



# Pesticides Use Notification Plan

## DOCUMENT REVIEW AND APPROVAL

This document has been approved by:

	Approved by	Minute No.	Date Approved
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3.			

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## 1. PURPOSE

This Pesticides Use Notification Plan (the Plan) has been prepared in accordance with the requirements of the *Pesticides Regulation 2009*. The aim of the Plan is to inform the community about the application of pesticides in outdoor public places that are owned or controlled by public authorities. This ensures that members of the community are aware of Council operations and provides the opportunity for members of the community to request listing in Council's notification register.

The Plan provides information on the following:

- Public places that are covered by the Plan;
- The regular uses of pesticides in these public places;
- How and when Council will provide the community with information about its pesticide applications in public places (i.e. what notification arrangements will be used);
- How the Plan will be communicated to the community and how members of the community can access more information about Council's notification arrangements;
- How future reviews of the Plan will be conducted;
- Contact details for the Officer responsible for the Plan.

## 2. APPLICATION

Council is responsible for the management of a large number of outdoor public places within the Sutherland Local Government Area (LGA) and may choose to utilise pesticides in these public places.

## 3. DEFINITIONS

The Department of Environment and Conservation defines pesticides as any substance or mixture of substances used to destroy, suppress or alter the life cycle of any pest.

### **What are pesticides?**

Some families or groups of chemical products which are considered pesticides under current NSW legislation are:

**Bactericides** - These destroy, suppress or prevent the spread of bacteria. Examples are swimming pool chemicals containing chlorine, and products used to control black spot (bacterial blight) on garden plants or in orchards. Disinfectants for household and industrial use are excluded and are not considered pesticides.

**Baits** - These are ready-prepared products or products which need to be mixed with a food to control a pest. This category includes baits prepared for the control of large animals, such as foxes and rabbits, and baits for insects, such as cockroaches and ants.

**Fungicides** - These control, destroy, render ineffective or regulate the effect of a fungus; for example, fungicides are used to treat grey mould on grape vines and fruit trees.

**Genetically Modified Organisms (GMOs)** - Agricultural crops can be genetically modified to incorporate resistance to pests and diseases, herbicide tolerance, or to slow the ripening of fruit or alter the timing and duration of flower production. For example, a gene from the bacterium *Bacillus thuringiensis* can be incorporated into cotton to provide protection against the larval stages of the cotton bollworm and native bollworm.

GMOs are regulated by the Commonwealth Government through the Office of the Gene Technology Regulator (OGTR) under the provisions of the *Gene Technology Act 2000*. Where a genetically modified product is determined to be a pesticide, it is subject to an assessment and registration process in accordance with APVMA requirements.

**Herbicides** - These destroy, suppress or prevent the spread of a weed or other unwanted vegetation; for example, the herbicide glyphosate is used to control a range of weeds in home gardens, bushland and agricultural situations.

**Insecticides** - These destroy, suppress, stupefy, inhibit the feeding of, or prevent infestations or attacks by, an insect. Insecticides are used to control a wide variety of insect pests, including thrips, aphids, moths, fruit flies and locusts. In NSW, pesticides include products such as flea powders and liquids used externally on animals. Injections or other medicines administered internally to treat animals are veterinary medicines and are excluded.

**Lures** - These are chemicals that attract a pest to a pesticide for the purpose of its destruction. Solely food-based lures, for example cheese in a mousetrap, are excluded and are not considered pesticides.

**Rodenticides** - These are pesticides used specifically for controlling rodents such as mice and rats.

**Repellents** - These repel rather than destroy a pest. Included in this category are personal insect repellents used to repel biting insects.

A number of living organisms that can control pests have also been registered as pesticides. Calicivirus, for example, has been used to control rabbit numbers; and bacilli that act as biological insecticides have been used to control various insect larvae, such as moths and mosquitos.

