

COUNCIL PESTICIDE USE NOTIFICATION PLAN

(An example only)

Department of **Environment and Conservation** NSW



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The following is a worked example of a council pesticide use notification plan. The sample is designed for information purposes only and does not constitute legal advice. The actual text of a pesticide use notification plan needs to be individually worded to meet each council's own requirements and circumstances.

1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 1995 (the Regulation).

The aim of this plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by public authorities. The plan allows members of the community to take action to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe, responsible manner, minimising harm to the community or the environment.

The plan sets out how Council will notify members of the community of pesticide applications made by Council to public places.

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 places (i.e. 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.

This plan forms a component of Council's integrated pest management policy. This policy states that Council only uses pesticides in public places when necessary to eliminate noxious weeds, to protect public property from pest damage and to protect the users of public places from nuisance or danger.

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. Frequency of programmed applications range from 6–8 times per year for sports fields, 2–5 times per year for parks and gardens and twice yearly for public thoroughfares. 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, bird baits and large vertebrate baits. Further information on Council's pesticide use can be obtained by calling [job title] on [phone number] or by visiting the website [www.\[webpage address\]](http://www.[webpage address]).

2. PUBLIC PLACES COVERED BY THIS PLAN

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

- parks and public gardens
- playgrounds
- picnic areas
- sporting fields and ovals
- road verges and reserves
- laneways and pathways
- easements accessible to the public
- drains
- golf courses.

This plan will also provide information on how notice will be provided to the community of pesticide use in the interiors of the following council buildings: council chambers, libraries, community halls/centres and childcare facilities.

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

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
a) Public parks and gardens	<ul style="list-style-type: none"> • children and young families • elderly people • general recreational users (e.g. 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 selective herbicides • broadscale non-selective herbicides • broadscale insecticides • fungicide (usually garden beds) • spray termiticides, ant control • bait termiticides, ant control • bait bird control
b) Playgrounds	<ul style="list-style-type: none"> • children • young families 	High	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • spray ant control • bait ant control

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
c) Picnic areas	<ul style="list-style-type: none"> • families • other social groups (eg. ethnic, religious, clubs) 	High (particularly on weekends, public holidays and school holidays)	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • bait rodenticides • fungicide (usually on garden beds) • spray termiticides • spray ant control • bait termiticides • bait ant control • bait bird control
d) Sporting fields, ovals and related sporting facilities	<ul style="list-style-type: none"> • sporting clubs and associations • school sports groups • general recreational users (e.g. joggers, dog-walkers) 	High	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale selective herbicides • broadscale non-selective herbicides • broadscale insecticides • spray or bait termiticides on facilities • rodenticides near facilities
e) 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 non-selective herbicides
f) Road shoulders, verges, road reserves and 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 non-selective herbicides
g) Easements accessible to the public (specifically road, sewer or electricity)	<ul style="list-style-type: none"> • local residents and people who work in the area 	Low to medium	<ul style="list-style-type: none"> • spot herbicides • broadscale non-selective herbicides
h) Council drains	<ul style="list-style-type: none"> • local residents living adjacent to a drain; • local residents or visitors who walk or drive past a drain. 	Low to medium	<ul style="list-style-type: none"> • broadscale non-selective herbicides • spot herbicides

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
i) Golf course	<ul style="list-style-type: none"> • amateur and professional golfers 	High	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale selective herbicides • broadscale non-selective herbicides • broadscale insecticides • fungicides • spray and bait ant control • large vertebrate baiting
j) Interiors of certain Council buildings	<ul style="list-style-type: none"> • library users (including young children, school groups and the elderly) • young children and their carers (childcare facilities) • parents groups/playgroups • community associations • church groups • general members of the public 	High	<ul style="list-style-type: none"> • spot insecticides • bait rodenticides • spray termiticides • spray ant control • bait termiticides • bait ant control • bait bird control

3. NOTIFICATION ARRANGEMENTS

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

- the level of usage 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) 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 of pesticide used.

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

- signs
- information on Council's website (which will describe programmed, reactive and emergency pesticide use in public places) and will be publicised in rate notices;

- letters
- fax and email
- letterbox drops
- door knocking
- phone contact.

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 in particular places, as described in this section of the plan.

Council uses small quantities of some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes (including home gardening). Council does not intend to provide 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 indoor and outdoor insect pests using baits or aerosol spray cans and spot weed control using a wand or hand-held spray bottle.

(Note: in the following section of the plan, council can refer either to categories of public places, or to specific public places. In this worked example, categories have been used.)

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 parks and gardens
- playgrounds
- picnic areas
- sporting fields, ovals and related sporting facilities.

In these public places, signs will be provided to the general community near the application area or main entrance at least 48 hours prior to application and remain for at least 48 hours afterwards for the following pesticide uses:

- broadscale selective herbicides
- broadscale non-selective herbicides
- broadscale insecticides
- fungicides (on the relevant garden beds)
- spray termiticides and ant control
- bait termiticides (where part of an ongoing program, first use of pesticide only)
- bait bird control (where part of an ongoing program, first use of pesticide only)
- bait rodenticide (where part of an ongoing program, first use of pesticide only)

Where any of the above pesticide uses occur adjacent to sensitive places (see definition of 'sensitive places', under subsection e) Special measures for sensitive places) the occupiers will be provided with 48 hours prior targeted notice by phone, mail or letterbox drop (whichever is most practicable).

