

## Industry guidance fact sheet

# Pesticide Record Keeping Public Authorities



This fact sheet is for public authorities (e.g. local councils and government agencies) or anyone who is employed by, or contracted to undertake work for, a public authority. It provides guidance on how to comply with record keeping rules set out in the Pesticides Regulation 1995. These record keeping rules commenced on 31 July 2002.

### What kind of pesticide treatments do I need to record?

Under the Pesticides Regulation 1995, you must make a record if you apply pesticides for, or on behalf of, a public authority (e.g. local councils or government agencies).

For example, you **must** make a record if:

- you spray road verges, road shoulders, road reserves or drains on behalf of a public authority
- you apply weed or pest treatments to public parks, gardens, playgrounds or sporting fields for a public authority
- you apply pesticides to public buildings (e.g. libraries or community halls) for a public authority
- you treat electricity poles for electricity authorities
- you apply pesticides on public land (e.g. national parks, Crown land, state forests), including any pesticide applications made as part of volunteer bush regeneration work
- you apply pesticides to private land on behalf of a public authority (e.g. for Landcare or Bushcare).

You **do not** need to make a record if you are applying pesticide (such as chlorine or water treatments) to the waters in public baths or in any public or privately owned swimming pool or spa. However, you do need to record any pesticide applications made to the grassed areas or other areas adjacent to pools or baths.

### What is the small-scale exemption?

The small-scale exemption allows you to use small quantities of domestic-type pesticides without making a record. Under the exemption you do not need to make a record if **all of the following conditions are met**:

- the pesticide you are using is ordinarily used for domestic purposes (including home gardening), **and**
- it is widely available to the general public at retail outlets (e.g. supermarkets or hardware stores), **and**
- you are applying the pesticide by hand or by using a hand held applicator, **and**
- in the case of **outdoor** use, you use no more than 20 litres or 20 kilograms of 'ready to use' product, **or** 5 litres or 5 kilograms of concentrated product, **and/or**
- in the case of **indoor** use, you use no more than 5 litres or 5 kilograms of 'ready to use' product **or** 1 litre or 1 kilogram of concentrated product.

If you do not meet **all** of these circumstances then you **must** make a record.

### What constitutes a 'job'?

The small-scale exemption applies to each 'job' you undertake. If you were spraying weeds along a roadside, the job would be the complete task you did in that day. To work out whether the exemption applies you would calculate the amount of pesticide you used in that day. If you stop and then restart a pesticide application during a job, you should still calculate the entire amount of pesticide you used for the job to work out whether the exemption applies.

## How does the small-scale exemption work if I am working in a team?

The small-scale exemption quantities apply to each individual user. If an individual member of a team uses less than the quantities set out in the Regulation **and** meets all the other conditions of the exemption, then no record would need to be made.

For example:

Two council employees spray a public road using a herbicide that is ordinarily used for domestic purposes and is widely available to the general public. They take turns applying the herbicide using a hand-held spray gun. At the end of the day, they work out how much herbicide they have each used. If they have each used less than the minimum quantity of pesticide (20 litres or 20 kilograms of ready to use product or 5 litres or 5 kilograms of concentrated product outdoors) they would not need to make a record.

## What information do I have to record?

To comply with the record keeping rules set out in the Regulation you must record:



- the **full product name** of the pesticide applied (e.g. 'Banvel M Selective Herbicide', not just 'Banvel')

- the **situation** in which you used the pesticide (e.g. road easement along Craig's Road between the intersections of Smith and Jones Streets). You do not have to record the target pest but it may be helpful to write down this information.
- the **rate** of application (this is on the label) and the **quantity** of pesticide applied (e.g. record the total amount of pesticide concentrate you used in a mix, the total amount of mix you made up and the area treated). For example, if you are spraying for Bindy-Eye on a road easement you could say: 'made up 100mL of Banvel M Selective Herbicide Concentrate, diluted in 15L of water. Sprayed over a 150m<sup>2</sup> area'.



- a description of the **equipment** used to apply the pesticide (e.g. powered handgun)

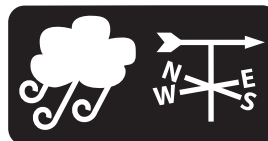
the property **address**, and a delineation of the **area** where the pesticide was used (e.g. lawn area of Cook Park). This can be recorded on a sketch or map of the area treated. If you are spraying interior areas, you need to record the names of the rooms treated.



- the **date** and time of the application including the **times** you started and finished the job

the **name, address and contact details** of the person who applied the pesticide. If you applied the pesticide yourself, you must write down your details. If you employed someone to apply the pesticide then that person must record **their name** as well as **your name**, address and contact details as their employer. If the pesticide was applied by a contractor, the contractor must record their own name, address and contract details.

