance with the requirements of the Pesticides Regulation 2017 (the Regulation).

1.1. Purpose

This Plan sets out how the City of Sydney (the City) notifies the community of Pesticide use by the City and allows them to take action to avoid potential contact with Pesticides if they wish.

The City:

- ensures Pesticides are applied to Public Places in a safe, responsible manner, minimising harm to the community and the environment, and;
- is committed to ensuring that Pesticide use is justified, minimised and that the lowest toxicity of Pesticides necessary are used to achieve the City's Service Levels. The City will continue to investigate and use alternatives to Pesticides where available, safe and effective.

The Plan forms a component of the City's integrated pest management approach. This approach ensures the City only uses Pesticides in Public Places when necessary to eliminate weeds, to protect public property from pest damage, and the community from nuisance or danger such as weeds affecting human and animal health. Manual methods of pest management are prioritised and used in the first instance where able and safe to do so.

1.2. Definitions

Term	Meaning
Contract Service Provider	A third party contracted to provide services on behalf or with the City, being an organisation, including for profit and not-for-profit organisations, private companies, and government entities. It excludes any contracted service provider engaged by an entity external to the City such as utility subcontractors.
Employee	All City of Sydney employees including permanent (whether full-time or part-time), temporary, casual employees and apprentices.
Pest	In relation to an animal, plant or thing – any animal, plant or biological entity that injuriously affects the physical condition, worth or utility of an animal, plant or thing. In relation to a place – an animal, plant or other biological entity that injuriously affects the use or enjoyment of that place.

Term	Meaning
Pesticide	Any substance, or mixture of substances, other than a feed additive, intended for preventing, destroying or controlling any pest. Pesticides are represented by a range of chemicals used to control or eradicate specific Pests and include algaecides, bactericides, baits, herbicides, insecticides, fungicides, miticides, nematocides, rodenticides and termiticides.
Public Place	Places that are accessible to and intended for use by the public that the City owns or manages, such as parks and open space, squares, streets, footpaths, leisure and community centres and interiors of some council buildings.
Sensitive Place	Has the meaning given to the term in Clause 39 of the Pesticide Regulation 2017 (NSW).
Service Levels	Defined outcomes to achieve the presentation and condition of a Public Place relating to the presence and impact of Pests. Service Levels vary depending upon the type and use of a Public Place, but all Service Levels encourage Integrated Pest Management and include work health and safety and statutory requirements that must be met whilst planning and undertaking any Pest management services in Public Places.
Volunteer	A person who gives their time to the City, without financial remuneration and for the benefit of the community at the direction of City Employees.
Worker	All Employees, agency contractors (labour hire), work experience students and Contract Service Providers. Excludes Volunteers.

1.3. Objective

To meet regulatory requirements and the community's right to know about Pesticide applications made to City controlled public places by outlining:

- what Public Places are covered by the Plan
- who regularly uses these Public Places, and an estimated level of use
- how and when the City provides the community with information about its Pesticide applications in Public Places
- how the community can access the Plan and get more information about the City's notification arrangements
- how future reviews of the Plan will be conducted
- contact details for anyone wishing to discuss the Plan with the City.

1.4. Pesticide application

Pesticides are applied within indoor and outdoor Public Places and their use consists of programmed and reactive applications.

1.4.1. Programmed Pesticide application

Programmed Pesticide application includes:

- Pesticides applied under the Pesticide Application Schedule
- the annual application of insecticide for cockroaches, ants and spiders is applied to the interior of City buildings and facilities including indoor swimming pool facilities. This application is scheduled after hours when the Public Place is inaccessible to the public
- baits used to control outbreaks of vermin in Public Places and to protect buildings and structures from damage by termites and soil Pests.

1.4.1.1 Pesticide Application Schedule

The Pesticide Application Schedule consist of two schedules for the programmed application of Pesticides across the following Public Places:

- streets, laneways, footpaths and other outdoor publicly accessible places excluding parks, and;
- parks and open space assets including sports fields (natural and synthetic), street gardens and turf verges, outdoor courts and skate facilities and bush restoration areas.

Each schedule allows for eight applications of Pesticide per year. The timing of the applications differs between the schedules, reflecting the environments and most common Pests and peak growth seasons specific to those Public Places.

