



**Pesticide Use
Notification Policy
and
Plan for Outdoor Public
Places**



TABLE OF CONTENTS

DOCUMENT CONTROL	2
DOCUMENT HISTORY	2
1. SUMMARY	3
2. STATEMENT OF INTENT	3
3. HOW THIS POLICY & PLAN WAS DEVELOPED	3
4. AIM	4
5. NOTIFICATION PLANS FOR PUBLIC AUTHORITIES.....	4
6. PRESCRIBED PUBLIC PLACES COVERED BY THIS PLAN.....	5
7. NOTIFICATION ARRANGEMENTS	6
8. OUTDOOR & RECREATIONAL AREAS	7
9. OUTDOOR PUBLIC THOROUGHFARES AND CERTAIN EASEMENTS ACCESSIBLE TO THE PUBLIC.....	8
10. CONTRACTORS AND CERTAIN COUNCIL BUILDINGS.....	8
11. SPECIAL MEASURES FOR SENSITIVE PLACES	9
12. INFORMATION TO BE PROVIDED	9
13. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN.....	9
14. APPROVALS & TRAINING.....	10
15. FUTURE REVIEWS OF THIS PLAN	10
16. RETENTION OF RECORDS	10
17. CONTACT DETAILS.....	10
18. SUMMARY OF NOTIFICATION REQUIREMENTS.....	11
19. SITE SIGNAGE TEMPLATE.....	13



DOCUMENT CONTROL

Policy	Pesticide Use Notification Policy & Plan for Outdoor Public Places	File Number	PESTNOT - R1
Author/Reviewer	Director Sustainable Growth	Review Period and Date	5-years from adoption or as detailed below

This policy shall be reviewed: -

- As directed by Industry Parties, Council; or
- Immediately if any provision is contrary to law.

DOCUMENT HISTORY

Date	Status	Version	Resolution	Description
20 April 2018	Draft	0.1	Revised Section 19	Review by Jason Corcoran - changed contact email address on site signage
14 June 2018	Draft	0.2	Revised Table 1, Section 6 & formatting changes	Review by Sharon Langman - formatting revised, added fruit fly control & notifications, added rodent & pigeon control notifications
10 July 2018	Draft	0.3		Forwarded to Policy Review Committee for review
26 September 2018	Draft	0.4		Presented to Council for endorsement, public exhibition 28 days
26 September 2018	Draft	0.5	18/274	Endorsed for 28 day Public Exhibition
24 October 2018	Final	1.0	18/274	Pesticide Use Notification Policy & Plan for Outdoor Public Places – no submissions received - adopted



1. SUMMARY

Provides a resource for Hilltops Council to meet pesticide application notification responsibilities in public places, in a consistent manner in accordance with *Pesticides Regulation 2017* and *Pesticides Act 1999*.

2. STATEMENT OF INTENT

Pesticides control or destroy pests by physically, chemically or biologically interfering with their metabolism, life cycle or behaviour. Pesticides can be natural or manufactured substances. Pesticides include herbicides, fungicides, insecticides, fumigants, bactericides, rodenticides, baits, lures and repellents. They also include products used on animals to control external parasites if they are diluted or mixed with water, unless they are listed as low-risk under the *Stock Medicines Act 1989*.

Many Commonwealth and NSW government agencies, as well as other organisations, manage pesticides in NSW. The EPA regulates the proper use of pesticides through the provisions of the *Pesticides Act 1999* and *Pesticides Regulation 2017*. The Australian Pesticides and Veterinary Medicines Authority (APVMA) controls which pesticides are registered and sold in Australia.

Certain businesses must provide notification of pesticide use:

- Local councils must develop *notification plans*,
- Property managers and pest management technicians must *give notice before applying pesticides* to common areas of flats and other multiple occupancy homes; and
- Pest management technicians must *advise 'sensitive places'* such as schools and community health Centres of planned outdoor pesticide use on adjacent properties.

Keeping records of pesticide use is compulsory for people who use pesticides as part of their job or business in NSW. Keeping accurate records:

- Reduces health, trade and environmental impacts by providing vital information if problems occur,
- Tracks the effectiveness of the pesticides used; and
- If there is an incident or accident, proves that pesticides were used responsibly.