For **playgrounds and picnic areas** only, prior notice will be extended to 7 days by placing signs for all the above pesticide uses. For these areas only, signs will also be placed for at least 48 hours after spot herbicide or insecticide use or placement of ant control baits.

For **sporting fields, ovals and related sporting facilities**, 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.

Information will be available to the general community on council's website about the forward program for the above applications (updated every three months), and on the following pesticide uses in outdoor recreation areas:

- spot herbicides
- spot insecticides
- bait ant control.

b) Outdoor public thoroughfares and certain easements accessible to the public

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

- laneways and pathways
- road shoulders, verges, road reserves and footpaths
- road, sewer and electricity easements accessible to the public
- drains.

In these public places, information on the forward program for broadscale herbicide will be posted on Council's website every 3 months. For **drains** only, information on the forward program for use of herbicides will also be included in Council's regular box advertisements in local newspapers every three months. A letterbox drop of adjacent properties will occur at least 5 days before the expected date or dates of broadscale herbicide application for all of the above pesticide uses.

Information on the programmed and reactive spot use of herbicides will also be posted on Council's website every three months. Where programmed spot herbicide applications occur on outdoor public thoroughfares and the above easements, adjacent to sensitive places, and/or for parties who register interest with Council, prior notice by mail or letterbox drop will be provided at least 5 days beforehand.

Notice will not be given where occupiers of properties adjacent to Council public places use pesticides on parts of these public places near their properties.

c) Council's golf course

Information on the following types of pesticide use shall consist of signs posted near the application area or at the tee of the relevant fairway for at least 48 hours afterwards and at least 48 hours beforehand on the notice board at the Pro Shop:

- broadscale selective herbicides
- broadscale non-selective herbicides

- broadscale insecticides
- fungicides
- spray ant control
- large vertebrate baiting (in addition to notice requirements of the label and any relevant permits).

Information on the quarterly forward program for the above applications as well as the general information on following types of pesticide uses shall be available in a printed brochure in the Pro Shop:

- spot herbicides
- spot insecticides
- bait ant control.

d) Certain Council buildings

For pesticide use in Council chambers, Council owned libraries, community halls and centres and childcare facilities that are owned or controlled by Council, signs will be provided near the application area or main entrance at least 48 hours prior to application and remain for at least 48 hours afterwards for the following pesticide uses:

- spot use of insecticides
- bait rodenticides
- spray termiticides
- spray ant control.

Information for the general community will be posted on Council's web-site every 3 months about the above applications and on the following pesticide uses in the above Council buildings:

- bait termiticides
- bait ant control
- bait bird control.

In addition, 5 days prior notice of all programmed pesticide use in Council childcare facilities will be given to operators of the facilities

e) Special measures for sensitive places

Clause 11J(1) of the Pesticides Regulation defines a sensitive place to be any:

- school or pre-school
- kindergarten
- childcare centre
- hospital
- community health centre
- nursing home

- place declared to be a sensitive place by the Environment Protection Authority (EPA) – now a part of the Department of Environment and Conservation (DEC).

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.

For non-emergency reactive pesticide use in outdoor public places next to sensitive places, Council will provide concurrent notice shortly before use to the occupier by phone, door-knock or letterbox drop, depending upon what is practicable.

If a pesticide must be used to deal with an emergency in an outdoor public place that is adjacent to a sensitive place, Council will organise a door-knock in that sensitive place, preferably at least 30 minutes before, so people are aware that a pesticide is about to be used to deal with a dangerous pest infestation.

f) 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), Council will, where possible, provide notice by posting signs nearby at the time of the application. If this is not possible, Council will provide information via its Council infoline [number], or by request to the person applying the pesticide.

g) 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 if they use pesticides in this area, Council will still require notification in accordance with the requirements of this plan.

4. WHAT INFORMATION WILL BE PROVIDED

In accordance with clause 11L(2)(g) of the Pesticides Regulation, notices of pesticide use must include **all** 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 place where the pesticide is to be used
- contact telephone number and email address of the Council officer who people can contact to discuss the notice
- any warnings regarding 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.

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

As already noted, Council's website will have a dedicated area that describes its programmed, reactive and, if practicable, emergency pesticide use in public places with a link to this notification plan. The relevant website address will be publicised in rate notices and by regular inclusions in Council's regular weekly block newspaper advertisement in local newspapers.

5. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Council will advise residents of the contents of the plan and its contents by:

- making a copy of the plan available for public viewing free of charge in Council's libraries and main office at [address] during office hours
- placing a copy of the plan on the Council website at [web address]
- placing a notice in X [State newspaper]) and Y [local newspaper]
- placing a notice in the NSW Government Gazette
- including a leaflet in the annual rates notice advising residents of the plan and where they can view a copy of it.

6. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every 3 years. The review will include:

- a report on 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.

7. 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:

Job title

Council Address

Phone, fax, email

Or access the website: [www.\[web address\]](http://www.[web address])

APPENDICES

These could include:

- a map of the LGA boundaries showing key localities.
- a list or map of some public places within the LGA (e.g. parks, playgrounds, picnic areas, sporting fields) possibly including their addresses in a list. For LGAs in urban growth areas where new parks are being created, it may be most appropriate to specify a web address where the latest list of these areas can be accessed.