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Plants, Trees and Noxious Weeds

Noxious Weeds

[Upper Macquarie County Council](#) is a single purpose local government authority, established by the Governor under Section 387 of the Local Government Act 1993, as the control authority for biosecurity weed threats (formerly known as noxious weeds) in the areas of Bathurst Regional Council, Blayney Shire Council, Lithgow City Council and Oberon Council. The Council covers a region of approximately 13,500 square kilometres with a population of over 77,000 people in a very diverse area with that includes productive agricultural lands, forests and large areas of national park. The County Council was originally constituted by proclamation on 18 February 1949.

With limited exceptions the Local Government Act 1993 applies to the County Council in the same way as it applies to other local government councils and under Section 8 of the Act the County Council has the same charter as any other council.

Council is also governed by other acts of Parliament, particularly the Biosecurity Act 2015 which came into effect from 1 July 2017 and repealing the Noxious Weeds Act 1993. The Biosecurity Act provides the opportunity to streamline and modernise the way weeds are managed in NSW.

Under the new Act the Upper Macquarie County Council is a local control authority and has the following functions:

- the prevention, elimination, minimisation and management of the biosecurity risk posed or likely to be posed by weeds,
- to develop, implement, co-ordinate and review weed control programs,
- to inspect land in connection with its weed control functions,
- to keep records about the exercise of the local control authority's functions under this Act

Weeds are a threat to the natural environment and the agriculture industry, with the financial impact on farming in NSW alone, in the vicinity of 600 million dollars per year. It is important that all members of the community play their part in the control of Biosecurity

Matter (Weeds).

Trees and Tree Removal

Council maintains and enhances the character of Blayney and surrounding villages through the protection of street trees and shrubs.

Different rules apply to trees and shrubs on private property, to those on public land.

If a tree or shrub is on the footpath outside a property boundary or on a reserve it is on public land.

Trees within boundaries of property are considered private property and as such are not affected by this policy.

Trees located on public land are the responsibility of Blayney Shire Council, whether they were planted by a resident, naturally occurring or planted as a part of Council's street beautification program. When a new street tree is planted, residents are encouraged to water the street tree during periods of dry weather as required to ensure survival.

Tree Removal - Formal Procedure.

Removal of trees on public land can only be granted by Council unless required for safety reasons, in which case inspection by a Council officer is still required for approval to remove. Removal of trees must be undertaken by professional Council staff or appropriately accredited contractors. The resident is required to write to Council outlining the reasons for the tree's removal. Upon receipt of the letter a Council officer will undertake an inspection of the subject tree using the assessment criteria and considerations:

- Is the tree part of a major planting?
- What effect will its removal have on the existing streetscape?
- Estimated age of the tree.
- Estimated remaining life of the tree.
- Is the tree a rare or endangered species - either globally or locally.
- How long has the tree been there as opposed to the resident?
- Is the tree in decline or suffered physical damage ie pests, disease, storm etc

- Does the tree pose a danger/threat to property or people.
- Effect on existing services or infrastructure
- Estimated dollar value of the tree according to Australian Standard

Upon consideration of all of the above factors, a report will then be prepared and presented to the Council for determination based upon the recommendations of Council staff. Upon determination by the Council the resident will be advised, in writing of the outcome. Council will endeavour as far as is practicable to maintain its street trees to an appropriate standard at all time.

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