

PLAN TITLE: PESTICIDE/HERBICIDES USE NOTIFICATION PLAN

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1. Introduction

This Pesticide Use Notification Plan has been prepared in accordance with the requirements of the Pesticides Regulation 2009.

The aim of this Plan is to meet the community’s general right to know about pesticide applications made to public places that are owned or controlled by Eurobodalla Shire Council. Public places are areas that the public is entitled to have access to (whether or not on payment of fee) and are described in greater detail below.

The Plan allows members of the community to take action to avoid contact with pesticides, if they wish. It does not mean that the community is at any greater risk or harm from pesticides. Council ensures that pesticides are applied to public places in a safe, responsible manner, without harm to the community or the environment.

The Plan sets out how Council will notify members of the community of pesticide applications made or allowed by Council in public places that it owns or controls.

The Plan describes:

- what public places are covered by the Plan;
- who regularly uses these public places and an estimate of the level of use;
- how and when Council will provide the community with information about its pesticide applications in public spaces ie: what notification arrangements will be used;
- how the community can access this Plan and get more information about Council’s notification arrangements;
- how future reviews of the Plan will be conducted;
- contact details for anyone wishing to discuss this Plan with Council.

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2. Public Places Covered by this Notification Plan

Council proposes to use or allow the use of pesticides in the following categories of outdoor public spaces within the Council's local government area:

- Low Use Public Reserves (including Crown Reserves under Council's care and control), Operational land and Natural Areas
- Parks and Gardens (including Crown Reserves under Council's care and control)
- Playgrounds
- Sporting Fields and Ovals
- Road Verges
- Laneways and Pathways
- Drains and Easements
- Caravan/Holiday Parks
- Cemeteries
- Swimming Pool Grounds
- Public buildings

Council's estimate of the level of community use, and regular user groups for each of these public categories is summarised in the following table.

Public Places Owned or Controlled by Council	Regular User Groups	Level of Use of Public Place	Type of Pesticide Use
a) Public reserves, operational land and natural areas	<ul style="list-style-type: none"> • general recreational users (eg joggers, dog walkers, bush walkers) 	Low	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale herbicides • broadscale insecticides • spray termiticides, ant control • bait termiticides, ant control • bait bird control • bait rabbit control • fox bait control
b) Parks and gardens	<ul style="list-style-type: none"> • children and young families • elderly people • general recreational users (eg joggers, dog walkers, picnickers) 	Very High (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale herbicides • broadscale insecticides • fungicide (usually garden beds) • spray termiticides, ant control • bait termiticides, ant control • bait bird control • bait rabbit control • fox bait control
c) Playgrounds	<ul style="list-style-type: none"> • children and young families 	High	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • spray ant control • bait ant control

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Public Places Owned or Controlled by Council	Regular User Groups	Level of Use of Public Place	Type of Pesticide Use
d) Picnic areas	<ul style="list-style-type: none"> families other social groups (eg ethnic, religious, clubs) 	High (particularly on weekends and holidays)	<ul style="list-style-type: none"> spot herbicides spot insecticides bait rodenticides fungicide (usually garden beds) spray termiticides spray ant control bait termiticides bait ant control bait bird control bait rabbit control
e) Sporting fields, ovals and related sporting activities	<ul style="list-style-type: none"> sporting clubs and associations school sport groups general recreational users (eg joggers, dog walkers) 	High	<ul style="list-style-type: none"> spot herbicides spot insecticides broadscale herbicides broadscale insecticides spray or bait termiticides on facilities rodenticides near facilities bait rabbit control
f) Council laneways and pathways	<ul style="list-style-type: none"> local residents people who work in the area visitors to the area 	Medium to High	<ul style="list-style-type: none"> spot herbicides broadscale herbicides
g) Road shoulders, verges, footpaths	<ul style="list-style-type: none"> local residents or visitors walking or driving on the road 	Low for rural roads Medium to high for urban roads	<ul style="list-style-type: none"> spot herbicides broadscale herbicides termiticides
h) Easements accessible to the public (specifically road, sewer and electricity)	<ul style="list-style-type: none"> local residents who work in the area 	Low to medium	<ul style="list-style-type: none"> spot herbicides broadscale herbicides
i) Council drains	<ul style="list-style-type: none"> local residents living adjacent to the drain local residents or visitors who walk or drive past the drain 	Low to medium	<ul style="list-style-type: none"> spot herbicides broadscale herbicides bait rabbit control