People who use pesticides as part of their job or business in NSW must undertake training every five-years to:

- Keep their knowledge up-to-date,
- Minimise mistakes when pesticides are used; and
- Protect workers, their families, the community, trade and the environment.

Hilltops Council recognises these areas of responsibility and will put in place policy and procedures to ensure obligation in relation to pesticide application and notification are fully understood and followed.

3. HOW THIS POLICY AND PLAN WAS DEVELOPED

Council has undertaken a review of current EPA NSW requirements in relation to pesticide application and notification (<https://www.epa.nsw.gov.au/your-environment/pesticides/pesticides-nsw-overview>), received guidance from the Weeds Office of NSW and Council's Biosecurity Weeds Manager who previously managed the *Southern Slopes Noxious Plants Authority* and reviewed the requirements of *Pesticides Regulation 2017* and *Pesticides Act 1999*.



4. AIM

The aim of this Policy and 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. This Policy and Plan allows members of the community to take action to avoid potential contact with pesticides, if they wish. Hilltops Council ensures that pesticides are applied to public places in a safe, responsible manner, minimising harm to the community or the environment.

This document sets-out how Hilltops Council will notify members of the community of pesticide applications made by Council to public places.

This document 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 Hilltops 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 document and get more information about Council's notification arrangements,
- How future reviews of this document will be conducted; and
- Contact details for anyone wishing to discuss this Plan with Council.

This document forms a component of Hilltops Council's integrated pest management arrangements. This policy states that *Hilltops 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 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 whenever this is considered an effective solution. Other pesticides used may include fungicides, rodenticides, bird baits and large vertebrate baits.

5. NOTIFICATION PLANS FOR PUBLIC AUTHORITIES

Public authorities, such as local councils, government agencies and electricity network State owned corporations must consult their community when developing pesticide use notification plans and notify their community when they intend to use pesticides in outdoor public places they own or manage such as parks and reserves. From 01 July 2018 this will also include NSW universities.

Part 1, Clause 4 of the Pesticides Act 1999 states that: *public authority* means a public or local authority constituted by or under an Act, and includes:

- (a) A Public Service agency, or
- (b) A statutory body representing the Crown, a State-owned corporation or a **local council**, or
- (c) A member of staff or other person who exercises functions on behalf of a public authority.



6. PRESCRIBED PUBLIC PLACES COVERED BY THIS PLAN

Council proposes to use or allow the use of pesticides in prescribed public places within Hilltops Council's local government area. In accordance with Part 5, Division 1 Regulation 39 of Pesticides Regulation 2017 a *prescribed public place* means:

- Public parks and playgrounds,
- Public gardens,
- Public picnic areas,
- Public sporting fields and ovals; and

Public land owned or controlled by Hilltops Council including:

- Road verges and reserves,
- Laneways and pathways,
- Swimming pools,
- Cemeteries,
- Crown reserves,
- Waste depots; and
- Street trees on nature strips.

This Plan also provides information on how notice will be provided to the community of pesticide use in the interiors of the following **Council controlled** assets:

- Council Chambers,
- Works Depots,
- Sewage Treatment Plants,
- Libraries,
- Toilets,
- Bridges,
- Community halls & Centres,
- Medical & health facilities under the care of Hilltops Council,
- Childcare facilities; and
- Tenanted buildings and houses.

Hilltops 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.

Table 1: Below is a summary of the type of pesticide used in each category of public place.

Public Place	Regular User Group	Level of Use	Control Used
Parks, Playgrounds and Picnic Areas managed by Council	<ul style="list-style-type: none"> • General Public • Community Groups • Social groups 	High	Spot Herbicide Spot Insecticide Broadscale Selective Herbicide
Sporting Fields and Ovals managed by Council	<ul style="list-style-type: none"> • Sporting Associations • General Public • Community Groups • Social Groups & Schools 	High	Spot Herbicide Spot Insecticide Broadscale Selective Herbicide
Road Verges & Reserves on all Council managed roads	<ul style="list-style-type: none"> • General Public • Graziers • Cyclists 	Low for rural roads. High for urban roads	Spot Herbicide & Insecticide Splash baiting/MAT Control (fruit fly control within town limits) Broadscale Selective and Non-Selective Herbicide



