Post Exhibition - Weed Management Policy and Pesticide Use Notification Plan

File No: X111526

Summary

This report recommends that Council adopt the Weed Management Policy (Policy), and Pesticide Use Notification Plan (Plan).

On 17 February 2025, Council resolved for the draft Policy and draft Plan to be placed on public exhibition for a period of a minimum of 28 days. Community consultation occurred for 29 days between 19 February 2025 and 19 March 2025.

Consultation activities included online engagement through the Sydney Your Say website, email notifications and a survey. The email notification was sent to subscribers of the Sydney Your Say Newsletter on 12 March and 11 April, to 6,659 recipients each time.

In response to the public exhibition, a total of 4 submissions were received. Two responses covering both the Policy and Plan and one response each for the Policy and Plan separately.

The consultation identified support for these documents and commentary on current maintenance practices and procedures outside the scope of the Policy and Plan. A full summary and analysis of the submissions is available in the Engagement Report in Attachment A.

The submissions have been reviewed, and minor amendments have been made to the Plan as indicated using red text in Attachment D. The changes will be finalised following the Plan's adoption. The Policy is shown at Attachment C, with no amendments made.

Adoption of the Plan and Policy will allow the City to continue its focus on ensuring pesticide use is transparent, responsible, justified and minimised, and that weeds are managed through an integrated weed management approach, prioritising herbicide-free management in the first instance.

Recommendation

It is resolved that:

(A) Council note the submissions received from the community on the exhibited draft Weed Management Policy and draft Pesticide Use Notification Plan, as shown at Attachment A to the subject report;

(B) Council rescind the existing Pesticide Use Notification Plan 2013, as shown at Attachment B to the subject report;

(C) Council adopt the Weed Management Policy, as shown at Attachment C to the subject report;

(D) Council adopt the Pesticide Use Notification Plan, as shown at Attachment D to the subject report; and

(E) authority be delegated to the Chief Executive Officer to make amendments to the Weed Management Policy and the Pesticide Use Notification Plan in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

Attachments

Attachment A. Public Exhibition - Engagement Report

Attachment B. Pesticide Use Notification Plan 2013

Attachment C. Draft Weed Management Policy

Attachment D. 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 local area, 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.

7. 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.

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

Weed Management Policy (new)

9. 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.

10. 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.

11. 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.

12. 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:

(i) 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:

a. Manually remove any weed equal to or greater than 50mm wide and tall, outside of bush restoration areas.

b. 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.

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

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

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

13. 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)

14. The Pesticide Use Notification Plan (the Plan) is a legislative requirement of the Pesticides Regulation 2017 (NSW) (the Regulation).

15. 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.

16. The current Pesticide Use Notification Plan was adopted by Council on 25 February 2013 under the Pesticides Regulation 2009 (NSW).

17. 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.

18. The Plan aligns with the NSW Environment Protection Authority’s Pesticide Use Notification Plan template, with additional detail to align with the Policy.

19. 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 Sensitives Places as defined under the Regulation

(d) City-designed pesticide notification signage for display at pesticide application sites.

20. 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.

21. 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

22. 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.

23. 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

24. 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 are aligned 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 local area 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 - 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 - 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

25. In developing the Policy and Plan, consultation was undertaken with relevant City staff.

26. 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

27. The Policy and Plan clearly identify 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.

28. 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.

29. 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, be 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.

30. Integrated weed management provides the most economically sustainable solution for the City, not only in directly managing weeds but in 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.

31. This approach is within the City's risk appetite, which states:

(a) 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.

(b) 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.

(c) We have an open appetite for changes to procedures and practices to accommodate improved environmental outcomes.

(d) 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

32. 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

33. 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 the inclusive, welcoming places the City is known for.

34. 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

35. 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.

36. 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.

37. 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 5 years, with an ever-increasing upward trend.

(b) Pests threaten more than 70% of threatened species and endangered ecological communities in NSW.

38. 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

39. 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.

40. 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.

41. 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

42. The implementation of the Policy and Plan is funded from within the City's existing operational budget (and capital projects, on occasion) and future year forward estimates that form part of the City's Long Term Financial Plan.

43. The Policy and Plan will not directly generate income.

Relevant Legislation

44. Local Government Act 1993.

45. Pesticides Act 1999 and Pesticides Regulation 2017.

46. Biosecurity Act 2015 (NSW) and Biosecurity Regulation 2017.

47. Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.

48. Protection of the Environment and Operations Act 1997 and Protection of the Environment Operations (General) Regulation 2022.

Critical Dates / Time Frames

49. The Policy and Plan will be reviewed within 4 years of their adoption or when circumstances require a review prior to 4 years.

Options

The Policy

50. Adopt the Policy. This is the recommended option.

51. Adopt the Policy with amendments.

52. Not adopt the Policy. The City will continue to manage weeds operationally through the existing integrated weed management approach.

The Plan

53. Rescind the Pesticide Use Notification Plan 2013 and adopt the Plan. This is the recommended option.

54. Rescind the Pesticide Use Notification Plan 2013 and adopt the Plan with amendments, subject to statutory compliance.

Public Consultation

55. Following Council approval, the Policy and the Plan were subject to a public exhibition period from 19 February 2025 to 19 March 2025.

56. Electronic direct mail was sent to subscribers of the Sydney Your Say Newsletter on 12 March and 11 April, to 6,659 recipients each time.

57. A project page on the Sydney Your Say website was developed which included an electronic copy of the Policy and the Plan and a survey. It received 121 unique pageviews of the Sydney Your Say webpage during the consultation period.

58. A total of 4 responses were received via the online survey and emailed submissions during the exhibition period:

    (a) two responses (a survey and an email) were received that responded to both the Policy and the Plan

    (b) one response via email responded to the Policy

    (c) one response via email responded to the Plan.

59. Responses to the Policy and the Plan were received from stakeholders, from the following groups:

    (a) two community members (residents)

    (b) Pyrmont Ultimo Landcare Group

    (c) Animal Liberation NSW (ABN 66 002 228 328)

60. Responses received involved a combination of feedback:

    (a) congratulating the City on the Policy and the Plan

    (b) comments on the need for greening as a response to increased severe weather events and that the Policy and Plan support this approach

    (c) advising the City of weed management approaches undertaken by volunteers in bush restoration areas

    (d) requesting vegetation maintenance on a retaining wall in Potts Point and a public program of weed management operations

(e) commenting on and requesting changes to the organisational approach to rodent management - noting that the majority of this feedback was beyond the scope of the Plan and has been responded to separately.

61. Feedback obtained during the public exhibition period has informed minor changes to the Plan (shown in red text in Attachment D). The minor changes respond to feedback requesting clarification of the City's use of first and second generation anticoagulant rodenticides. The clarification is provided and includes reference to the involvement of the City's Urban Ecology Coordinator for guidance relating to wildlife.

62. The City has provided a response directly to the 4 consultation respondents.

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