



***DRAFT* - STANDARD FOR WEED
MANAGEMENT COMPLIANCE**

Version 1.0

Consultation Draft #2

Foreword

This Standard was prepared by the State Weed Committee for the New South Wales Government. This Standard addresses quality practice in weed management compliance. It is intended to be read in conjunction with the Department of Primary Industries - Compliance Policy and other NSW *Biosecurity Act 2015* regulatory materials.

The Standard is designed to apply to weed management at all scales including at the State, regional, local and property levels. This Standard is applicable, at varying levels, to all stakeholders with a role in weed management across NSW. While it will have general application, the Standard will specifically assist Local Control Authorities and Local Land Services to achieve a high standard of compliance.

The Standard applies to the corporate, policy, procedure and managerial components needed to put into effect sound weed management structures and functions. Operational performance is addressed in other documents and processes such as the NSW Weeds Action Program, through the Biosecurity Information System and Operations standards.

The implementation of Regional Strategic Weed Management Plans should complement this Standard to ensure consistent accountability across the State.

In the development of this Standard, the State Weed Committee consulted with Local Government NSW, Local Land Services, Regional Weed Committees and constituent organisations of the State Weed Committee.

The Department of Primary industries will conduct formal audits of Local Control Authorities and others to assess their compliance against this Standard.

1 Introduction

1.1 Title of this Standard

This is the Standard for Weed Management Compliance (the Standard).

1.2 Scope

The Standard addresses quality practice in weed management compliance.

Additional guidance in applying the Standard is provided in the Department of Primary Industries - [Compliance Policies and Procedures](#) and other Biosecurity Act training materials.

1.3 Purpose of the Standard

The purpose of the Standard is to give confidence to the public, government, other interested parties and to weed managers themselves, that weed management is cost effective, prevents, eliminates and minimises biosecurity risks posed by weeds. The Standard does this by establishing quality processes to deliver best practice weed management through a supported, skilled and accountable network.

The Standard supports flexible and innovative State, regional and local service delivery, investment and decision-making while ensuring consistency, rigor and accountability in weed management.

In developing the Standard three values of compliance have been followed:

- **Biosecurity compliance** - adherence to laws, standards, regulations and other requirements.
- **Environmental compliance** - conforming to environmental laws, regulations, standards and other requirements.
- **Social compliance** - conforming to the rules of social accountability to protect and enhance the community.

Under the *Biosecurity Act 2015* (the Act) Part 15 the Secretary of the Department of Primary Industries can require a Compliance audit (audit) of Local Control Authorities (LCA), Local Lands Services (LLS) and others to determine how they are meeting their compliance functions.

The Natural Resource Commission (NRC) may also assess the consistency of the Regional Strategic Weed Management Plans (RSWMPs) with this Standard and with other state-wide targets through a formal audit process. It will also audit the effectiveness of the implementation of the RSWMPs in achieving compliance with this Standard and with state-wide targets. These audits will be done in conjunction with the Monitoring, Evaluation, Reporting and Improvement (MERI) framework (in development).

1.3.1 Spatial context

The spatial context (geographical situation) will vary according to the jurisdictional limits of the person implementing the Standard. LCAs, LLS and landholders only have jurisdiction in their area and State agencies can apply it State-wide.

The Standard is written so that it can be applied to the most complex and regulatory situations. Some of the Audit Components (Section 3) may not apply to some users. For example, Component 3.4 “Effective and Professional use of Regulation” would only apply to those with an enforcement role. The same applies to the “Evidence Requirements” in each Component; where below there may be dot points that are not applicable in your situation.

1.3.2 Continual improvement

The Standard, the DPI audit process, the MERI framework and the State-wide targets together constitute an integrated approach to achievement of weed management goals. They all inform and drive the application of an adaptive management process by enabling weed managers to identify strengths and opportunities for improvement and to implement strategies for delivering better performance. In a similar manner and in consultation with stakeholders, the Standard itself will be the subject of a continual improvement process.

1.3.3 Self-Assessment

Self-assessment against this Standard is encouraged; it is not necessary to wait for a formal audit to find out how well you meet the Standard. Self-assessment can be a relatively simple process of taking each evidence point and “ticking the box”. However, it will not replace a more detailed audit system. The first attempt should be a snapshot in time as a starting point and support the continual improvement process above. A simple self-assessment process is provided at Attachment 1.