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Public Places Owned or Controlled by Council	Regular User Groups	Level of Use of Public Place	Type of Pesticide Use
j) Caravan/Holiday Parks	<ul style="list-style-type: none"> • Tenants • Visitors to the area • Families 	Medium to High (seasonal)	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale herbicides • broadscale insecticides • spray or bait termiticides on facilities • rodenticides near facilities • bait rabbit control
k) Cemeteries	<ul style="list-style-type: none"> • general public; visitors to area 	Medium	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale selective herbicides • broadscale non-selective herbicides • broadscale insecticides • bait rabbit control
l) Swimming Pool Grounds	<ul style="list-style-type: none"> • general public; visitors to the area 	Low to high (seasonal)	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale herbicides • broadscale insecticides • spray or bait termiticides on facilities • rodenticides near facilities • bait rabbit control

3. Notification Arrangements

This section of the Plan describes how and when Council will provide notice of pesticide use in public spaces. These notification arrangements are based on Council's assessment of:

- the level of usage of public spaces where pesticides may be used;
- the extent to which members of the public who are most likely to be sensitive to pesticides eg young children, sick, pregnant and elderly people, and 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 and quantity of pesticide used.

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

- signs providing notice of pesticide use and contact phone numbers;
- information on Council's website;
- newspaper;
- letters;
- fax or email;
- letterbox drops;
- door knocking;
- phone contact.

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Council will also allow persons 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 within 20m of their residences, which exceed the minimum quantity (see below).

(a) Outdoor Recreation Areas

The notification arrangements described below will apply to the following public place categories owned or controlled by Council within the local government area (LGA):

- Public reserves, operational land and natural areas
- Public parks and gardens
- Playgrounds
- Picnic areas
- Sporting fields, ovals and related sporting activities

In these public spaces, signs will be provided to the general community near the application area or main entrance and/or on the spray vehicle prior to application. Additional information will be available from the spray operator or via the contact number shown on the sign. The signs will remain in place until the product is dry (if sprayed) or removed (baits) except where the pesticide label, permit or order specifies a longer period for signage.

Where any of the above pesticide uses occurs within 20m of a sensitive place (see definition of “sensitive places” under subsection g) special measures for sensitive places, the occupiers will be provided with 48 hours prior, targeted notice by phone, fax, email, mail or letterbox (whichever is most practicable).

For **public reserves, operational land and natural areas** only, the measures described above shall be applicable except where pesticides are being used in remote areas away from tracks. In these circumstances, only signage on the spray vehicle will be required.

For **playgrounds** only, these areas will be closed to public access for the required withholding period in addition to the measures described above.

For **sporting fields, ovals and related sporting facilities** only, the use of the sporting facilities will be suspended for the required withholding period in addition to the measures described above. Sporting groups and occupiers of adjacent sensitive places who register interest with Council can also have notice of the above pesticide uses faxed or emailed at least 48 hours prior to application.

(b) Laneways, Pathways, Drains and Easements Accessible to the Public

The notification arrangements described below will apply to the following categories of public space owned or controlled by Council within the Local Government Area (LGA):

- Laneways and pathways
- Road, sewer and electricity easements accessible to the public
- Drains

For the above public places, signs will be prominently displayed on the spray vehicle prior to application. Additional information will also be available from the spray operator and via the contact number shown on

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the sign. Where information on the spray vehicle may not be readily visible to regular users of the public place, additional signage will be placed prior to application.

The signs will remain in place until the product is dry (if sprayed) or removed (baits) except where the pesticide label, permit or order specifies a longer period for signage.

Where any of the above pesticide uses occurs within 20m of sensitive places (see definition of “sensitive places” under subsection g) special measures for sensitive places, the occupiers will be provided with 48 hours prior, targeted notice by phone, fax, email, mail or letterbox (whichever is most practicable).

(c) Road Shoulders, Verges and Structures

For the above public places, signs will be prominently displayed on the spray vehicle prior to application. Additional information will also be available from the spray operator and via the contact number shown on the sign.

