

Pesticide Use Notification Plan

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1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of and the purposes of the Pesticides Regulation 2009 (the Regulation). The plan sets out how and in what circumstances Council will notify members of the community of pesticide applications it makes or allows to be made to outdoor public places that it owns or controls.

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 does **not** apply to outdoor public places which are not owned or controlled by Council.

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 and responsible manner, minimising harm to the community and the environment

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

The plan describes:

- What is a pesticide
- 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 the plan with Council

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. 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 may include fungicides and rodenticides.

2. WHAT IS A PESTICIDE

The Pesticides Act 1999 No 80 describes pesticides as:

- (a) An agricultural chemical product within the meaning of the Agvet Code,
or
- (b) A veterinary chemical product (within the meaning of the Agvet Code) that is represented as being suitable for, or is manufactured, supplied or used for, the external control of ectoparasites of animals.

Note: The Agvet Code defines an “**agricultural chemical product**” to be a substance or a mixture of substances that is represented, imported, manufactured, supplied or used as a means of directly or indirectly:

- (a) Destroying, stupefying, repelling, inhibiting the feeding of, or preventing infestation by or attacks of, any pest in relation to a plant, a place or a thing, or
- (b) Destroying a plant, or
- (c) Modifying the physiology of a plant or pest so as to alter its natural development, productivity, quality or reproductive capacity, or
- (d) Modifying an effect of another agricultural chemical product, or
- (e) Attracting a pest for the purpose of destroying it.

The term also includes insect repellants for use on human beings.

3. 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 the City of Botany Bay:

- Public gardens and parks
- Picnic areas
- Playgrounds
- Sporting fields, ovals and related facilities e.g. tennis courts

- Roads, nature strips and footpaths
- Laneways and pathways
- Drains
- Golf course
- Aquatic centres
- Public buildings and other facilities
- Bushland

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 Table 1.

TABLE 1. COUNCIL PESTICIDE USE

PUBLIC PLACES	REGULAR USER GROUPS	LEVEL OF USE OF PUBLIC PLACE	TYPE OF PESTICIDE USE
Public gardens and parks	<ul style="list-style-type: none"> • Children and young families • Elderly people • General recreational users (e.g. joggers, dog walkers, cyclists and picnickers). 	High (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> • Herbicides • Insecticides • Fungicide • Termiticides • Rodenticides
Picnic areas	<ul style="list-style-type: none"> • Children and young families • Other social groups (eg. ethnic, religious, clubs) 	High (particularly on weekends, public holidays and school holidays)	<ul style="list-style-type: none"> • Herbicides • Insecticides • Rodenticides • Termiticides
Playgrounds	<ul style="list-style-type: none"> • Children and young families 	High	<ul style="list-style-type: none"> • Herbicides • Insecticides

PUBLIC PLACES	REGULAR USER GROUPS	LEVEL OF USE OF PUBLIC PLACE	TYPE OF PESTICIDE USE
Sporting fields and facilities such as the tennis courts and Hensley Athletic Field	<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"> • Herbicides • Insecticides • Fungicides • Termiticides • Rodenticides
Roads, nature strips and footpaths	<ul style="list-style-type: none"> • Local residents • People who work in area • Visitors • Drivers 	Medium to very high	<ul style="list-style-type: none"> • Herbicides • Insecticides • Termiticides
Drainage reserves and laneways	<ul style="list-style-type: none"> • Local residents • People who work in the area 	Low to medium	<ul style="list-style-type: none"> • Herbicides • Insecticides • Termiticides • Rodenticides
Drains	<ul style="list-style-type: none"> • Local residents • Visitors 	Low	<ul style="list-style-type: none"> • Herbicides • Insecticides • Rodenticides
Golf course	<ul style="list-style-type: none"> • Golfers • Walkers • Dog walkers 	Low	<ul style="list-style-type: none"> • Herbicides • Insecticides • Fungicides • Termiticides • Rodenticides
Aquatic centre	<ul style="list-style-type: none"> • Local residents • People who work in the area 	High	<ul style="list-style-type: none"> • Herbicides • Insecticides

PUBLIC PLACES	REGULAR USER GROUPS	LEVEL OF USE OF PUBLIC PLACE	TYPE OF PESTICIDE USE
	<ul style="list-style-type: none"> • Visitors • Schools • Swimming classes and clubs • Other sporting clubs 		<ul style="list-style-type: none"> • Fungicides • Termiticides • Rodenticides
<p>Public buildings and other facilities eg. Senior citizens, town halls, public toilets, libraries, community centres, child care centres, Council depots etc</p>	<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 • The elderly • The disabled 	<p>High</p>	<ul style="list-style-type: none"> • Herbicides • Insecticides • Termiticides • Rodenticides
<p>Bushland</p>	<ul style="list-style-type: none"> • Volunteer bush regeneration groups • Walkers • Dog Walkers 	<p>Low</p>	<ul style="list-style-type: none"> • Herbicides • Fungicides • Termiticides

4. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Council will provide notice of pesticide use in public places, including special measures for sensitive places that are adjacent to public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

These notification requirements are based on Council's assessment of the:

- Level of usage of public places where pesticides may be used
- 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
- 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
- Letters
- Email
- Letterbox drops
- Direct canvassing by either or both door knocking and phone contact

Council also 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).