#### 4. LEGISLATIVE OBLIGATIONS

In addition to the requirements of the *Pesticides Regulation 1995*, Council has the following legislative obligations:

- *Biosecurity Act 2015* - prevent the entry and establishment of exotic pests and diseases likely to harm Australia's agricultural systems, natural environment, community health and economy.
- *Noxious Weeds Act 1993* - to control noxious weeds on land for which Council is responsible.
- *Threatened Species Conservation Act 1995* - to implement actions specified in threat abatement plans; to manage key threatening processes such as predation by the European Red Fox, in order to protect threatened species.
- Spraying in and around waterways, this operational activity is now covered by an APVMA 'Off label licence'.
- *Pesticides Act 1999* - under section 38, fox control must comply with the Pesticide Control (1080 Liquid Concentrate and Bait Products) Order 2010.
- *National Parks and Wildlife Act 1974* – under section 132C a scientific licence is required to carry out any work that may affect protected flora and fauna.

#### 5. INTEGRATED WEED AND PEST MANAGEMENT

Council's weed and pest management programs aim to apply best practice, using humane, cost effective and efficient methods that will have minimal impact on the environment. Wherever possible an integrated approach is adopted which uses a range of techniques including hand removal, mechanical weed removal, bio-control, spot spraying, baits, and broad scale spraying.

If pesticide application is determined to be the most efficient and practical control method, Council will comply with the *NSW Workcover Code of Practice Safe Use of Pesticides in Non-agriculture Workplaces (2006)*. The Code of Practice promotes work safe and healthy practices to minimise detrimental effects on human health and the environment.

The majority of pesticide use consists of applying herbicides for weed control and occasionally applying insecticides to manage certain insect pests. The frequency of programmed broad scale applications range from 1-2 times per year for sports fields and reserves, whereas for parks and gardens, public thoroughfares and road assets the frequency is on an ad-hoc required basis.

Bait insecticides are used for termite and ant control to protect structures and public safety wherever this is considered an effective solution. Other pesticides used include fungicides, rodenticides and large vertebrate baits. Wherever possible and practical, Council will endeavour to use manual weed control methods, therefore, adopting processes that encourage minimal use of pesticides and herbicides.

All Council staff and Contractors who apply pesticides on behalf of Council are trained and accredited accordingly under the Australian Qualification Framework.

## **6. PUBLIC PLACES COVERED BY THIS PLAN**

Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls in this Council's local government area:

- Public gardens and parks;
- Playgrounds;
- Sporting fields, ovals and related sporting facilities;
- Aquatic centres (building exteriors and grounds);
- Bushland reserves;
- Beaches and dunes;
- Golf courses;
- Laneways, pathways and footpaths;
- Road verges, road reserves, medians, roundabouts and streetscapes;
- Council drains and easements;
- SSC nursery;
- Exterior of Council structures and facilities;
- Wetlands.

Council's estimate of the level of community use, regular user groups and types of pesticide use in each of these categories of public places is summarised in the following table. Although not required by the Regulation, a summary of the type of pesticide used in each category of public place is also provided.

<b>Public places owned or controlled by Council</b>	<b>Regular user groups</b>	<b>Level of use of public place</b>	<b>Type of pesticide use</b>
<b>Public gardens, parks and reserves</b>	<ul style="list-style-type: none"> <li>• General community</li> <li>• Children and young families</li> <li>• Elderly people</li> <li>• General recreational users</li> </ul>	Very high (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> <li>• spot selective herbicides</li> <li>• spot non-selective herbicides</li> <li>• spot insecticides</li> <li>• snail and slug bait</li> <li>• spot fungicide (garden beds)</li> <li>• spot algicide</li> <li>• spot termiticides</li> <li>• bait termiticides</li> </ul>
<b>Playgrounds</b>	<ul style="list-style-type: none"> <li>• Children</li> <li>• Young families</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> </ul>
<b>Sporting fields, ovals and related sporting facilities</b>	<ul style="list-style-type: none"> <li>• Sporting clubs and associations</li> <li>• School sports groups</li> <li>• General recreational users</li> </ul>	High (seasonal depending on sporting season)	<ul style="list-style-type: none"> <li>• spot selective herbicides</li> <li>• spot non-selective herbicides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• spot insecticides</li> <li>• broadscale insecticides</li> <li>• spot fungicides</li> </ul>
<b>Aquatic centres (building exteriors and grounds)</b>	<ul style="list-style-type: none"> <li>• General community</li> <li>• Swimming clubs</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• spot selective herbicides</li> <li>• spot insecticides</li> <li>• bait rodenticides</li> <li>• spot termiticides</li> <li>• bait termiticides</li> </ul>
<b>Bushland reserves</b>	<ul style="list-style-type: none"> <li>• General community</li> <li>• Recreational groups</li> <li>• Bushcare volunteers</li> </ul>	Low to medium	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• spot selective herbicides</li> <li>• aerial spray non-selective herbicide</li> <li>• spot termiticides</li> <li>• bait termiticides</li> <li>• spot insecticides</li> <li>• large vertebrate baits</li> </ul>
<b>Beaches and dunes</b>	<ul style="list-style-type: none"> <li>• General community</li> </ul>	High (seasonal)	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• aerial spraying of non-selective herbicide</li> <li>• bait rodenticides</li> <li>• large vertebrate baits</li> </ul>