Where any of the above pesticide uses occurs within 20m of sensitive places (see definition of “sensitive places” under subsection g) special measures for sensitive places, the occupiers will be provided with 48 hours prior, targeted notice by phone, fax, email, mail or letterbox (whichever is most practicable).

(d) Cemeteries

For public cemeteries, signs will be erected prior to application near the pesticide application area, at the entrances to the cemetery and/or on the spray vehicle where applicable. The signs will be erected to maximise effectiveness and will contain details for those wishing to find out more information regarding the pesticide use. Additional information will also be available from the spray operator and via the contact number on the sign.

The signs will remain in place until the product is dry (if sprayed) or removed (baits) except where the pesticide label, permit or order specifies a longer period for signage.

Where any of the above pesticide uses occurs within 20m of sensitive places (see definition of “sensitive places” under subsection g) special measures for sensitive places, the occupiers will be provided with 48 hours prior, targeted notice by phone, fax, email, mail or letterbox (whichever is most practicable).

(e) Swimming Pool Grounds

For public swimming pools, signs will be erected near the pesticide application area or, at the entrances to the pool and on the spray vehicle where applicable. The signs will be erected to maximise effectiveness and will contain details for those wishing to find out more information regarding the pesticide use. Additional information will also be available from the spray operator and via the contact number on the sign.

Pool managers, sporting groups and occupiers of adjacent sensitive places who register interest with Council can also have notice of the above pesticide uses faxed or emailed at least 48 hours prior to application.

The signs will remain in place until the product is dry (if sprayed) or removed (baits) except where the pesticide label, permit or order specifies a longer period for signage.

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Where any of the above pesticide uses occurs within 20m of sensitive places (see definition of “sensitive places” under subsection g) special measures for sensitive places, the occupiers will be provided with 48 hours prior, targeted notice by phone, fax, email, mail or letterbox (whichever is most practicable).

(f) Aerial Boom Spraying

Where aerial boom spraying of pesticides is deemed necessary by Council the following notification process would be followed:

- To be undertaken a minimum of 5 days prior to spraying:
 - Letterbox dropping or phoning of residents immediately adjoining the proposed spray area.
- To be undertaken prior to spraying:
 - Responding to all reasonable requests made to Council.
- To be undertaken during spraying and removed after pesticide has dried except where the label, permit or order specifies a longer period of signage:
 - Prominently displaying signs at the helicopter take off and landing site.
 - Displaying pesticide details on the spray vehicle including a contact number.

All public areas which are to be aeri ally boom sprayed will be closed at least 1 hour prior to spraying and remain in place until pesticide has dried except where label, permit or order specifies for a longer period of signage.

Council will not release, discharge or apply a pesticide by means of aerial boom spraying within 20m of a dwelling, school, factory premises or other specified public space including sensitive areas unless:

- Council obtains written consent from the occupier or person in charge of the dwelling, school, factory premises or other specified public space including sensitive areas as the case may be.

Such notification will include all the information specified in section 5 of this plan.

(g) Special Measures for Sensitive Places

Clause 18 Definitions of the Pesticides Regulation defines a sensitive place to be any:

- School or preschool
- Kindergarten
- Childcare centre
- Hospital
- Community health centre
- Nursing home
- Place declared to be a sensitive place by the Environment Protection Authority (EPA) by order published in the Gazette

Special notification measures for programmed pesticide use in outdoor public places adjacent to sensitive places for each category of public place have already been noted.

Where emergency pesticide use occurs within 20m of sensitive places (see definition of “sensitive places” under subsection g) special measures for sensitive places, wherever possible, the occupiers will be contacted prior to commencement of application by telephone, fax, e-mail, or letter drop (whichever is most

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practicable). Persons or organisations on the central register will be similarly notified if they are within 20m of the area being sprayed.

(h) Multiple Occupancy Residential Complexes

For outdoor spraying of pesticides in Common areas of public owned multiple occupancy complexes, including caravan parks with long-term residents of over 8 weeks duration, the following notification process will be followed.

Residents shall be informed at least 5 working days prior to the first application of a program by:

- notifying individual residents in person (or by fax, e-mail or telephone); or
- by placing a written notice in each resident's letterbox, or under residents door; or
- by placing written notices on the main notice boards at the complex and at the main entrances and exits to each building in the complex.

