

No Spray Register Guidelines

1 INTRODUCTION

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

The council is responsible for management of vegetation within its road reserves. Management methods for the control of vegetation include slashing and the use of chemical herbicides to suppress or eradicate vegetation growing in the road reserve.

The 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.

The [Code of Practice for Spraying in Public Places](#) is governed by State legislation by the Department of Natural Resources and Environment Tasmania, which requires all spray operators to comply with the Agricultural and Veterinary Chemicals (Control of Use) Act 1995 and the regulations and orders made under that Act.

2 APPLICATIONS FOR THE NO SPRAY REGISTER

There is an application form available for the No Spray Register on the Councils Website and from the Civic Centre and Bruny Island Office. Inclusion on the No Spray Register is now perpetual without the need for property owners to reapply. Once an application has been approved by the council's Roads Supervisor it will remain on the No Spray Register permanently. Applications will be considered at any time. Advertisements shall be placed in daily and weekly papers circulating within Kingborough and via social media periodically advising that applications are open for the Registration any time.

An application must be submitted on the approved application form and lodged with Council. 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 the Council's guidelines.

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.

The council reserves the right to reject any application on grounds that it is not in the overall interest of the 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.

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Where an application is approved, the applicant in accordance with the Roads, Parking and Stormwater By-Law, will be notified of their approval.

The notification will specify the approved actions that can be undertaken within the Council Road reservation and outline the Council's actions if conditions are not complied with.

Inclusion on the No Spray Register is not transferable to another owner/resident.

3 NON-COMPLIANCE

In the event of non-compliance with the guidelines, the property owner holder shall be advised in writing that:

- 3.1 The conditions must be complied with within twenty-one (21 days) of the notice.
- 3.2 Failure to maintain the area within the 21 days will result in Council undertaking, without further notice, any necessary spraying to reduce the vegetation; and
- 3.3 The registration will be cancelled at the end of the twenty-one (21) day period if the works have not been completed by the property owner.

4 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.

Property owners must ensure that the markers are maintained and clearly visible.

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

The 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 the appointed contractors.

Spraying of the Roadside Verge consists of a nominal spray width of 2.0 meters. This is to control growth of grass and weeds mostly within the roadside drainage. In the event of unsuitable conditions spraying may cease until conditions are acceptable.