<b>Public places owned or controlled by Council</b>	<b>Regular user groups</b>	<b>Level of use of public place</b>	<b>Type of pesticide use</b>
<b>Golf courses (owned or controlled by authority)</b>	<ul style="list-style-type: none"> <li>• Golfers</li> <li>• General community</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot selective herbicides</li> <li>• spot non-selective herbicides</li> <li>• broadscale selective herbicides</li> <li>• spot insecticides</li> <li>• broadscale insecticides</li> <li>• spot fungicides</li> </ul>
<b>Laneways, pathways and footpaths</b>	<ul style="list-style-type: none"> <li>• Local residents or visitors</li> <li>• General community</li> </ul>	Medium to high	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• spot selective herbicides</li> <li>• spot termiticides</li> <li>• bait termiticides</li> </ul>
<b>Road verges, road reserves, roundabouts, medians, and streetscapes</b>	<ul style="list-style-type: none"> <li>• General community</li> <li>• General road users</li> </ul>	Medium to high	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• spot selective herbicides</li> <li>• spot termiticides</li> <li>• bait termiticides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> </ul>
<b>Council drains and easements</b>	<ul style="list-style-type: none"> <li>• Local residents</li> </ul>	Low	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• spot selective herbicides</li> <li>• spot termiticides</li> <li>• bait termiticides</li> </ul>
<b>SSC Nursery</b>	<ul style="list-style-type: none"> <li>• General community</li> <li>• Council staff and volunteers</li> </ul>	Low to medium	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• spot insecticides</li> </ul>
<b>Exterior of Council structures and facilities</b>	<ul style="list-style-type: none"> <li>• General community</li> <li>• Council staff</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot non-selective herbicides</li> <li>• spot selective herbicides</li> <li>• spot insecticides</li> <li>• bait rodenticides</li> <li>• spot termiticides</li> <li>• bait termiticides</li> </ul>

## 7. NOTIFICATION ARRANGEMENTS

Notification requirements are based on Council's assessment of:

- The level of risk associated with any pesticide application in a public space;
- The level of community use of public places where pesticides may be used;
- The extent to which members of the public who are most likely to be sensitive to pesticides (e.g. young children, sick, pregnant and elderly people) are likely to use these areas regularly;
- The extent to which activities generally undertaken in these areas could lead to some direct contact with pesticides (such as picnic areas where food is consumed, sporting or other recreational activities that result in contact with the ground);
- Type of pesticide used.

Notice of pesticide use will be provided by a combination of:

- On site signage;
- Information on Council's website which will describe programmed, reactive and emergency pesticide use in public places;
- Information by notice in a local newspaper;
- Letters;
- Fax and email;
- Letterbox drops;
- Door knocking;
- Phone contact.

Council will also allow people and organisations to nominate to have their details placed on a central register which would allow them to be notified of certain types of pesticide uses in particular places.

### **Open Space Areas**

The notification arrangements described below will apply to the following public place categories owned or controlled by Council within the Sutherland LGA:

- Public gardens and parks;
- Playgrounds;
- Sporting fields, ovals and related sporting facilities;
- Aquatic centres (building exteriors and grounds);
- Bushland reserves;
- Beaches and dunes.

In these public places, signs will be provided to the general community near the application area or main entrance immediately prior to application and removed half an hour after application or when the vegetation is dry. In addition, if a spray vehicle is used, pesticide details will be displayed on the spray vehicle including a contact number.

