

Kyogle Council

Pesticide Use Notification Plan



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1 INTRODUCTION

This Pesticide Use Notification Plan (the 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 that are owned or controlled by Kyogle Council. The Plan allows members of the community to take action to avoid contact with pesticides if they wish.

The term 'pesticide' is applied to chemicals used to kill pests and minimise their impact on agriculture, health and other human interests. Pesticides are often classified according to the organisms which they are used to control, for example, fungicides, herbicides, insecticides, molluscicides, nematicides, rodenticides, algacides, baits, repellants etc.

Council ensures that staff and contractors adopt best management practices in the application of pesticides to public places to minimise harm to the community and the environment. Examples of best management practices involve using pesticides only for the purpose described on the product label and following all the instructions on the label, observing the weather conditions at the control site, continual observance of the general public at the control site, taking care to protect their own health and the health of others while using a pesticide (e.g. wearing the appropriate personal protective equipment) and making every reasonable attempt to prevent damage occurring from the use of a pesticide.

The majority of pesticide use by Council staff and contractors consists of applying herbicides for weed control and applying insecticides to manage insect pests. Location (e.g. adjacent to environmentally sensitive areas), seasonal conditions and prevailing weather conditions have a major influence on any control work carried out.

The Plan outlines how Council will notify members of the community of pesticide applications it makes, or allows to be made, to public places that it owns or controls.

The Plan describes:

- what public places are covered by the Plan
- who regularly uses these public places and estimates level of use
- how and when Council will provide the community with information about its pesticide applications in public places
- 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.

2 WHAT IS A PESTICIDE?

Under the NSW *Pesticides Act 1999* a pesticide is an 'agricultural chemical product' as defined in the Agricultural and Veterinary Chemicals Code Act 1994 (Cwlth), namely a substance or mixture of substances that is represented, imported, manufactured, supplied or used as a means of directly or indirectly:

- 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
- destroying a plant
- modifying the physiology of a plant or pest so as to alter its natural development, productivity, quality or reproductive capacity

- modifying an effect of another agricultural chemical product
- attracting a pest for the purpose of destroying it.

2.1 What are some of the different types of pesticides?

Some families or groups of chemical products which are considered pesticides under current NSW legislation are:

Bactericides	These destroy, suppress or prevent the spread of bacteria
Baits	These are ready-prepared products or products which need to be mixed with a food to control a pest.
Fungicides	These control, destroy, render ineffective or regulate the effect of a fungus.
Genetically Modified Organisms	Agricultural crops can be genetically modified to incorporate resistance to pests and diseases, herbicide tolerance, or to slow the ripening of fruit or alter the timing and duration of flower production.
Herbicides	These destroy, suppress or prevent the spread of a weed or other unwanted vegetation.
Insecticides	These destroy, suppress, stupefy, inhibit the feeding of, or prevent infestations or attacks by an insect.
Lures	These are chemicals that attract a pest to a pesticide for the purpose of its destruction. Solely food-based lures.
Rodenticides	These are pesticides used specifically for controlling rodents such as mice and rats.
Repellents	These repel rather than destroy a pest. Included in this category are personal insect repellents used to repel biting insects.

3 PUBLIC PLACES COVERED BY THE PLAN

Kyogle Council proposes to use, or allow the use, of pesticides in the following outdoor public places that it owns or control in the Kyogle Council area:

- public parks and garden areas
- sporting fields and ovals
- road and laneway verges
- pathways
- reserves
- drains and other easements
- caravan parks
- showgrounds and rodeo grounds
- swimming pools
- cemeteries
- kerb and gutters

- water filtration plants
- waste water (sewerage) treatment plants
- landfills and waste transfer stations
- works depots
- grounds of public buildings
- lookouts
- camping grounds
- other public places.

Kyogle Council's estimate of the level of community use, regular user groups and types of pesticide used in each of these public places are summarised in Table 1.

