

No Spray Register Guidelines

1 INTRODUCTION

This document provides guidelines to applicants for the No Spray Register.

Council is responsible for vegetation management within its road reserves. Management methods for the control of vegetation include slashing and the use of chemical herbicides to kill vegetation growing in the road reserve.

Council acknowledges that there will be residents within Kingborough that do not wish to have the frontage of their property sprayed with chemical herbicides for a variety of reasons. The No Spray Register allows property owners and residents to apply to Council to request that vegetation on Council road reservations and/or Council land abutting their property not be sprayed.

2 APPLICATIONS FOR THE NO SPRAY REGISTER

There is an annual application period for the No Spray Register, applications will not be considered outside this period. An advertisement shall be placed in daily and weekly papers circulating within Kingborough and via social media each year advising that applications are open for the Register.

An application must be submitted on the approved application form and lodged with Council by the date specified. An application can only be applicable to the frontage of the resident's immediate property.

In completing the application, the applicant signifies their agreement to undertake vegetation management in accordance with Council's permit.

In considering an application, officers will take into consideration:

- whether the adjoining land is used for certified organic vegetable/fruit production;
- existence of a medical condition in the household which may be exacerbated by exposure to herbicides or associated additives;
- other mitigating circumstances that would warrant an area not being exposed to the use of herbicide chemicals.

Council reserves the right to reject any application on grounds that it is not within the overall interest of Council to include the area within the No Spray Register.

If an application is refused, Council will provide a response outlining the reasons for refusal. Applicants may reapply if they feel they can adequately address the concerns that caused Council to refuse their application.

3 NO SPRAY PERMIT

Where an application is approved, a permit shall be issued to the applicant in accordance with the Roads, Parking and Stormwater By-Law. Permits (unless cancelled) shall have a permit period up to two (2) years from the date of issue.

A permit will specify the approved actions that can be undertaken within the Council road reservation and outline Council's actions if permit conditions are not complied with.

A permit is not transferrable to another owner/resident.

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4 PERMIT NON-COMPLIANCE

In the event of non-compliance with a permit, the permit holder shall be advised in writing that:

- 4.1 The permit conditions must be complied with within twenty-one (21 days) of the notice;
- 4.2 Failure to maintain the area within the 21 days will result in Council undertaking, without further notice, any necessary spraying and/or slashing to reduce the vegetation; and
- 4.3 The permit issued will be cancelled at the end of the twenty-one (21) day period if the works have not been completed.

5 MARKING OF NO SPRAY AREAS

No spray areas shall be marked at each end by an orange marker at a height of 900mm above natural ground level.

The initial installation of markers shall be undertaken by Council at Council's cost.

Permit holders must ensure that the markers are maintained and clearly visible.

Where markers have been damaged to an extent that they must be replaced or removed, the cost of replacing the markers shall be at the permit holder's expense.

Council will include within all tenders and contracts for roadside spraying the advice that No Spray Zones have been established and provide a list and map of No Spray Zones to appointed contractors.