This applies for the following pesticide uses:

- Broadscale selective herbicides;
- Broadscale non-selective herbicides;
- Broadscale insecticides;
- Snail and slug bait;
- Spot fungicide;
- Spot algicide;
- Spot termiticides;
- Bait termiticides (where part of an ongoing program, first use of pesticide only);
- Bait rodenticides (where part of an ongoing program, first use of pesticide only).

In addition to the notification requirements stated above:

- For sporting fields and facilities sporting groups, school sports groups and occupiers of adjacent sensitive places, who register interest with Council, notice of the above pesticide uses will be faxed or emailed at least 48 hours prior to application.
- For public gardens in circumstances where pesticides must be applied during periods of high use and work cannot be scheduled at another time, an employee will be present to implement signs and manage pedestrian movements to prevent direct access to the specific area during application.
- For bushland reserves, beaches and dunes the use of large vertebrate baits is covered by the *Pesticides Act 1999 – Pesticide Control Under Section 38* and notification will be as specified in the Order. In addition, there will be notification in the local paper and on Council's website at least one week prior to the proposed application with signs placed at all access points immediately prior to application and removed half an hour after application.
- For the control of vertebrate pests using 1080 baits, public notification and warning signage will be implemented as per the legislative requirements. Information on the notification requirements for the use of 1080 baits can be found on the NSW Environment Protection Authority (EPA) website at:  
[www.epa.nsw.gov.au/pesticides/1080pcfactsheet.htm](http://www.epa.nsw.gov.au/pesticides/1080pcfactsheet.htm)

### **Golf Courses**

Information on the following types of pesticides used will consist of signs posted near the application area or at the tee of the relevant fairway, and on the notice board at the Pro Shop on the day of application and remain on the notice board at the Pro Shop for at least 24 hours after application:

- Broad scale selective herbicides;
- Broad scale insecticides;
- Broad scale fungicides.

In addition, if a spray vehicle is used, pesticide details will be displayed on the spray vehicle including a contact number.

### **Outdoor Public Thoroughfares and Easements Accessible to the Public**

The notification arrangements described below will apply to the following public place categories owned or controlled by Council within the Sutherland LGA:

- Laneways, pathways and footpaths;
- Road verges, road reserves, medians, roundabouts and streetscapes;
- Council drains and easements.

In these public places, signs will be provided to the general community near the application area or main entrance immediately prior to application and removed half an hour after application or when the vegetation is dry. In addition, if a spray vehicle is used, pesticide details will be displayed on the spray vehicle including a contact number.

This applies for the following pesticide uses:

- Spot non-selective herbicides;
- Spot selective herbicides;
- Broad scale selective herbicides;
- Broad scale non-selective herbicides;
- Spot termiticides;
- Bait termiticides (where part of an ongoing program, first use of pesticide only);
- Bait rodenticides (where part of an ongoing program, first use of pesticide only).

### **Exterior of Council Structures and Facilities**

In these public places, signs will be provided to the general community near the application area or main entrance immediately prior to application and removed after application. In addition, if a spray vehicle is used, pesticide details will be displayed on the spray vehicle including a contact number. This applies for the following pesticide uses:

- Bait rodenticides;
- Spot termiticides;
- Bait termiticides.

### **Special Measures for Sensitive Places**

Part 5, Section 18 (b) of the *Pesticides Regulation* defines a sensitive place to be any:

- School or pre-school;
- Kindergarten;
- Childcare centre;
- Hospital;
- Community health centre;
- Nursing home;
- Or, a place declared to be a sensitive place by the Environment Protection Authority.

Whenever a pesticide is applied by Council staff, contractors or lessees of public places to any public place adjacent to a sensitive site, notice will be provided by door-knocking or telephoning the identified sensitive place prior to the spraying being done and advising of the intended application. In addition, on-site signs will be displayed and if a spray vehicle is used, pesticide details will be displayed on the spray vehicle including a contact number. Notification of sensitive places will not be required to be provided for use of pesticides as identified in 3.1.

Areas adjacent to sensitive areas will be treated early in the morning and outside school hours. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

### **Notification of Emergency Pesticide Applications**

In cases where emergency pesticide applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, bird mites or rodents that pose an immediate health hazard, or pests that pose immediate risk of harm to assets (e.g. army grubs in sporting fields) Council will provide notice by displaying signs near the application area or main entrance immediately prior to application. In addition, if a spray vehicle is used, pesticide details will be displayed on the spray vehicle including a contact number.