Table 1: Summary of Pesticide Use in Public Places

Public Places	Regular user groups	Level of use of public place	Types of pesticide use
Public parks, garden areas, lookouts, grounds of public building and other public places	<ul style="list-style-type: none"> • Children • Families • Elderly people • Recreational users (joggers etc) • Groups • Contractors • Education and Tour Groups • Maintenance staff • Cyclists • Tourists • General Public 	Low to med	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Spot spray fungicide • Broadscale spraying herbicides • Broadscale spraying insecticides • Vermin control (baiting rabbits etc) • Cut & paint herbicides • Spray & bait termiticides • Spray & bait ant control
Sporting fields and ovals	<ul style="list-style-type: none"> • Sport clubs and associations • School groups • General public • Spectators • Maintenance staff 	Low to med	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Spot spray fungicide • Broadscale spraying herbicides • Broadscale spraying insecticides

Public Places	Regular user groups	Level of use of public place	Types of pesticide use
Road and laneway verges, kerb and gutters	<ul style="list-style-type: none"> • Adjoining landholders and residents • Walkers and joggers • Maintenance staff 	Low to high	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Broadscale spraying herbicides • Broadscale spraying insecticides
Pathways	<ul style="list-style-type: none"> • Residents • Joggers • Visitors • Maintenance staff 	Low to high	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides
Reserves including Crown Reserves	<ul style="list-style-type: none"> • Family groups • Walkers & joggers • Picnic groups • Maintenance staff 	Low to med	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Cut & paint herbicides
Drains and easements	<ul style="list-style-type: none"> • Maintenance staff • Local residents 	Low	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides
Caravan Parks and Camping Grounds	<ul style="list-style-type: none"> • Visitors and families • Maintenance staff • Campers 	Low to high	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Broadscale selective herbicides • Broadscale non-selective herbicides • Broadscale insecticides • Spray ant control
Showgrounds and Rodeo Grounds	<ul style="list-style-type: none"> • Sporting clubs • Families • Animals • Maintenance staff 	Low to med	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides

Public Places	Regular user groups	Level of use of public place	Types of pesticide use
Swimming pools	<ul style="list-style-type: none"> Families School groups Visitors/tourists Maintenance staff 	Low to high	<ul style="list-style-type: none"> Spot spray herbicides Spot spray insecticides
Cemeteries	<ul style="list-style-type: none"> Visitors Maintenance staff 	Low to med	<ul style="list-style-type: none"> Spot spray herbicides Spot spray insecticides Broadscale spraying herbicides Vermin control (baiting rabbits etc)
Water Filtration Plants	<ul style="list-style-type: none"> Maintenance staff Company representative School groups 	Low	<ul style="list-style-type: none"> Spot spray herbicides Vermin control (baiting rabbits etc)
Waste Water (Sewerage) Treatment Plants	<ul style="list-style-type: none"> Couriers Company representative School groups Delivery persons Maintenance staff 	Low	<ul style="list-style-type: none"> Spot spray herbicides Spot spray insecticides
Landfills and Waste Transfer Stations	<ul style="list-style-type: none"> Couriers Delivery persons Customers Residents Company representative School groups Maintenance staff 	Low to high	<ul style="list-style-type: none"> Spot spray herbicides Spot spray insecticides Broadscale insecticides
Works Depots	<ul style="list-style-type: none"> Maintenance staff Couriers Delivery persons Company representative 	Low	<ul style="list-style-type: none"> Spot spray herbicide Spot spray insecticide

4 NOTIFICATION ARRANGEMENTS

This section of the Plan describes how and when Kyogle Council will provide notice of pesticide use in public places, including special measures for sensitive areas 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 Kyogle 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 are likely to use these areas
- the extent to which activities generally undertaken in these areas could lead to some contact with pesticides
- types of pesticides used.

Council endeavours to avoid spraying blackberries while they are in fruit especially in areas that may be accessed by the public. In cases where this cannot be avoided, Council will ensure that notice will be given as detailed in this Plan.