Public Place	Regular User Group	Level of Use	Control Used
Laneways and Pathways on all Council managed roads	<ul style="list-style-type: none"> General Public Cyclists 	Medium	Spot Herbicide Spot Insecticide Broadscale Selective and Non-Selective Herbicide Splash baiting/MAT Control (fruit fly control within town limits)
Swimming Pools	<ul style="list-style-type: none"> General Public Children Swimming Clubs Schools 	High in the months of operation	Spot Herbicide Spot Insecticide Broadscale Selective Herbicide
Cemeteries	<ul style="list-style-type: none"> General Public Contractors 	High	Spot Herbicide Spot Insecticide Broadscale Selective and Non-Selective Herbicide Rabbit Control
Crown Reserves managed or controlled by Council	<ul style="list-style-type: none"> User Groups General Public 	High when activities are present	Spot Herbicide Spot Insecticide Broadscale Selective and Non-Selective Herbicide
Council Chambers, Council managed buildings	<ul style="list-style-type: none"> Community groups General Public Employees/Contractors User groups 	High	Spot Herbicide Spot Insecticide Broadscale Selective Herbicide Baits (rodents & pigeons)
Waste Depots	<ul style="list-style-type: none"> General Public Farmers Contractors 	High	Spot Herbicide Spot Insecticide Broadscale Selective and Non-Selective Herbicide Baits (rodents)
Street Trees on nature strips	<ul style="list-style-type: none"> General Public Contractors 	High	Spot Herbicide Spot Insecticide Broadscale Selective Insecticides Splash baiting/MAT Control (fruit fly control within town limits)

7. NOTIFICATION ARRANGEMENTS

Obligations on public authorities concerning use of pesticide - in accordance with *Part 5, Division 2, Clause 40 (1)a of Pesticides Regulation 2017*:

- (1) Council must not use, or allow any person to use, any pesticide in a prescribed public place that is owned by or is under the control of Council unless Council has first:
- prepared, finalised and notified the Environment Protection Authority of a *pesticide use notification plan*; and
 - given public notice of the proposed use of pesticide in accordance with that plan.

Hilltops Council will provide notice of pesticide use in public places. These notifications arrangements are based on Council's assessment of:

- The level of usage of the public place to be treated with pesticides,
- 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) are likely to use this area regularly (see Section 11),
- The extent to which activities generally undertaken in this area 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); and
- Type of pesticide used.



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

- Site Signage.
- Information on Council's website, which will describe programmed, reactive and emergency pesticide use in public places.
- Council's regular newspaper advertisement in the local paper.
- Information at Council Chambers during business hours.
- Door-knock in emergency situations.
- Information leaflet on withholding periods for roadside mail boxes.

Sporting associations or other user groups that express an interest in the sporting fields and ovals that request direct notification will be placed on a central register, allowing them to be notified of certain types of pesticide uses in particular places as described in this section.

Hilltops Council uses small quantities of some pesticides that are available from retail outlets and ordinarily used for domestic purposes such as home gardening. Hilltops Council does not intend to provide notice for such pesticide applications other than what has been described 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.

8. OUTDOOR AND RECREATIONAL AREAS

The notification arrangements described below will apply to the following areas owned or controlled by Hilltops Council:

- Public Gardens.
- Parks and Playgrounds.
- Picnic Areas.
- Sporting Fields and Ovals.
- Swimming Pools.
- Cemeteries.

In these public places information provided to the general community will be through signage in the immediate area and the regular article in the local newspaper at least 48-hours prior to application. Signage will remain in place during the application and remain for 48-hours after application of:

- Broadscale selective herbicides,
- Broadscale non-selective herbicides,
- Broadscale insecticides,
- Broadscale fungicides,
- 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); and
- Fruit Fly, rodent and pigeon control.

Where any of the above pesticide uses occur adjacent to sensitive places (*see Section 11 for definition of sensitive places*) the occupiers will be provided with 48-hours prior targeted notice by phone, mail, email or letterbox drop.



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 emailed at least 48-hours prior to application.

9. OUTDOOR PUBLIC THOROUGHFARES AND CERTAIN EASEMENTS ACCESSIBLE TO THE PUBLIC

Notification arrangements described below will apply to the following areas owned or controlled by Hilltops Council within the LGA:

- Road shoulders, verges and reserves,
- Laneways, pathways and footpaths,
- Airfield/Racecourse areas,
- Crown reserves,
- Drains,
- Road, sewer and electricity easements accessible to the public,
- Street trees on nature strips; and
- Waste Depots.