Notice will **not be** given for the following pesticide applications:

- Spraying of glyphosate using a hand held applicator, wand or brush (this does not include broad-scale lawn areas)

- Spot insecticides
- Ant control

4.1 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 e.g. tennis courts
- golf course
- aquatic centre
- bushland

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:

- broad-scale selective herbicides
- broad-scale non-selective herbicides
- broad-scale insecticides
- fungicides (on the relevant garden beds)
- spray termiticides
- 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 section 4.5 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. For these areas, signs will also be placed for at least 48 hours after application.

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 emailed at least 48 hours prior to application.

4.2 Outdoor Public Thoroughfares

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
- roads, nature strips and footpaths
- road, sewer and electricity easements accessible to the public
- drainage reserves and laneways
- drains.

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:

- broad-scale selective herbicides
- broad-scale non-selective herbicides
- broad-scale insecticides
- fungicides (on the relevant garden beds)

Information will be available (if applicable) to the general community on Council's website about the forward program for the above applications.

4.3 Golf Course

The notification arrangements described below will apply to the public golf course owned by council.

In 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:

- broad-scale selective herbicides
- broad-scale non-selective herbicides
- broad-scale insecticides
- fungicides (on the relevant garden beds)
- spray termiticides
- 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)

4.4 Public Buildings and Other Public Facilities

For pesticide use in buildings and other 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.

In addition, 7 days' notice of all programmed pesticide use in Council owned childcare facilities (whether operated by Council or by a lessee/licensee) will be provided to the managers of the facilities (see also Section k) below).

4.5 Special Measures for Sensitive Places

The *Pesticides Regulation 2009* defines a sensitive place to be:

- A school
- A pre-school
- A kindergarten
- A childcare centre
- A hospital
- A community health centre
- A nursing home
- Any place declared to be a sensitive place by the Environment Protection Authority by order published in the Gazette

To give the sensitive place notice of the proposed pesticide use Council will phone, email, door knock or letterbox drop the sensitive place at least 48 hours prior to the following pesticide applications:

- Broad-scale herbicides
- Broad-scale insecticides
- Fungicides
- Termiticides
- Rodenticide

Notice will **not be** given for the following pesticide applications:

- Spot herbicides
- Spot insecticides

If a pesticide application (other than spot insecticides or spot herbicides) must be used to deal with an emergency that is adjacent to a sensitive place, Council will door knock the sensitive place before application to give notice a pesticide is about to be used to deal with a dangerous pest infestation.

In addition, 7 days' notice of all programmed pesticide use in Council owned childcare facilities (whether operated by Council or by a lessee/licensee) will be provided to the managers of the facilities.

4.6 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), Council will, where possible, provide notice by posting signs nearby at the time of the application. If this is not possible, the public can ask for information from the person applying the pesticide.

4.7 Pesticide Contractors and Lessees of Public Places

When 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.

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

5. WHAT INFORMATION WILL BE PROVIDED

Notice of pesticides use will include the following information:

- The full product name of the pesticide to be used
- The purpose for which the pesticide is to be used
- The dates on which, or the range of dates during which, the pesticide is to be used
- The places where the pesticide is to be used
- Any warnings about limitations on the subsequent use of entry onto the land if such warnings are specified on the approved label for the pesticide or in the permit for use of the pesticide
- A contact telephone number or email address for people to contact to discuss the notice

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

Council's website will have a dedicated area that describes programmed, reactive and if practicable, emergency pesticide use in public places with a link to this notification plan.

6. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

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

- Making a copy of the plan available for viewing, free of charge, at our Administration Centre at 141 Coward Street, Mascot
- Placing a copy of the plan on the Council website www.botanybay.nsw.gov.au
- Placing a notice in the local press
- Placing a notice in the NSW Government Gazette

7. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every three years or when circumstances require a review of the plan.

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 alternations (if applicable) to the plan.

8. CONTACT DETAILS

Anyone wishing to contact Council to discuss the notification plan should contact:

Botany Bay City Council
PO Box 331
Mascot NSW 2020
Telephone: 9366 3666

9. GLOSSARY

- Fungicide - a pesticide used on fungi
- Glyphosate - is a broad spectrum herbicide
- Herbicide - a pesticide used on plants

- Insecticide - a pesticide used on insects
- Rodenticide - a pesticide used on rodents
- Termiticide - a pesticide used on termites