

SHELLHARBOUR CITY COUNCIL

PESTICIDES NOTIFICATION PLAN 2015



Shellharbour
CITY COUNCIL

Prepared

OCTOBER 2015

SHELLHARBOUR CITY COUNCIL

PESTICIDES NOTIFICATION PLAN

AREA OF OPERATION

Local Government Area of Shellharbour City Council

PLAN PERIOD

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1 INTRODUCTION

This Notification Plan has been prepared in accordance with the requirements of the Pesticides Amendment (Notification) Regulation 2005 (the Regulation).

The aim of this plan is to meet the community's general right to know about pesticide applications made to public places. The plan allows members of the community to take action to avoid contact with pesticides, if they wish. It does not mean that the community is at any greater risk or harm from pesticides. Shellharbour Council ensures that pesticides are applied to public places in a safe, responsible manner, without harm to the community or the environment.

The plan sets out how Shellharbour Council will notify members of the community of any pesticide applications made by Council to public places. It describes:

- what public places are covered by the plan;
- who is most likely to use or access 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 (i.e. what notification arrangements will be used);
- how the community will be informed of the notification arrangements contained in the plan;
- how future reviews of the plan will be conducted; and
- contact details for anyone wishing to discuss pesticide notification with Council.

2 PUBLIC PLACES COVERED BY THIS NOTIFICATION PLAN

This Notification Plan must describe where it operates and the categories of public places it covers. Public places include the following areas that the public is entitled to access:

- Public Reserves, Parks and Gardens
- Playgrounds
- Sporting Fields and Ovals
- Road Verges
- Laneways and Pathways
- Drains and Easements
- Golf Courses (owned or controlled by Council)
- Caravan/Holiday Parks
- Cemeteries
- Swimming Pool Grounds

A public place also includes any other outdoor property that is leased out but the public is entitled to access.

3 WHO USES THESE PUBLIC PLACES

a) Public Reserves, Parks and Gardens

Council estimates that the level of usage and community access to public reserves, parks and gardens is medium to high. The main groups of the community that use or have access to these public places are:

- Children and young families;
- Elderly people;
- General recreational users (eg. joggers, dog-walkers, picnickers);
- Local residents living adjacent to a reserve, park or garden;
- Visitors to the area.

b) Playgrounds

Council estimates that the level of usage and community access to public playgrounds is high. The main groups of the community that use or have access to these public places are:

- Children and young families.

c) Sporting Fields and Ovals

Council estimates that the level of usage and community access to public sporting fields and ovals is high. The main groups of the community that use or have access to these public places are:

- Sporting clubs and associations
- School sports groups
- General recreational users (eg. joggers, dog-walkers).

d) Council Laneways and Pathways

Council estimates that the level of usage and community access to laneways and pathways that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- Local residents;
- People who work in the area; and
- Visitors to the area.

e) Council Drains and Easements

Council estimates that the level of usage and community access to drains and easements that are owned or maintained by Council is low to medium. The main groups in the community that use or have access to these public places are:

- Local residents living adjacent to a drain or easement;
- Local residents or visitors who walk or drive past a drain or easement.

f) Road Shoulders and Verges

Rural Roads - Council estimates that the level of usage and community access to road shoulders and verges on rural roads that are owned or maintained by Council is low. The main groups in the community that use or have access to these public places are:

Local residents or visitors walking or driving on the road.

Urban Roads - Council estimates that the level of usage and community access to road shoulders and verges on urban roads that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- Local residents or visitors walking or driving on the road.

g) Caravan/Holiday Parks

Council estimates that the level of usage and community access to public caravan and holiday parks is medium to high, depending on the season. The main groups of the community that use or have access to these public places are:

- Families
- Visitors to the area

h) Cemeteries

Council estimates that the level of usage and community access to cemeteries is low to medium. The main groups in the community that use or have access to these public places are:

- Families
- Visitors to the area
- Local residents

i) Swimming Pool Grounds

Council estimates that the level of usage and community access to swimming pool grounds is low to high depending on the season. The main groups in the community that use or have access to these public places are:

- Children and young families
- Visitors to the area
- Sporting clubs and associations
- School groups
- General public
- Local residents

j) Golf Course

Council estimates that the level of usage and community access to the Golf Course is high. The main groups in the community that use or have access to these public places are:

- Visitors to the area
- Sporting clubs and associations
- School groups
- General public
- Local residents

