

Pesticide use notification plan for outdoor public places

A sample plan for local councils

© 2017 State of NSW and Environment Protection Authority

With the exception of photographs, the State of NSW and Environment Protection Authority are pleased to allow this material to be reproduced in whole or in part for educational and non-commercial use, provided the meaning is unchanged and its source, publisher and authorship are acknowledged. Specific permission is required for the reproduction of photographs.

The NSW Environment Protection Authority (EPA) has compiled this document in good faith, exercising all due care and attention. No representation is made about the accuracy, completeness or suitability of the information in this publication for any particular purpose. The EPA shall not be liable for any damage which may occur to any person or organisation taking action or not on the basis of this publication. Readers should seek appropriate advice when applying the information to their specific needs. This document may be subject to revision without notice and readers should ensure they are using the latest version.

All content in this publication is owned by the EPA and is protected by Crown Copyright, unless credited otherwise. It is licensed under the [Creative Commons Attribution 4.0 International \(CC BY 4.0\)](#), subject to the exemptions contained in the licence. The legal code for the licence is available at [Creative Commons](#).

The EPA asserts the right to be attributed as author of the original material in the following manner: © State of New South Wales and the Environment Protection Authority 2017.

Published by:

NSW Environment Protection Authority
59 Goulburn Street, Sydney NSW 2000
PO Box A290, Sydney South NSW 1232
Phone: +61 2 9995 5000 (switchboard)
Phone: 131 555 (NSW only – environment information and publications requests)
Fax: +61 2 9995 5999
TTY users: phone 133 677, then ask for 131 555
Speak and listen users: phone 1300 555 727, then ask for 131 555
Email: info@epa.nsw.gov.au
Website: www.epa.nsw.gov.au

Report pollution and environmental incidents
Environment Line: 131 555 (NSW only) or info@epa.nsw.gov.au
See also www.epa.nsw.gov.au

EPA 2017P0372
ISBN 978 1 925688 56 6
December 2017

Contents

1. Introduction	1
2. Public places covered by this plan	1
3. Notification arrangements	4
3.1 Outdoor recreation areas	4
3.2 Outdoor public thoroughfares and certain easements accessible to the public	5
3.3 The council's golf course	6
3.4 Certain council buildings	6
3.5 Special measures for sensitive places	6
3.6 Emergency pesticide applications	7
3.7 Pesticide contractors and lessees of public places	7
4. What information will be provided	7
5. How the community will be informed of this plan	8
6. Future reviews of the plan	8
7. Contact details	8
Appendices	9

The following is a worked example of a council pesticide use notification plan.

This sample plan 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 2017 (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 owned or controlled by public authorities. The plan allows members of the community to take action to avoid potential contact with pesticides, if they wish. The 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 the council will notify members of the community of pesticide applications made by the 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 the council will provide the community with information about its pesticide applications in public places (that is, what notification arrangements will be used)
- how the community can access this plan and get more information about the council's notification arrangements
- how future reviews of the plan will be conducted
- contact details for anyone wishing to discuss this plan with the council.

This plan forms a component of the council's integrated pest management policy. This policy states that the council only uses pesticides in public places when necessary to eliminate noxious weeds, to protect public property from pest damage, and to protect 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 the council's pesticide use can be obtained by calling [job title] on [phone number] or by visiting the website [www.\[webpage address\]](#).

2. Public places covered by this plan

The 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
- childcare facilities.

Table 1 summarises the council’s estimate of the level of community use, and regular user groups for each of these public place categories. Although not required by the Regulation, a summary of the type of pesticide use in each category of public place is also provided.

Table 1 Council estimate of level of community use for categories of public places, with a summary of the type of pesticide used for each category of public place.

Public places owned or controlled by the 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 on 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
(c) Picnic areas	<ul style="list-style-type: none"> • families • other social groups (e.g. religious groups, 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

Public places owned or controlled by the council	Regular user groups	Level of use of public place	Type of pesticide use
(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	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)	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
(i) Golf course	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) Interior 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 	High	<ul style="list-style-type: none"> • spot insecticides • bait rodenticides • spray termiticides • spray ant control • bait termiticides • bait ant control • bait bird control

Public places owned or controlled by the council	Regular user groups	Level of use of public place	Type of pesticide use
	<ul style="list-style-type: none"> • community associations • church groups • general members of the public 		

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 applied
- the extent to which members of the public who are most likely to be sensitive to pesticides (for example, 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)
- the 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.

The council will also allow persons and organisations to nominate to have their details placed on a central register. This will allow them to be notified of certain types of pesticide uses in particular places, as described in this section of the plan.

The council uses small quantities of some pesticides widely available in retail outlets and ordinarily used for domestic purposes (including home gardening). The 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, the council can refer either to categories of public places, or to specific public places. In this worked example, categories have been used.]

3.1 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.

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', section 3.5) 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 seven 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 the 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.

3.2 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 three 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 five 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 five 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.

3.3 The 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 noticeboard 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 product label and any relevant permits).

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

- spot herbicides
- spot insecticides
- bait ant control.

3.4 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 website every three 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, five days' prior notice of all programmed pesticide use in council childcare facilities will be given to operators of the facilities.

3.5 Special measures for sensitive places

Clause 39 of the 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 NSW Environment Protection Authority (EPA).

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.

3.6 Emergency pesticide applications

An emergency pesticide application in a public place may be required to deal with biting or dangerous pests (such as rodents, wasps, bees, venomous spiders, fleas, bird mites or similar creatures). In these situations the council will, where possible, provide notice by posting signs nearby at the time of the application. If this is not possible, the council will provide information via its council information line number, or members of the public can ask for information from the person applying the pesticide.

3.7 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 41(1)(h) of the 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, whom 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

The council will advise residents 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 [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 three years. The review will include:

- a progress report on the plan's implementation
- 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 specific details of pesticide applications in public places should contact:

[Job title]

[Council address & phone]

[Fax]

[Email]

[After-hours contact number for council]

Or visit: [www.\[web address\]](http://www.[web address])

Appendices

[Appendices could include:

- *a map of the LGA boundaries showing key localities*
- *a list or map of some public places within the LGA (for example, 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 the address of a web page where the latest list of these areas can be accessed.]*