1.4 Who should apply the Standard

The Standard is applicable to any stakeholder that has a legal obligation for weeds under the *Biosecurity Act 2015* or that wishes to:

- Develop and implement weed management strategies in an efficient, effective and transparent manner;
- Address consistency and comparability with others;
- Assure itself that it is using quality processes;
- Assure itself that it has the resources and skill available to undertake its functions;
- Demonstrate such conformance to others; or
- Make a self-declaration of conformance with the Standard.

Such stakeholders may include:

- State agencies;
- Public land managers;
- Local government;
- Industry and community groups concerned with weed management; and
- Landholders.

1.5 Compatibility with Regional Strategic Weed Management Plans and Local Government Management Plans

The Standard is compatible with existing related mandatory documents for weed management, as required under the NSW Weeds Action Program, and complements the delivery of the RSWMPs and the NSW Invasive Species Plan. Weed managers are encouraged to integrate the Standard with other business management and compliance systems that they may have in place at the local scale.

1.6 Definitions

Compliance - a state in which the requirements imposed upon an organisation or individual are met. For the purpose of this Standard compliance needs to meet three (3) values:

- **Biosecurity compliance** - adherence to laws, standards, regulations, functions, duties and other requirements.
- **Environmental compliance** - conforming to environmental laws, regulations, standards and other requirements.
- **Social compliance** - conforming to the rules of social accountability to protect and enhance the community.

Continuous improvement - a systematic approach to increasing the efficiency, effectiveness and appropriateness of any NRM process to achieve desired NRM outcomes, including the revision of the desired outcomes themselves.

MERI Framework - Monitoring, evaluation, reporting and improvement framework for the RSWMPs and approved by the State Weed Committee (SWC).

Multiple benefits - outcomes that occur when management actions deliver benefits across institutions, spatial areas, resource assets, time scales and interest groups within the community.

Natural Resource Management (NRM) - is about managing our natural resources to ensure environmental, social and economic sustainability for both present and future generations.

Natural resource manager - any individual or organisation with responsibility for natural resource management.

Resource assets - natural resources that are valued within a community for environment, economic, social or cultural purposes.

RSWMP - Regional Strategic Weed Management Plan.

Scale - the spatial, temporal or institutional dimension of any biophysical, social, economic or cultural aspect of a natural resource management issue.

Self-declaration - a declaration made by a natural resource manager that is not formally accredited compliance with the Standard.

State-wide targets - targets as detailed in the NSW Invasive Species Plan.

WAP - NSW Weeds Action Program.

2 How to use the Standard

The Standard should be used as a tool to improve weed management compliance and is designed to be outcome focused. It is not prescriptive in how weed managers will achieve the required outcomes except when an outcome depends on the common use of an agreed protocol. An example is information management and the application of regulatory tools under the Biosecurity Act.

The Standard encourages innovation and flexibility at all scales. Importantly, it is not intended to be used as a checklist but different components should be used variably in all aspects and stages of management compliance.

The Standard comprises of five (5) components. These are:

1. **Partnerships Engagement and Adoption**
2. **A Skilled and Informed Workforce**
3. **Assessment Monitoring and Recording**
4. **Effective and Professional use of Regulation**
5. **Reporting and analysis.**

Each of the five components of the Standard specifies a required outcome which defines the quality of a weed management compliance practice that must be achieved. Guidance is provided on how each outcome may be achieved.

Where there are other means of achieving the required outcome, weed managers are free to adopt strategies of their own choice, provided they can demonstrate equivalence of outcome and that the intent of the Guidance has been met.

The Standard describes evidence requirements which indicate:

- The type of objective evidence that an auditor will expect to find to demonstrate that a required outcome is being achieved,
- That it has been achieved or
- Is capable of being achieved in the future.

The extent of evidence provided should be commensurate with the issue being managed and the strategy being used.

The Standard should be read as a whole and not as a series of independent requirements. Each of the requirements is inter-related with the others, and compliance depends on them being used in an on-going and integrated manner.

3 The Standard

3.1 Partnerships, Engagement and Adoption

3.1.1 Required outcome

A culture where community, industry and land managers are engaged in best practice weed management through consultation, communication and partnerships leading to adoption.

3.1.2 Guidance:

There is no optimal scale for consultation, engagement, communication and partnerships. The differing needs, available resources and diversity of issues within communities means that there is no “one size fits all” solution.

This part recognises that no single entity can have all the answers nor completely understand the complexity of issues without forming strong links with stakeholders. It also recognises that the solutions to weed management requires a very wide range of expertise, and often specialised skills, that do not always reside within the regulatory agency.

Within each organisation, industry, region and LCA area there are a range of clients with differing roles and attitudes to weeds and weed management. The need and the challenge is to engage this diverse social resource in a manner that brings about a lasting partnership leading to effective weed management. Many of these clients will need a targeted approach for them to become engaged.