4 HOW NOTIFICATION WILL OCCUR

Whenever a pesticide is applied to a public place as identified above, notice will need to be made according to the notification process detailed below.

a) Public Reserves, Parks and Gardens

Whenever a pesticide is applied by Council staff to a public reserve, park or garden, notice will be provided by:

- Prominently displaying signs at the main entrances to the public reserve, park or garden **and/or**
- Displaying pesticide details on the spray vehicle including a contact number; and
- Responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) The level of usage by members of the public that use public parks and gardens is high.
- (ii) Members of the public regularly use these areas.

b) Playgrounds

Whenever a pesticide is applied by Council staff to a public playground, notice will be provided by:

- Prominently displaying signs at the main entrances to the playground **and/or**
- Displaying pesticide details on the spray vehicle including a contact number; and
- Responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) Level of usage by members of the public that use public playgrounds is high.
- (ii) Members of the public regularly use these areas.

c) Sporting Fields and Ovals

Whenever a pesticide is applied by Council staff to a public sporting field or oval notice will be provided by:

- Prominently displaying signs at the main entrances to the sporting field or oval **and/or**
- Displaying pesticide details on the spray vehicle including a contact number; and
- Responding to all reasonable requests for information made to Council.

Where sporting fields or ovals are to be treated with a ground boom spray application, Council will take the additional step of:

- Advising all sporting clubs, associations and other user groups who use the sporting fields on a regular basis, by email, fax or post.

These notification arrangements are based on Council's assessment that:

- (i) Level of usage by members of the public that use sporting fields and ovals is high.
- (ii) Members of the public regularly use these areas.

d) Council Laneways and Pathways

Whenever a pesticide is applied by Council staff to a laneway or pathway that is maintained or owned by Council, notice will be provided by:

- Displaying pesticide details on the spray vehicle, including a contact number; and
- Responding to all reasonable requests for information made directly to the operator applying the pesticide or to Council itself.

These notification arrangements are based on Council's assessment that:

- (i) Level of usage for public Council laneways and pathways is medium to high.

e) Council Drains and Easements

Whenever a pesticide is applied by Council staff to a drain or easement that is owned or maintained by Council, notice will be provided by:

- Displaying pesticide details on the spray vehicle, including a contact number; and
- Responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) Level of usage for public Council drains is medium to low.

f) Road Shoulders and Verges

Rural Roads -Whenever a pesticide is applied by Council staff to a road shoulder or verge on rural roads that are owned or maintained by Council, notice will be provided by:

- Displaying pesticide details on the spray vehicle including a contact number; and
- Responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) Level of usage by walking or driving on road shoulders, verges and reserves on rural roads maintained by Council is low.

Urban Roads - Whenever a pesticide is applied by Council staff to a road shoulder or verge on urban roads that are owned or maintained by Council, notice will be provided by:

- Displaying pesticide details on the spray vehicle including a contact number; and
- Responding to all reasonable requests for information made directly to Council.

These notification arrangements are based on Council's assessment that:

- (i) Level of usage by walking or driving on road shoulders, verges and reserves on urban roads that are owned or maintained by Council medium to high.

g) Caravan/Holiday Parks

Whenever a pesticide is applied by Council staff to a public caravan/holiday park, notice will be provided by:

- Prominently displaying signage outside the main office to the park **and/or**
- Displaying pesticide details on the spray vehicle including a contact number; and
- Responding to all reasonable requests for information made to the Park Manager or operator applying the pesticide.

These notification arrangements are based on Council's assessment that:

- (i) The level of usage by members of the public that use caravan and holiday parks is medium to high (seasonal).
- (ii) Members of the public regularly use these areas.

h) Cemeteries

Whenever a pesticide is applied by Council staff to a public cemetery notice will be provided by:

- Prominently displaying signs at the main entrances to the cemetery **and/or**;
- Displaying pesticide details on the spray vehicle including a contact number; and
- Responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) The level of usage by members of the public that use cemeteries is low to medium.
- (ii) Members of the public regularly access these areas.

i) Swimming Pool Grounds

Whenever a pesticide is applied by Council staff to a public swimming pool area, notice will be provided by:

- Prominently displaying signage at the main entrance to the pool grounds;
- Responding to all reasonable requests for information made directly to the operator applying the pesticide, to pool staff or directly to Council.