The Pesticide Application Schedule is published on the City's website and is updated on an annual basis prior to the commencement of the next calendar year.

1.4.2. Non-programmed Pesticide application

All other applications of insecticides, algaecides, fungicides, miticides, nematicides, rodenticides are applied reactively on an as need basis.

1.5. Integrated Pest Management

Integrated Pest Management (IPM) is the coordinated use of a variety of design approaches and manual methods and techniques in combination with Pesticide use, with the aim of reducing reliance on Pesticides alone, and increasing the chances of successful Pest control or eradication.

The City adopts an IPM approach because:

- we are mindful of the impact the over reliance of Pesticides can have on our environment and community
- Pesticides alone are unable to achieve the City's Service Levels in providing safe, functional, fit for use and aesthetically pleasing Public Places.

IPM involves a range of methods and approaches. Workers will assess the Pest, Public Place, situation and risks to determine which individual or combination of IPM methods is required to prevent, control or eradicate the specific Pest.

The approach to IPM follows the below sequence with proactive and reactive examples provided to demonstrate non-Pesticide methods or techniques within those categories:

Proactive – Pest prevention

- designing Public Places with consideration for Pest management, such as hard-edge treatments between turf and garden beds for weeds and the location of park and street furniture.
- selecting plant species resilient to common insect Pests
- growing healthy turf and plants to outcompete weeds and be resilient to insect Pests
- applying mulch to smother weeds
- street sweeping and high-pressure cleaning of footpaths, gutters and streets to remove litter and food waste residues and built-up growing media ideal for weed seed germination
- targeted application of pre-emergent herbicide

Reactive – Pest control and eradication

- physically collapsing rodent burrows
- removing weeds prior to flowering or setting seed and fruit
- hand pulling weeds
- physical removal of insects

Reactive Chemical Treatment – Pest control and eradication

If a Pesticide is required, the Worker will choose the appropriate and least toxic Pesticide required for the Pest, Public Place, situation and risk to meet the service levels.

- Pesticide in combination with an above reactive method
- Pesticide alone

Pesticide use at Sydney City Farm and in community gardens is guided by organic gardening principles, including the use of organically certified Pesticides where feasible and effective to treat the Pest.

2. Public Places covered by the Plan

The City uses Pesticides in the following Public Places or areas controlled by the City:

- parks and open space, street gardens and turf verges
- barbecue and picnic areas
- sports fields (natural and synthetic)
- bush restoration area
- outdoor courts and skate facilities
- flower displays in hanging baskets and planter boxes (maintained by the City)
- streets, laneways and footpaths
- public toilets
- council buildings, facilities and leisure centres (indoors)
- council buildings, facilities and leisure centres (outdoor landscaped surrounds)
- community gardens
- Sydney City Farm

2.1. Pesticide use in Public Places

The table summarises the regular user groups, estimated level of community use, the types of Pesticides and notification arrangements for each category of Public Place. Further details about notification arrangements are detailed in Section 3. of the Plan.

Public Place or area	Regular user group	Level of use or proximity to Public Place or area	Type of Pesticide and application methods that may be used
Parks and open space	Children and adults School, sporting and recreational groups Eventgoers Workers Companion animals	High	Spot spray and broadscale contact and systemic non-selective herbicides Spot spray and broadscale systemic selective herbicides Spot spray insecticides Spot spray fungicides Spot spray algaecides Spot spray nematicides Spot spray growth regulators Bait rodenticides Bait termiticides The City does not apply Pesticides in or within the immediate vicinity of playgrounds and waterplay areas.
Street gardens and turf verges	Children and adults Workers Companion animals	High	Spot spray contact and systemic non-selective herbicides Systemic selective herbicides Spot spray insecticides Spot spray fungicides Bait rodenticides