- the name, address and contact details of the **owner or the person who has the management or control** of the land where the pesticide was applied (e.g. the public authority or in the case of private land the owner, lessee or property manager). You only have to record this information if the person who owns or manages the property and the person who applied the pesticide are different.
- if the pesticide was applied **outdoors** and applied 'through the air' then you **must** make a record of weather conditions such as:



- an estimate of the **wind speed and direction** at the start of the application and any

significant wind changes during the application (you can use the Beaufort scale on the back page to help estimate the wind speed. If the wind speed and direction are variable, you should note this (e.g. 'wind light and variable')). Copies of an adapted Beaufort scale are available from the EPA's Pollution Line on 131 555 or at [www.epa.nsw.gov.au/envirom/beaufort\\_scale.pdf](http://www.epa.nsw.gov.au/envirom/beaufort_scale.pdf).

- if other **weather conditions** are specified on the label as relevant to the proper use of that pesticide (such as temperature, humidity or rainfall), you **must** record a description of these weather conditions at the start of the application and any significant changes in these conditions during the application. For example, if the label says 'do not apply when temperatures are above 30°C' then you should record the temperature at the start of the application and any significant temperature changes that occurred during spraying.

## What form do I use?

The EPA has a sample record keeping form that you can use if you wish to, but you can make your record in any way you want, providing each record includes the information required. If you already keep records for other purposes, you can simply add to that record any of the requirements listed above that are not already in that record.

## What if I use more than one pesticide in a job?

If you use more than one pesticide in a job, you do not need to create a separate record for every pesticide. You can make one record, **but** you must make sure that it includes details on **all** the pesticides you used (e.g. the full product name of each pesticide, the situation treated with each pesticide, rate and quantity and equipment used for each pesticide, a delineation of the area treated and the date and time of each application).

## Who makes the record?



If you applied the pesticide yourself, then it is your responsibility to make the record. You can get someone else to write it down for you, but it is up to you to make sure the record is made, and that it is accurate. **Records must be made in English.**

If you are working for a public authority as part of a team **and** you are applying pesticides by hand or with hand-held equipment (e.g. hand-operated backpack or cut and paint techniques), the on-site supervisor is responsible for making the record. The on-site supervisor needs to make a single record for the team, which includes the names of all pesticides users.

If you are working as part of a team but are using non-hand-held equipment (e.g. a tractor-mounted boom spray) to apply pesticides, then **everyone** in the team (**not just the supervisor**) that used this equipment to apply the pesticide needs to make a record.

## When do I make the record?

If you need to make a record you must do so within 24 hours of applying the pesticide.

## Who keeps the record and for how long?

The council or public authority must keep a copy of the record for three years. If you are an employee of a council or public authority you must give the record to your employer to keep.

If you are a contractor you need to keep the record for three years **and** provide a copy to the public authority and the owner or the person who has the management or control of the property where the pesticide was applied.

For example:

If the **council or public authority owns or manages the land** then you must provide them with a copy of the record. For example, if you were contracted by a local council to undertake weed treatment on council owned sporting fields then you would provide a copy of the record to the council and keep the original for a period of three years.

If you were contracted by a public authority to undertake weed treatment, and if the **public authority is not the owner or manager** of the property, you must give a copy of the record to whoever is the landowner or occupier **and** keep the original yourself for three years.

## More information

More information and a sample record keeping form is available from your local EPA officer or by phoning the EPA's Pollution Line on **131 555** (cost of a local call) or from the EPA's website: [www.epa.nsw.gov.au/pesticides/risintro.htm](http://www.epa.nsw.gov.au/pesticides/risintro.htm).

A copy of the *Pesticides Act 1999* and the *Pesticides Regulation 1995* can be obtained from the NSW Government Bookshop (phone: (02) 9238 0950) or viewed on the NSW Government website: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

Fact sheets about record keeping and other pesticide applications specific to particular industries are also available from the EPA, including pesticide applications by pest control operators and greenkeepers. Fact sheets about broadacre farming, horticulture, livestock and baiting are also available.

## Beaufort Scale

This modified Beaufort Scale is provided to assist in determining the wind speed for pesticide record keeping purposes.

Beaufort or force number (km/h)	Wind speed km/h	Description
0	Less than 1.6	Calm: Smoke will rise vertically.
1	1.6 – 4.8	Weather vane is inactive, rising smoke drifts.
2	6.4 – 11.3	Leaves rustle, can feel wind on your face, weather vane is inactive.
3	12.9 – 19.3	Leaves and twigs move around. Light weight flags extend.
4	20.9 – 29.0	Moves thin branches, raises dust and paper.
5	30.6 – 38.6	Small trees move or sway.

**Note:** This table only includes the lower wind speed portion of the Beaufort Scale. The full Beaufort Scale also includes higher force numbers which describe stronger wind speeds.

Source: [www.im.nbs.gov/beaufort.html](http://www.im.nbs.gov/beaufort.html)