Provision of information, while essential, is not fully effective in its own right. In order to fully engage people and form true partnerships there needs to be a proactive process for contacting and learning about the capabilities and needs within the context of each weed management issue. It is essential that partners have confidence in communication and fully understand, and appreciate, each other’s roles, potentials and limitations.

Possible steps to achieve this outcome include:

- Identify the stakeholders that are connected with the particular issue. This is not just the people directly affected but also includes those in decision making positions and those that can influence outcomes.
- Clarify roles and responsibilities of each party – it is essential that each partner is clear about, and accepts their, and everyone’s, part and position.
- Communicate and consult regularly with all parties, in ways that are designed to reach them specifically, to ensure involvement and enthusiasm.
- Set up a process that allows all parties to learn about each other, communicate freely and share knowledge and skill.

3.1.3 Evidence requirements:

- Agencies are able to identify and document their stakeholders and influencers against weed management issues.
- Agencies can identify clearly where they have effective partnerships addressing weed management issues at a variety of scales.
- Agencies have strategic partnerships that bring a wide spectrum of land managers, technical experts, community and industry into their weed management processes.
- Communication strategies are in place that identify clients and stakeholder needs, aspirations, values and influencing factors and contains communication and capacity building processes to address these.
- Demonstrated understanding of the socio-economic profile of the area.
- Agencies can provide records that reflect the analysis and application of current scientific, social, economic and cultural knowledge.

Further Information

- <https://www.dpi.nsw.gov.au/content/agriculture/tocal-skills-training/courses/community-engagement>
- Regional Communication Strategy (WAP1520).

3.2 A skilled and informed workforce

3.2.1 Required outcome:

A corporate structure and paradigm that supports skills acquisition and development amongst staff engaged in weed management at all levels.

3.2.2 Guidance:

The scale of this issue is multiple and variable. All staff influencing weed management at any level within any agency must be fully aware of the subject matter pertinent to their roles. This includes having a sound understanding at the corporate, regional and State level.

Staff having the most overall influence are those who interact directly with clients and are responsible for creating the desired situational change for weed management. It is essential that these people are suitably trained and authorised to deliver their tasks and statutory functions effectively. Agencies must be cognizant of the fact that these people will be the face of the organisation in a range of public and professional forums and must be equipped to meet these challenges.

In addition to training, staff and the organisation will benefit from interacting and networking with others, being involved in cross jurisdictional projects and attending regional and State conferences.

Possible steps to achieve the outcome include:

- Become involved in development of a regional training strategy (WAP1520).
- Assess appropriate decision making levels within the organisation and the skills and authority's required for fully effective delivery. Consider not only technical skills but literacy, interpersonal, strategic planning and project management expertise.
- Attendance at industry forums and conferences.
- Identify knowledge, training and skills gaps.
- Develop a strategy to address skills and knowledge gaps including formal training, on-job training, mentoring and short term placement.
- Ensure staff are knowledgeable in the use and requirements of the legislation.
- Document formal and informal sources of knowledge and provide access to these sources.

3.2.3 Evidence requirements:

- Agreed to the regional training program (where applicable).
- Documented evidence showing that analysis of skills, knowledge and authority has been completed for each appropriate functional level.
- Evidence of maintenance of relevant professional accreditations.
- Evidence to demonstrate an active program of improvement is in place.
- Evidence of staff involvement in other development processes.
- Evidence of staff interaction with other organisations, professional groups, peer groups, expert advice and information gathering opportunities.

Further Information

(To be completed as documents developed)

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3.3 Assessment, Monitoring and Recording.

3.3.1 Required outcome:

Lands inspected (monitored) strategically; information collected, evaluated, recorded in a consistent and repeatable manner.

3.3.2 Guidance:

Correct identification of the scale and complexity of the weed issue is essential for sound decision making. Knowledge of the extent, density and impacts allows for prioritisation of effort, tool selection and efficient use of limited resources.

Sound knowledge and good records identify optimal scale for management effort against risk. It also facilitates community and industry engagement at scales at which they are concerned and active. This will have implications for the type of knowledge required, the nature of collaborative arrangements and the community engagement necessary to achieve outcomes. These scales do not always align with organisational boundaries and often require cross jurisdictional partnerships to effect change.

The core of effective property assessment is a well-planned and resourced program that allows for early detection of new weeds, frequent monitoring of eradication and containment targets and engagement with as many landholders as possible. In particular, programs that consider high risk pathways and sites and then prioritise others according to the level of impact will meet compliance needs.