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Public Place or area	Regular user group	Level of use or proximity to Public Place or area	Type of Pesticide and application methods that may be used
Barbecue and picnic areas	Children and adults School groups Workers	High	Spot spray contact and systemic non-selective herbicides Spot spray systemic selective herbicides Spot spray insecticides Spot spray algaecides Bait rodenticides
Sports fields (natural and synthetic)	Children and adults School, sporting and recreational groups Workers	High	<u>Natural sports fields:</u> Spot spray and broadscale contact and systemic non-selective herbicides Spot spray and broadscale systemic selective herbicides Spot spray and broad scale growth regulators Spot spray and broad scale insecticides Spot spray miticides Spot spray nematicides <u>Synthetic fields:</u> Spot spray algaecides Spot spray contact and systemic non-selective herbicides
Outdoor courts and skate facilities	Children and adults School, sporting and recreational groups Eventgoers Workers	High	Spot spray contact and systemic non-selective herbicides Spot spray algaecides Bait rodenticides

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Public Place or area	Regular user group	Level of use or proximity to Public Place or area	Type of Pesticide and application methods that may be used
Streets, laneways, footpaths, kerbs and gutters	Children and adults Workers Companion animals	High	Spot spray contact and systemic non-selective herbicides Spot spray algaecides Bait rodenticides
Public toilets	Children and adults Workers	Medium	Spot spray insecticides Bait rodenticides
Council buildings, facilities and leisure centres (indoors)	Children and adults Workers	Medium	Spot spray insecticides Bait rodenticides
Council buildings, facilities and leisure centres (outdoor landscaped surrounds)	Children and adults School, sporting and recreational groups Workers	Medium	Spot spray contact and systemic non-selective herbicides Spot spray systemic selective herbicides Spot spray insecticides Spot spray fungicides Spot spray growth regulators Bait rodenticides
Community gardens	Children and adults School groups	Medium	<u>Prioritises organic gardening principles:</u> Spot spray contact non-selective herbicides Spot spray insecticides Lures (such as Queensland fruit fly lures) Spot spray fungicides Bait rodenticides

Draft Pesticide Use Notification Plan

Public Place or area	Regular user group	Level of use or proximity to Public Place or area	Type of Pesticide and application methods that may be used
Sydney City Farm	Children and adults School groups Eventgoers	Medium	<u>Prioritises organic gardening principles:</u> Spot spray contact non-selective herbicides Spot spray insecticides Lures (such as Queensland fruit fly lures) Spot spray fungicides Bait rodenticides
Bush restoration areas	Workers Volunteer Landcare and Bushcare groups	Low	<u>Applied by Workers only:</u> Spot spray systemic and contact non-selective herbicides Spot spray insecticides Direct application of non-selective herbicide (cut and paint, drill and fill) Volunteers do not use Pesticides
Floral displays in hanging baskets and planter boxes (maintained by the City)	Children and adults Workers	Low	Spot spray insecticides Spot spray fungicides

3. Notification arrangements

This section of the Plan describes how and when the City provides notice of Pesticide use in Public Places including special measures for Sensitive Places, emergency Pesticide applications, changes to programmed applications and circumstances where notification is not provided.

The notification arrangements are based on the City's assessment of:

- the level of use of Public Places where Pesticides may be applied
- the extent to which members of the community who are most likely to be sensitive to Pesticides, are likely to use these areas regularly
- the extent to which activities generally undertaken in these areas could lead to some direct contact with Pesticides
- the type of Pesticide used.

3.1. Notification methods

Notice of Pesticide use will be provided by a combination of methods as outlined in the below table.

Notice type	Description
Pesticide use notification signs (signs)	Installed at the Public Place site of Pesticide application prior to the application of the Pesticide and remaining in place until after the prescribed re-entry period detailed in the Pesticide product label. Signs will contain the mandatory information detailed in Section 4 of the Plan.
City website www.cityofsydney.nsw.gov.au	- The Plan - Pesticide Application Schedule - list of Pesticides the City may use - process for registering for the Spray-Free Register (see Section 3.4. of the Plan) - contact details for Pesticide enquiries
Email	<u>Programmed Pesticide application:</u> Annual email notification of the Pesticide Application Schedule to: - community members and groups registered on the Spray-Free Register (see Section 3.4. of the Plan) - sporting groups with current bookings Sporting groups who make bookings after the distribution of the annual email will be sent a copy of the Pesticide Application Schedule as part of the booking process.