These notification arrangements are based on Council's assessment that:

- (i) The level of usage by members of the public that use swimming pools is low to high (seasonal).
- (ii) Members of the public regularly use these areas.

j) Golf Course

Whenever a pesticide is applied by Golf Course staff a notice will be provided by: -

- Prominently displaying signage at the Pro Shop entrance

These notification arrangements are based on Council's assessment that:

- (i) The level of usage by members of the public that use the Golf Course is high.
- (ii) Members of the public regularly use these areas.

5 WHEN NOTIFICATION WILL OCCUR

a) Public Reserves, Parks and Gardens

Whenever a pesticide is applied by Council staff to a public reserve, park or garden, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrance to the public place during the application); and removed when the spraying is completed.

b) Playgrounds

Whenever a pesticide is applied by Council staff to a playground, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrance to the public place during the application); and removed when the spraying is completed and the product dry.

c) Sporting Fields and Ovals

Whenever a pesticide is applied by Council staff to a sporting field or oval, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrance to the public place during the application); and removed when the spraying is completed.

Additionally, a pesticide applied to a sporting field or oval using ground boom spray application, notice will be provided:

- Five (5) days prior to the application via email, fax or post to all association/groups who have booked use of the space

d) Council Laneways and Pathways

Whenever a pesticide is applied by Council staff to a laneway or pathway that is owned or maintained by Council, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

e) Council Drains and Easements

Whenever a pesticide is applied by Council staff to a drain or easement that is owned or maintained by Council, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application) and removed when the spraying is completed.

f) Road Shoulders and Verges

Rural Roads

Whenever a pesticide is applied by Council staff to a road shoulder or verge on a rural road that is owned or maintained by Council, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

Urban Roads

Whenever a pesticide is applied by Council staff to a road shoulder or verge on an urban road that is owned or maintained by Council, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

g) Caravan/Holiday Parks

Whenever a pesticide is applied by Council staff to a public caravan or holiday park, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or outside the main office to the caravan/holiday park during the application); and removed when the spraying is completed.

h) Cemeteries

Whenever a pesticide is applied by Council staff to a public cemetery, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrances to the public place during the application) and removed when the spraying is completed.

i) Swimming Pool Grounds

Whenever a pesticide is applied by Council staff to a public swimming pool area, notice will be provided:

- During the application of the pesticide (Council will ensure that signs are prominently displayed at the main entrance to the public place during the application) and removed when the spraying is completed.

j) Golf Course

Whenever a pesticide is applied by Golf Course staff a notice will be provided by: -

- Prominently displaying signage at the Pro Shop entrance

These notification arrangements are based on Council's assessment that:

- (i) The level of usage by members of the public that use the Golf Course is high.
- (ii) Members of the public regularly use these areas.

6 TYPES OF PESTICIDE USE

Public Places	Regular User Groups	Level Of Use Of Public Place	Type Of Pesticide Use
a) Public reserves, parks and gardens	General public (families, children, elderly people); recreational users; visitors to the area.	Medium to high	<ul style="list-style-type: none"> • Spot Spraying Herbicides <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides • Spot Spraying Insecticides • Broadscale Boom Spraying <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides
b) Playgrounds	Children and young families.	High	<ul style="list-style-type: none"> • Spot Spraying Herbicides <ul style="list-style-type: none"> - Non-selective herbicides • Spot Spraying Insecticides
c) Sporting fields and ovals	Sporting clubs and associations; school sports groups; general recreational users.	High	<ul style="list-style-type: none"> • Spot Spraying Herbicides <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides • Spot Spraying Insecticides • Broadscale Boom spraying <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides
d) Laneways and pathways	Local residents; families; people who work in the area, visitors to the area.	Medium to high	<ul style="list-style-type: none"> • Spot Spraying Herbicides– <ul style="list-style-type: none"> - Non-selective herbicides
e) Drains and easements accessible to the public	Local residents	Low to medium	<ul style="list-style-type: none"> • Spot Spraying Herbicides – <ul style="list-style-type: none"> - Non-selective herbicides • Rodenticide