In these public places, information on the forward program for broadscale herbicide and insecticide application will be posted on Council's website, and as required in the local newspaper, as broadscale application of herbicide and insecticide only occurs at appropriate times of the year.

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. On RMS roads and Council roads, signage will be in place during the application according to the required traffic control plan for mobile spray unit with or without advance warning vehicle.

10. CONTRACTORS AND CERTAIN COUNCIL BUILDINGS

Where contractors are used by Hilltops Council to apply pesticides, Council will ensure notification is made in accordance with the notification requirements in this document. Council requires that contractor's erect signage in accordance with this document.

Where persons or organisations hold an existing lease on Council land or buildings that remains a public place and they use pesticide in this area, Hilltops Council will require notification in accordance with the requirements of this document. Hilltops Council will not notify on their behalf. Signs need to be erected by the organisation or individual/s holding the lease in accordance with this document.

For pesticide use in the following buildings owned and controlled by Hilltops Council:

- Council Chambers,
- Town Libraries,
- Community Halls and Centres; and
- Childcare Facilities.

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; and
- Spray ant control.



Information for the general community will be posted on Council's website about the above applications and on the following pesticide uses in the buildings detailed above:

- Bait termiticides,
- Bait ant control,
- Bait bird control; and
- Fruit fly control.

11. SPECIAL MEASURES FOR SENSITIVE PLACES

Part 5, Division 1, Clause 39 of the Regulation defines a *sensitive place* to be any of the following:

- School, pre-school or kindergarten,
- Childcare Centre,
- Hospital, Community Health Centre, or Nursing Home; or
- Any place declared to be a sensitive place by the Environmental Protection Agency by order published in the Gazette.

For *non-emergency* reactive pesticide use in an outdoor public area next to sensitive places, Hilltops Council will provide 48-hours' notice prior to the application by way of phone, email, facsimile or letter drop.

In the event of pesticide application in an *emergency situation* in an outdoor public area next to sensitive places, Hilltops Council will organise a door-knock in that sensitive place at least 30-minutes prior to application so people are aware that a pesticide is about to be used to deal with a dangerous pest infestation.

12. INFORMATION TO BE PROVIDED

In accordance with Division 3, clause 45 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 use,
- The proposed date/s or date range of the pesticide use,
- The place where the pesticide is to be used,
- Any warnings about limitations on the subsequent use of or 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; and
- Contact telephone number or email address of the Council Officer who people can contact to discuss the notice.

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 emergency pesticide use in public places with a link to this document. Council's website address will be included in local newspaper advertisements.

13. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Hilltops Council will advise residents of the contents of this document and its contents by:

- Making a copy available for public viewing at each local Council Chambers during office hours,
- Placing a copy on Council's website; and
- Placing a notice in a local newspaper.



14. APPROVALS AND TRAINING

Council workers involved in applying chemicals and baits detailed in this document must hold, as a minimum, a current Chemical Application approval from a recognised approved training facility and be of or over the age of 17-years.

15. FUTURE REVIEWS OF THIS PLAN

This document will be reviewed every 5-years. The review will include:

- A report to the community on progress of implementing the Plan,
- Placing this document on public exhibition for 28-days, with any proposed changes and calling for public submissions,
- A copy of the draft Plan will be made available for review at Council's offices and on Council's web site,
- In light of public submissions, making recommendations for alterations (if applicable) to the Plan; and
- As soon as practicable after implementation of the Plan, notify the Environmental Protection Authority in writing of the existence of the Plan and make a copy of the final Plan on Council's web site.

16. RETENTION OF RECORDS

- If a pesticide use notice is given in person or by telephone, the person giving the notice must make a record of the giving of the notice.
- A person who is required to give or display any pesticide use notice or make any record must keep a copy of the notice or record for at least 3-years.
- A photo showing a date stamp may be used to record evidence and details of notices as long as the photo is kept on file or within a record document.