Possible steps to achieve this outcome include:

- Assess the scale of each weed prioritisation category under the legislation. Orders and Regional Strategic Weed Management Plan.
- Assess the potential high risk species to invade or spread.
- Identify the scale of the task – number of properties to be inspected and frequency.
- Maximise benefits by developing an adaptable program that efficiently uses resources available.
- Maintain accurate records of each inspection and the results.
- Have regard to risk management strategies when considering impacts on stakeholders.
- Ensure records are compliant with State, regional and local requirements and standards.
- Use of efficient methodology to assess large scale, public lands or low risk enterprises.
- Regularly review records to measure and evaluate success.

3.3.3 Evidence requirements:

- Evidence of research and analysis of information relevant to determining appropriate scale, risk and frequency of weed management issues.
- Agreed regional strategies for systematic inspection, high risk pathways and site identification and rapid response plans.
- Entity agreement to adequately resource and support programs.
- Documented policy and procedure for inspection frequency, record keeping and reporting.
- Documented policy and procedure for high risk monitoring and rapid response.
- Inspectorial reporting is linked to an enforcement procedure to ensure effective response.
- Evidence of sound and accurate record keeping for each inspection and site meeting Regional and State standards (including the NSW Weed Metadata Standard and WAP reporting requirements).
- Documented evidence of risk identification, evaluation and management arising from the identified scale for management.
- Evidence of a pro-active process for regularly reviewing information to assess achievements.

Further Information

(To be completed as documents developed)

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3.4 Effective and professional use of Regulation

3.4.1 Required outcome:

The *Biosecurity Act 2015* applied systematically in an objective, repeatable manner using a risk based methodology. Enforcement used fairly and equitably and in a manner appropriate to the risk identified.

3.4.2 Guidance:

In some cases voluntary compliance is not achievable or rapid action is required. In these cases enforcement is necessary. The Act offers a number of tools that can be used according to the situation.

Forced compliance is a time consuming process and can be costly. Complete attention to detail, due process and a thorough knowledge of the legislation are essential (see 3.2 above). The process of enforcement should always be available but is best used where voluntary compliance cannot be obtained and there is a reasonable threat to the positive achievements and outcomes of the program.

Enforcement needs to be fair and reasonable. Agencies need to ensure that actions are consistent across their jurisdiction and with regional processes, using the full spectrum of available tools, include due process and are supported by sound internal governance.

Possible steps to achieve this outcome include:

- Assess the risks of non-compliance in each case.
- Commencing with initial contact with the client maintain complete records of the situation.
- Evaluate the potential for delivery of multiple benefits to the community from enforcement.
- Assess the potential positive and negative impacts on resources and stakeholders at different scales.
- Ensure the enforcement policy and procedures are well documented, understood by all staff and delivered at appropriate levels.
- Ensure staff are fully trained and properly authorised to take the required action.

3.4.3 Evidence requirements:

- Documented and agreed enforcement policy and procedures.
- Documented evidence showing levels of training and authorisation within the organisation.
- All interactions with clients at all stages and levels are recorded.
- Evidence to demonstrate fair and equitable dealings and due process.

3.5 Reporting and Analysis

3.5.1 Required outcome:

Actions, activities regularly reported at organisational, regional and state scale using required standards and formats.

3.6.2 Guidance:

Improved weed management can only be gained and measured by regular reporting at a range of levels. This is the key process for informing all stakeholders at State, Ministerial, regional and local levels through regular reporting.

Although most reporting is seen to be data based (quantitative), organisations should also record non-data measures such as good news reports, “snapshots “ of projects and events and other success stories (qualitative) as measures.

Consistency in how data is collected, stored and reported is important as reports are escalated upwards. It is essential that different organisations and regions are reporting upwards in the same formats so that comparative information can be gathered at the broader scales. For this reason DPI has implemented the Biosecurity Information System (BIS).

Possible steps to achieve this outcome include:

- Ensure all involved staff are collecting sound and accurate information at each stage of activity.
- Put in place internal reporting mechanisms that can feed back to stakeholders.
- Ensure that – at least core data - is BIS compliant.
- Relevant reports and mapping are provided for regional and State partners.
- Learn from and/or build on information collected.

3.5.3 Evidence requirements:

- Documented reporting policy and procedures.
- Relevant reports and / or maps.
- BIS compliant records – consistency, compliance and frequency.
- Qualitative as well as quantitative record keeping.
- Demonstrated use of the Regional MERI Plan.

Further information

NSW Ombudsman - Enforcement Guidelines for Councils

NSW Ombudsman – Model Compliance and Enforcement Policy