### **Pesticide Contractors and Lessees of Public Places**

Where Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of this plan.

Where persons or organisations hold an existing lease on Council land that remains a public place and they use pesticides, Council will require notification in accordance with the requirements of this plan.

### **Circumstances in which Notification is Not Required**

Council uses small quantities of up to 10 litres of mixed solution for some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes including home gardening. Council does not intend to provide prior advertised media notice for such pesticide applications other than by way of this description in this plan or general information on Council's website. This will apply to:

- Minor control of outdoor insect pests using baits or aerosol spray cans;
- Spot weed control using a hand held applicator or backpack sprayer.

### **8. NOTICE OF PESTICIDE USE - INFORMATION PROVIDED**

In accordance with Part 5 Section 20 (h) of the *Pesticides Regulation*, notice of pesticide use will include the following information:

- The full product name of the pesticide to be used;
- The purpose of the use, clearly setting out what pest or pests are being treated;
- The proposed date/s or date range of the pesticide use;
- The places where the pesticide is to be used;
- Contact telephone number or email address of the Council officer who people can contact to discuss the notice; and
- Any warnings regarding re-entry to or use of the place, if specified on the pesticide product label or the APVMA permit.

Signs will be of a standardised design that will be easily recognisable to the public and workers.

### **9. COMMUNICATION OF THE PLAN TO THE COMMUNITY**

Communication of the Plan to the community will be achieved through:

- Providing a copy of the plan for viewing, free of charge, at Council's Administration Centre, 4–20 Eton Street Sutherland during office hours;
- Placing a copy of the Plan on Council's website;
- Placing a notice in the St George & Sutherland Shire Leader;
- Placing a notice in the NSW Government Gazette;
- Placing a notice in the SSC newsletter "Our Shire".

### **10. REVIEW OF THE PLAN**

The Policy will be reviewed on a biennial basis within the first quarter of the relevant calendar year or at the request of Council or Administration or in response to triggers/legislative and statutory requirements. The outcome of the evaluation will make recommendations for amendment, alteration or substitution of a new policy as necessary.

## **11. RESPONSIBLE OFFICER**

Further information on Council's pesticide use and the Plan can be obtained by contacting the officer nominated below, or alternatively by visiting the following website for a copy of the Plan:

<http://www.sutherlandshire.nsw.gov.au/Council/Policies-and-Documents>

Bushland Nursery Coordinator, Sutherland Shire Council

4-20 Eton Street Sutherland 1499

Phone: 9524 5672 Fax: 9526 6610

## **12. RESPONSIBILITIES**

The Group Manager Engineering Operations will be responsible for:

- Compliance with the Pesticides Use Notification Plan;
- Ensuring that the Pesticides Use Notification Plan aligns with Work Health Safety Policy and other relevant Council policies; and
- Ensuring the Pesticides Use Notification Plan is effectively implemented.

Manager Parks Operations will be responsible for:

- Compliance with the Pesticides Use Notification Plan;
- Ensuring that the Pesticides Use Notification Plan is effectively implemented; and
- Reviewing and updating the Pesticides Use Notification Plan.

Coordinators Parks Operations will be responsible for:

- Compliance with the Pesticide Use Notification Plan;
- The maintenance of records in regards to the Plan; and
- Implementing a communication strategy.

## **13. MONITORING**

Application of this policy is monitored by the Delegated Council Officer within the Business Unit whom engages, or has responsibility, for authorising any work activities that fall under this Plan.

## **14. RECORD KEEPING, CONFIDENTIALITY AND PRIVACY**

- Records in all formats must be managed in accordance with legislation and Council's Record Keeping Program.
- Information and records relating to customers is held in accordance with Council's Privacy Management Plan.
- Access to information is to be carried out in accordance with Council's Access to Information Policy.
- A copy of the Policy will be available for inspection at Council's Administration office during ordinary business hours and on Council's website.

## **15. BREACHES AND SANCTIONS**

Any identified or reported breaches of this Plan will be investigated and managed in line with Council's relevant Policy, or Preferred Supplier Agreement / Contract if and where applicable.