Signs shall be erected immediately prior to pesticide application, on notice boards and at entrances and exits of the buildings affected. They shall remain in place until the product is dry (if sprayed) or removed (baits) except where the pesticide label, permit or order specifies a longer period for signage.

Evidence of notification shall be kept for a minimum of 3 days after the application has been completed.

(i) Emergency Pesticide Applications

In cases where emergency pesticide applications in public places are required to deal with situations such as biting, rapidly invading or dangerous pests (that pose an immediate health hazard) or where action is required to prevent damage to Council assets, Council will, where possible, provide notice by posting signs nearby at the time of the application or by request to the person applying the pesticide.

For emergency applications within 20m of sensitive places refer section g) of this Plan.

(j) Pesticide Contractors

Where Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of the Plan and obtain a written undertaking to do so prior to application.

4. Situations Not Covered by This Plan

- Indoor pesticide use
- Non-public areas
 - Areas where the public is not entitled to have access to such as Council owned treatment plants.
- Council leased public places
 - It is the lessee's responsibility to comply with the Pesticide Regulations if pesticides are used in these areas. Council will not notify on the lessee's behalf.
- Non-spray methods
 - These include any pesticide by cut-stump, stem injection or basal bark techniques
- Small use situations

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- Pesticides used in small quantities and readily available at retail outlets and applied by knapsack or hand held applicators, in aerosol cans or small baits, where the ready to use quantity does not exceed 20 litres or kilograms or concentrated quantity does not exceed 5 litres or kilograms.
- Pesticide use by members of the public
 - In situations where members of the public use pesticides in applications such as maintaining footpaths, laneways or undertaking environmental remedial works.

5. What Information will be Provided

In accordance with clause 20(1)(h) of the Pesticides Regulation, notices of pesticide use must include **all** the following information:

- The full name of the pesticide to be used
- The purpose of the use, clearly setting out what pests or pests are being treated
- The proposed date/s or date range of the pesticide use
- The place where the pesticide is to be used
- Contact telephone number or e-mail address of the Council officer who people can contact to discuss the notice
- Any warnings regarding the re-entry to or use of the place of application specified on the product label or the Australian Pesticides and Veterinary Medicines Authority (APVMA) permit.

6. How The Community will be Informed of this Plan

Council will advise residents of the contents of the draft copy of the Plan by:

- making a copy of the Plan available for public viewing free of charge in Council's libraries and main office (corner of Campbell and Vulcan Streets, Moruya) during office hours;
- placing a copy of the Plan on Council's website: www.esc.nsw.gov.au;
- placing a notice in local newspaper/s.

The Plan will be available for public comment for a minimum of 4 weeks from the release date.

Council will then prepare a final version of the Plan taking into consideration any comments made by the public prior to the deadline expiring. Council will notify the Environment Protection Authority in writing regarding finalisation of the Plan and notify residents of the final Plan by:

- making a copy of the Plan available for public viewing free of charge in Council's main office (corner of Campbell and Vulcan streets, Moruya) during office hours;
- placing a copy of the Plan on Council's website: www.esc.nsw.gov.au;
- placing a notice in local newspaper/s;
- placing a notice in the NSW Government Gazette.

Council may review the final Plan using the same procedures as described above, unless Council considers on reasonable grounds that the amendment is not of sufficient substance to warrant public consultation.

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7. Future Reviews of the Plan

The notification Plan will be reviewed every 5 years. The review will include:

- a report on the progress of implementing the Plan;
- placing the Plan on public exhibition, with any proposed changes and calling for public submissions;
- in the light of public submissions, making recommendations for alterations (if applicable) to the Plan.

8. Contact Details

Anyone wishing to contact Council to discuss the Notification Plan or to obtain details of specific details of pesticide applications in public places should contact:

Divisional Manager - Works
Infrastructure Services
PO Box 99
MORUYA NSW 2537
Phone : 02 4474 1000
Website : www.esc.nsw.gov.au

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	20 Dec 2006	Council	06/464	91.2669	Pesticide Use Notification Plan reviewed (Report W06/147)
2	10 Sep 2013	Council	13/272	E13.7095	Policy created for Plan. Code reviewed and updated and renamed to include 'Herbicide'.

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