17. CONTACT DETAILS

Anyone wishing to contact Hilltops Council to discuss this document or to obtain details of specific details of pesticide applications in public places should contact: -

Hilltops Biosecurity Weeds Manager

Hilltops Council

Phone: (02) 63853189

Email: weeds@hilltops.nsw.gov.au

Website: <https://hilltops.nsw.gov.au>



18. SUMMARY OF NOTIFICATION REQUIREMENTS

Area	Notification Method	Notification Period/s
<ul style="list-style-type: none"> - Public Gardens - Parks & Playgrounds - Picnic Areas - Sporting Fields & Ovals - Swimming Pools - Cemeteries 	<ul style="list-style-type: none"> * Signage in immediate area & regular article in local newspaper * Notice on Council's web site 	<ul style="list-style-type: none"> * 48-hours prior to application, during application process & 48-hours after application. * On-going

Non-Emergency Application Adjacent to the Following Places	Notification Method	Notification Period/s
<ul style="list-style-type: none"> - School or Pre-School - Kindergarten - Childcare Centre - Hospital - Community Health Centre - Nursing Home - Place declared to be a sensitive place by the EPA 	<ul style="list-style-type: none"> * Phone, email, facsimile or letter drop * Signage in immediate area & regular article in local newspaper * Notice on Council's web site 	<ul style="list-style-type: none"> * 48-hours prior to application * During application process; & 48-hours after application * On-going

Emergency Application Adjacent to the Following Places	Notification Method	Notification Period/s
<ul style="list-style-type: none"> - School or Pre-School - Kindergarten - Childcare Centre - Hospital - Community Health Centre - Nursing Home - Place declared to be a sensitive place by the EPA 	<ul style="list-style-type: none"> * Door knock * Signage in immediate area 	<ul style="list-style-type: none"> * At least 30-minutes prior to application if possible or immediately if this is not possible * During application process & 48-hours after application

Outdoor Public thoroughfares & Certain Easements Accessible to the Public	Notification Method	Notification Period/s
<ul style="list-style-type: none"> - Road shoulders, verges and reserves - Laneways, pathways and footpaths - Airfield/Racecourse area - Crown Reserves - Drains - Road, sewer and electricity easements accessible to public - Street trees on nature strips - Waste Depots 	<ul style="list-style-type: none"> * Information on forward program for Applications * On RMS roads and Council roads 	<ul style="list-style-type: none"> * To be posted on Council's web as required and in local newspapers * Signage in place during application according to the TCP for mobile spray unit with or without advance warning vehicle

Certain Council Buildings	Notification Method	Notification Period/s
<ul style="list-style-type: none"> - Council Chambers - Town Library - Community halls & Centres - Childcare Facilities 	<p>Information for the general community to be posted on Council's web site and signs provided near application area or main entrance for the following: -</p> <ul style="list-style-type: none"> - Spot use of insecticides - Bait rodenticides - Spray termiticides - Spray ant control <p>Information for the general community to be posted on Council's web site for the following: -</p> <ul style="list-style-type: none"> - Bait termiticides - Bait ant control - Bait bird control 	<ul style="list-style-type: none"> * 48-hours prior to application, during application process & 48-hours after application. * Prior to treatment



Signage must include the following information:

- The full product name of the pesticide to be used,
- The purpose of use,
- The proposed date/s or date range of the pesticide use,
- The place where the pesticide is to be used,
- Any warnings about limitations on the subsequent use of or 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; and
- Contact telephone number or email address of the Council Officer who people can contact to discuss the notice.

Signs will be of a standardised design (see Section 19) that will be easily recognisable to the public and workers. A record of each sign must be made and retained for a minimum of 3-years. Records of notifications made by phone, email, facsimile, and letter drop or face-to-face must be kept for a minimum of 3-years.

Council's website will have a dedicated area that describes its programmed, reactive and, emergency pesticide uses in public places.

Where contractors are used by Hilltops Council to apply pesticides, Council will ensure notification is made in accordance with the notification requirements in this document. Council requires that contractor's erect signage in accordance with this document.

Where persons or organisations hold an existing lease on Council land or buildings that remains a public place and they use pesticide in this area, Council will require notification in accordance with the requirements of this document. Council will not notify on their behalf. Signs need to be erected by the organisation or individual/s holding the lease.



19. SITE SIGNAGE TEMPLATE



Chemical Use Notification

Chemical Name	
Reason for Use	
Proposed Application Date*	
Location	
Warnings	

* Proposed application date is subject to change depending on prevailing weather conditions

Hilltops Biosecurity Weeds Manager
Hilltops Council
Phone: (02) 63853189
Email: weeds@hilltops.nsw.gov.au
Website: <https://hilltops.nsw.gov.au>