4.1 Public parks, garden areas, lookouts, grounds of public buildings and other public places

For public parks and garden areas, notification will be provided that pesticides will be used within the next 30 days. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide. Application of pesticides includes:

- spot spray herbicide (garden beds, gravel paths, broadleaf weeds etc.)
- spot spray insecticide (European Wasps etc.)
- apply fungicide (applied to plants and tubers etc.)
- broadscale herbicide (broadleaf weeds etc.)
- broadscale insecticide (turf eating insects like African Black Beetle etc.)
- cut & paint herbicide (direct application)
- spray & bait termiticides
- spray & bait ant control.

4.2 Sport fields and ovals

For sports fields and ovals, notification will be provided that pesticides will be used within the next 30 days. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide. Application of pesticides includes:

- spot spray herbicide (garden beds, gravel paths, broadleaf weeds etc.)
- spot spray insecticide (European Wasps etc.)
- apply fungicide (applied to turf areas etc.)
- broadscale herbicide (broadleaf weeds etc.)
- broadscale insecticide (turf eating insects like African Black Beetle etc.).

4.3 Road and laneway verges, kerb and gutters

For road verges and road reserves, no notice will be provided unless specifically requested. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide. Areas adjacent to sensitive areas such as outside schools, preschools, hospitals etc. will be treated early in the morning and outside school hours. Herbicide treatment adjacent to known registered organic farms will be carried out in no to low wind periods only.

Application of pesticides includes:

- spot spray herbicide (noxious weeds, tree sites and nuisance weeds etc.)
- spot spray insecticide (European Wasps etc.)
- boom spraying (vegetation growth on road shoulders).

4.4 Pathways

In pathways, no notice will be provided unless specifically requested. Pathways adjacent to sensitive areas such as schools, preschools, hospitals etc. will be treated early in the morning and outside school hours. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (noxious weeds and nuisance weeds etc.)
- spot spray insecticide (European Wasps etc.).

4.5 Reserves including Crown Reserves

In reserves, no notice will be provided unless specifically requested. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (noxious weeds, tree site and nuisance weeds etc.)
- spot spray insecticide (European Wasps etc.)
- cut & paint herbicides (direct application).

4.6 Drains and other easements

In drains and other easements, no notice will be provided unless specifically requested. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (noxious weeds, tree site and nuisance weeds etc.)
- spot spray insecticide (European Wasps etc.).

4.7 Caravan Parks and Camping Grounds

In caravan parks or camping grounds, notice will be provided to affected residents and short-term visitors. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (noxious weeds, tree site and nuisance weeds etc.)
- spot spray insecticide (European Wasps etc.)

- broadscale selective herbicides
- broadscale non-selective herbicides
- broadscale insecticides
- spray ant control.

4.8 Showgrounds and Rodeo Grounds

In the showgrounds and rodeo grounds, notification will be provided that pesticides will be used within the next 30 days. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (noxious weeds, tree site and nuisance weeds etc.)
- broadscale herbicides (broadleaf weeds etc.)
- spot spray insecticide (European Wasps etc.).

4.9 Swimming Pools

At the swimming pools, notification will be provided that pesticides will be used within the next 30 days. Staff or contractors will place signs on the boundaries of the treated areas and on the application equipment. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide. When baiting of vermin such as rabbits, staff and contractors will adhere to all conditions (including signage) for that particular pesticide.

Application of pesticides includes:

- spot spray herbicide (noxious weeds, tree site and nuisance weeds etc.)
- spot spray insecticide (European Wasps etc.)
- broadscale spraying herbicide (Broadleaf weeds)
- baiting vermin.

4.10 Water Filtration Plants

At the water filtration plants, due to the remote locations and restricted access to the public, no notice will be provided unless specifically requested. Staff and contractors will adopt best management practices considering the particular conditions of each spray site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (weeds along water edges and fence lines etc.)
- spot spray insecticide.