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Notice type	Description
	<u>Unprogrammed Pesticide application:</u> For the adjustment of the Pesticide Application Schedule due to wet or windy weather, reactive email notification will be sent to the following impacted entities prior to the application: - community members and groups registered on the Spray-Free Register (see Section 3.3. of the Plan) - sporting groups with current bookings <u>Emergency Pesticide application:</u> See Sections 3.2. and 3.3. of this Plan.
Hard copy of the Plan	Hard copy of the Plan available free of charge at Town Hall Customer Service Centre and Neighbourhood Service Centres.

3.2. Emergency pesticide applications

An Emergency Pesticide application in a Public Place may be required to deal with:

- nuisance (biting) or dangerous insects
- rodents (that pose an immediate health hazard)
- outbreaks of Pests which have an immediate impact on the fit for use condition of City assets

In these situations, the City will provide notice by installing signs adjacent to the application area at the time of the application.

Where the emergency Pesticide application relates to a sports field or Public Place with a booking, the sports group or entity who made the booking will be notified as soon as practicable by phone and email.

See Section 3.3. of this Plan for notification requirements of emergency Pesticide applications for Sensitive Places.

3.3. Special measures for Sensitive Places

Clause 39 of the Regulation defines a Sensitive Place to be any:

- school or pre-school
- kindergarten
- childcare centre
- hospital
- community health centre
- nursing home
- place declared to be a sensitive place by the NSW Environment Protection Authority.

Clause 48 of the Regulation stipulates additional requirements in relation to use adjacent to a Sensitive Place.

Where a Pesticide application is programmed for within 20 metres of a Sensitive Place, the City will provide the occupier (including City owned or managed Sensitive Places) with five (5) days' notice by email, phone or letter box drop (whichever is most practicable).

Pesticide applications inside Sensitive Places that the City owns such as childcare centres for spider, cockroach and ant control, will be applied after hours and where possible on a Friday night. This allows time for the drying and dispersal of the pesticide by the following Monday morning when the childcare centre reopens.

For emergency Pesticide applications adjacent to Sensitive Places, the City will provide notification as soon as practicable prior to the emergency Pesticide application by phone or door knocking. An email notification will also be sent to the occupier and signs installed adjacent to the treatment area at the time of application.

3.4. Spray-Free Register

Residents and occupiers can request that Pesticide use be limited or avoided adjacent their property for streetscapes, laneways, footpaths, street gardens and turf verges, by lodging a request through the City's website to join the Spray-Free Register.

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Occupiers of Sensitive Places can also choose to register to join the Spray-Free Register, noting this does not remove the City's obligation to provide notification to the Sensitive Place occupier as per Section 3.3 of the Plan.

Workers are to refer to the Spray-Free Register as part of an IPM approach and will avoid the use of Pesticides adjacent to properties registered on the Spray-Free Register, where possible.

3.5. Place specific notification arrangements

The below tables provides details of individual Pesticide use notification arrangements.

Public place	Onsite notification	Offsite notification
Parks and open space	Signs installed at prominent locations adjacent to the treatment area and at main entrances to the park or open space.	Pesticide Application Schedule on City website The Plan
Street gardens and turf verges	Signs installed at prominent locations adjacent to the treatment area.	Pesticide Application Schedule on City website The Plan
Barbecue and picnic areas	Signs installed at prominent locations adjacent to the treatment area and at main entrances to the park or open space the barbecue or picnic area are located within.	Pesticide Application Schedule on City website The Plan
Sports fields (natural and synthetic)	Signs installed at prominent locations adjacent to the treatment area for unfenced sports fields and at main entrances of fenced sports fields.	Pesticide Application Schedule on City website The Plan
Outdoor courts and skate facilities	Signs installed at prominent locations adjacent to treatment area and at main entrances.	Pesticide Application Schedule on City website The Plan

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Public place	Onsite notification	Offsite notification
Streets, laneways, footpaths, kerbs and gutters	Signs prominently displayed on vehicles and equipment.	Pesticide Application Schedule on City website The Plan
Public toilets	Signs prominently displayed at the entrance to application area.	The Plan
Council buildings, facilities and leisure centres (indoors)	Signs prominently displayed at the entrance to application area.	The Plan
Council buildings, facilities and leisure centres (outdoor landscaped surrounds)	Signs installed at prominent locations adjacent to treatment area and main entrances.	The Plan
Bush restoration areas	Signs displayed in prominent locations adjacent to the treatment area.	The Plan
Floral displays in hanging baskets and planter boxes (maintained by the City)	Signs prominently displayed on vehicles and equipment.	The Plan
Community gardens	See Section 3.6. of the Plan	The Plan
City Farm	See Section 3.6. of the Plan	The Plan

3.6. When notification will not be given

The City will not provide notification of Pesticide applications in the following circumstances:

- The use of Pesticides that are widely available from retail outlets and ordinarily used for domestic purposes, including home gardening, applied as a ready-to-use product. This includes the minor control of both indoor and outdoor insect Pests using baits or aerosol spray cans. The application of these methods is most commonly used in community gardens or for one-off minor applications for specific pests within one location of a Public Place.
- The application of Pesticides within a Public Place by a person or organisation holding an existing lease of that place.
- Minor spot spraying of Pesticides using a hand or backpack sprayer of no more than 15 litres of mixed concentrate, applied to less than 30m² per location of a Public Place.
- Direct application of Pesticides through applications such as:
 - o stem injection
 - o cut and paint
 - o drill and fill
 - o baits
 - o powdered rodenticides (these are applied inside a rodent burrow immediately prior to the forced collapse of the burrow).
- The application of Pesticides within the publicly accessible interiors of City buildings, facilities and leisure centres during out of hours periods when there is no public access.
- The application of Pesticides within fenced worksites closed to the public, such as during park renewals or upgrades.
- Pesticides applied by members of the public to City land, such as a spray application to the turf verge or street garden adjacent to their property.

3.7. Contracted service providers

Where the City uses Contracted Service Providers to apply Pesticides on its behalf, the City will ensure that notification is made in accordance with the notification requirements of the Plan and work health and safety Service Levels adhered to for risk assessments, Safe Work Method Statements, Safety Data Sheets and personal protective equipment.

4. What information will be provided

In accordance with clause 41(1)(h) of the Regulation, notices of Pesticide use must include all the following information:

- the full product name of the Pesticide to be used
- the purpose for which the Pesticide is to be used
- the proposed date/s or date range of the Pesticide use
- the places where the Pesticide is to be used
- contact telephone number and email address of the City officer, whom people can contact to discuss the notice
- any warnings regarding re-entry to or use of the place of application specified on the product label or the permit.

Signs are of a standardised design that will be easily recognisable to the public and workers. See Appendix 2. Pesticide Use Notification Signs.

The City's website features a dedicated webpage that describes programmed Pesticide use in Public Places with a link to the Plan and the Pesticide Application Schedule.

5. How the community will be informed of the Plan

The City advises the public of the Plan and its contents by:

- making a copy of the Plan available for viewing free of charge, at Level 2, Town Hall House, 456 Kent Street, Sydney and at local Neighbourhood Service Centres
- placing a copy of the Plan on the website at www.cityofsydney.nsw.gov.au
- placing an annual notice in local newspapers
- placing a notice in the NSW Government Gazette.

6. Future reviews of the Plan

The Plan is reviewed every four (4) years or when circumstances require a review of the Plan.

The review will include:

- placing the Plan on public exhibition, and calling for any public submissions
- the consideration of public submissions and making recommendations for alterations (if applicable) to the Plan.

The City may consider on reasonable grounds that the amendments to the Plan are not of sufficient substance to warrant further public consultation as part of the review.

7. Contact details

Anyone wishing to contact the City to discuss the Plan or to obtain details of Pesticide applications in public places should contact:

Contract Coordinator Parks

Town Hall House

456 Kent Street

Sydney 2000

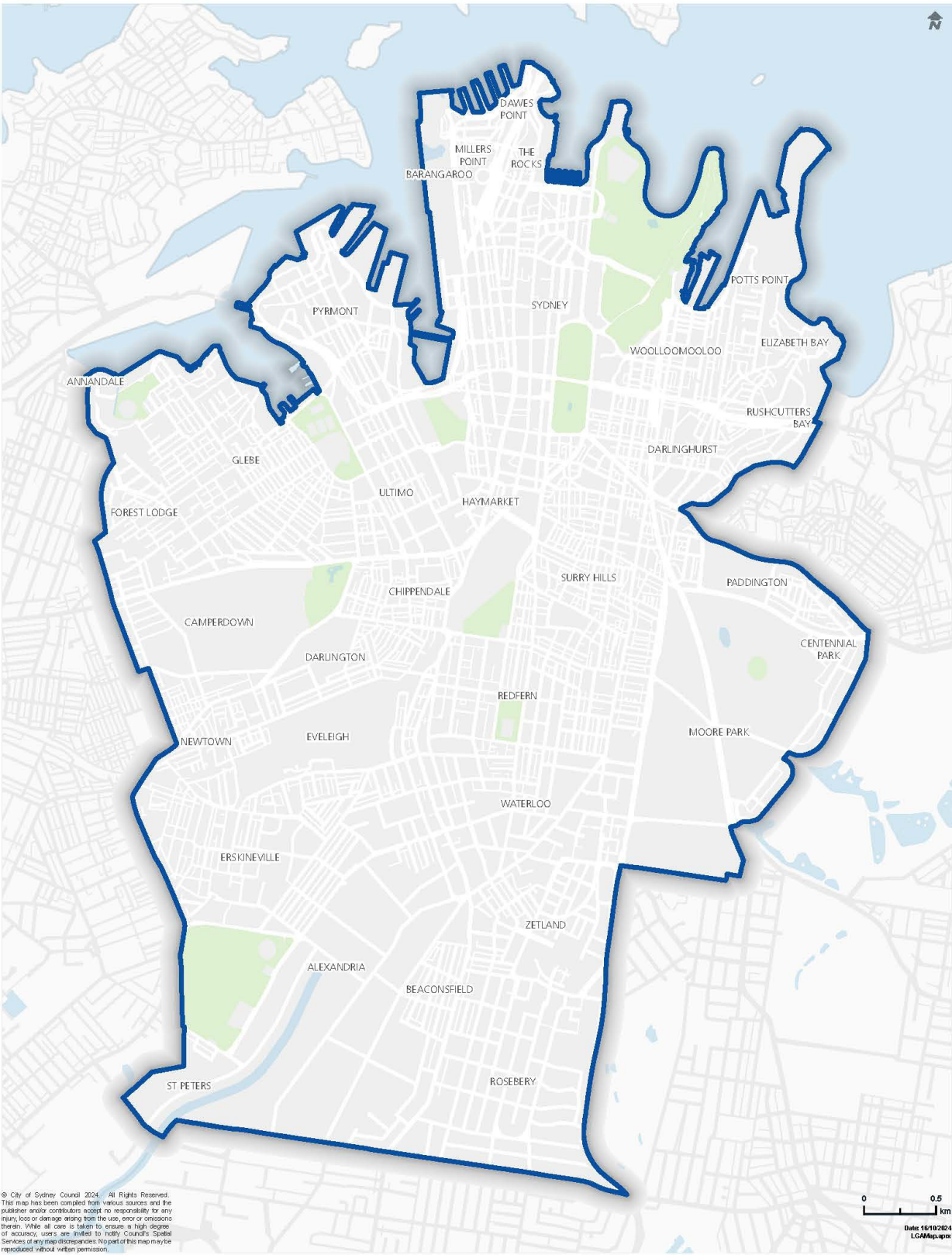
Phone: 02 9265 9333

Email: council@cityofsydney.nsw.gov.au

Website: www.cityofsydney.nsw.gov.au

Appendix 1. Map of the Sydney Local Government Area

City of Sydney local government area



Appendix 2. Pesticide Use Notification Signs

We're managing pests

We are committed to ensuring that pesticide use is **safe, responsible, justified** and **minimised**.

An integrated pest management approach is adopted, to minimise the use of pesticides through **prevention, early detection** and **eradication**.

For more information
call us on 02 9265 9333 or visit cityofsydney.nsw.gov.au

Product applied
Place applied
Date applied
Time applied
Re-entry time
Pest treated

CITY OF SYDNEY 

We're managing weeds

We are committed to ensuring that pesticide use is **safe, responsible, justified** and **minimised**.

An integrated weed management approach is adopted, to minimise the use of pesticides through **prevention, early detection** and **eradication**.

For more information
call us on 02 9265 9333 or visit cityofsydney.nsw.gov.au

Product applied
Place applied
Date applied
Time applied
Re-entry time
Weed treated

CITY OF SYDNEY 