4.11 Sewerage Treatment Plants

At the sewerage treatment plants, due to the restricted access to the public, no notice will be provided unless specifically requested. Staff and contractors will adopt best management practices considering the particular conditions of each spray site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (nuisance weeds etc.)
- spot spray insecticide.

4.12 Landfills and Waste Transfer Stations

At the landfills and waste transfer stations, due the remote locations and restricted access to the public, no notice will be provided unless specifically requested. Staff and contractors will adopt best management practices considering the particular conditions of each spray site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (nuisance weeds etc.)
- spot spray insecticide.

4.13 Works Depots

At the works depots, due to the restricted access to the public, no notice will be provided unless specifically requested. Staff and contractors will adopt best management practices considering the particular conditions of each spray site requiring the application of pesticide.

Application of pesticides includes:

- spot spray herbicide (nuisance weeds etc.) spot spray insecticide.

4.14 Special Measures for Special Places

Clause 39 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 by the Environment Protection Authority.

Notification will be provided that pesticides will be used within the next 30 days. Kerb and gutters adjacent to sensitive areas such as schools, preschools, hospitals etc. will be treated early in the morning and outside school hours. Staff and contractors will adopt best management practices considering the particular conditions of each site requiring the application of pesticide.

Special Measures for Emergency 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 or the contractor will, where possible, provide notice by posting signs nearby or other notification as stated by the pesticide product label, at the time of application. If no such notice exists on the product label, Council will door-knock in that sensitive place and advise people of Council's actions.

4.15 Notification and No Spray Requests

Where this Plan states that notification is to be given of the use of pesticides in a public place owned or controlled by Council, the following information will be provided to affected parties in writing or verbally in accordance with section 41 of the Pesticides Regulation:

- 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 places 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, and
- any warnings regarding re-entry to or use of the place, if specified on the pesticide product label or the Australian Pesticides & Veterinary Medicines Authority (APVMA) permit.

Residents and landowners may request Council to enter them onto a register to be advised when the use of pesticides is to be undertaken. Residents and landowners may also request that there be no pesticide application adjacent to their residence or property. Notification and no spray requests may be made in writing to Council's Director of Assets and Infrastructure Services, PO Box 11, Kyogle NSW 2474 or by emailing council@kyogle.nsw.gov.au.

Residents that request that there be no pesticide application adjacent to their residence or property will be requested to sign an undertaking that they will maintain the subject land with respect to pest control. A failure to fulfil the obligations of maintaining the subject land will result in Council revoking the agreement and normal management controls being reinstated.

While all requests will be considered and complied with if practicable, Council reserves the right to undertake pesticide application if deemed necessary in the interests of public health, safety and wellbeing.

4.16 Notification Requirements for 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 they use pesticides on this land, Council still requires notification in accordance with the requirements of this Plan.

Both contractors and lessees are required to adopt best management practices considering the particular conditions of each spray site requiring the application of pesticide.

5 COMMUNITY NOTIFICATION OF THE PLAN

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

- making a copy of the Plan available for viewing, free of charge, at its office at 1 Stratheden Street, Kyogle
- placing a copy of the Plan on Council's website
- placing a notice in Council communications such as Council's website, Community Newsletter and social media platforms
- placing a notice in local online and print media
- placing a notice in the NSW Government Gazette.

6 REVIEW OF THE PLAN

This Plan will be reviewed when circumstances require a review of the plan. The revised Plan will be placed on public exhibition for a minimum period of four weeks, with any proposed changes and calling for public submissions. Any public submissions received will be considered prior to finalising the Plan.

7 FURTHER INFORMATION

Anyone wishing to contact Kyogle Council to discuss the plan or to obtain details of pesticide applications in public places should contact:

Director Assets and Infrastructure Services
Kyogle Council

Office: 1 Stratheden Street Kyogle 2474

Email: council@kyogle.nsw.gov.au

Phone: (02) 6632 1611

Website: www.kyogle.nsw.gov.au