Public Places		Regular User Groups	Level Of Use Of Public Place	Type Of Pesticide Use
f) Road verges	Rural	Local residents.	Low	<ul style="list-style-type: none"> • Spot Spraying Herbicides <ul style="list-style-type: none"> - Non selective herbicides - Selective herbicides • Broadscale Boom Spraying <ul style="list-style-type: none"> - Non selective herbicides - Selective herbicides • Pre-emergent Herbicides
	Urban	General public.	High	
g) Caravan/Holiday Parks		Visitors to the area; families	Medium to high (seasonal)	<ul style="list-style-type: none"> • Spot Spraying Herbicides - <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides • Spot Spraying Insecticides • Rodenticides • Spray ant control
h) Cemeteries		General public; visitors to the area	Medium	<ul style="list-style-type: none"> •Spot Spraying Herbicides <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides • Pre-emergent Herbicide
i) Swimming Pool Grounds		General public; visitors to the area	Low to high (seasonal)	<ul style="list-style-type: none"> •Spot Spraying Herbicides <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides • Spot Spraying Insecticides • Rodenticides • Spray ant control

Public Places	Regular User Groups	Level Of Use Of Public Place	Type Of Pesticide Use
j) Golf Course	Visitors to the area; Sports Clubs and associations; School groups; General Public; Local Residents	High	<ul style="list-style-type: none"> • Spot Spraying Herbicides <ul style="list-style-type: none"> - Non-selective herbicides - Selective herbicides • Spot Spraying Insecticides • Rodenticides • Spray ant control • Pre-emergent Herbicide • Broadscale Boom Spraying <ul style="list-style-type: none"> - Non selective herbicides - Selective herbicides • Selective insecticide • Selective fungicide

7 PESTICIDES AND USE SITUATIONS NOT COVERED BY THIS NOTIFICATION PLAN

Poisons scheduling is the system used to classify substances based on their potential health risk. The National Drugs and Poisons Schedule Committee assesses substances and lists those that are classified as poisons in the Uniform Poisons Standard. States then enforce this classification – the relevant legislation in NSW is the Poisons and Therapeutic Goods Act 1966.

There are four schedules applicable to pesticides:

- (i) Unscheduled substances are not considered poisons.
- (ii) Schedule 5 (S5) poisons have low toxicity or a low concentration and pose only a low to moderate hazard.
- (iii) Schedule 6 (S6) poisons have moderate to high toxicity and can cause injury if used inappropriately.
- (iv) Schedule 7 (S7) poisons are substances with high to very high toxicity. There are restrictions on the purchase and use of S7 poisons.

For the purposes of this Notification Plan, notification will not be required to be provided in the use of the following pesticides or use situations:

- **Any Unscheduled Substance**

The heading on the product label indicates which poison schedule the pesticide belongs to. Material Safety Data Sheets (MSDS) also contain this information.

This decision is based on the knowledge that unscheduled substances pose very low health risk and when applied as per label directions should not pose any serious health or safety risk.

- **Non-Spray Methods**

The application of any pesticide by Cut-stump, Stem Injection or Basal Bark techniques.

- **Small Use Situations**

Domestic style pesticide use involving knapsack application only using pesticides widely available at retail outlets or in aerosol cans and small baits.

- **Pesticide use by Members of the Public**

In some circumstances, members of the public may use pesticides to maintain public places such as laneways and pathways or whilst undertaking environmental remediation works in public reserves. Where Council allows such pesticide use notice will not be required.

- **Emergency Pesticide Use**

In cases where emergency pesticide applications are required to deal with a dangerous pest infestation, Council will not be required to give notice. Such situations include dealing

with biting and dangerous pests or rapidly invasive pest infestations eg Couch fly, spiders, wasps and rodents. Council will endeavour however, to provide information on the pesticide application on request at Council offices or to the person applying the pesticide.

8 SPECIAL NOTIFICATION MEASURES FOR SENSITIVE PLACES

This Notification Plan must separately state what notification arrangements will be in place to provide special protection where pesticides are used in public places that are adjacent to sensitive places. A sensitive place is any:

- School, pre school, kindergarten or childcare centre
- Hospital
- Community health centre
- Nursing home

Whenever a pesticide is applied by Council staff to any public place (as listed under Section 2 of this Notification Plan) adjacent to a sensitive site, notice will be provided by:

- Door-knocking or telephoning the identified sensitive place immediately prior to the spraying being done and advising of the intended application;
- Displaying pesticide details on the spray vehicle including a contact number during the application; and
- Responding to all reasonable requests for information made directly to Council.

This notification will occur just prior to and during the application process. Notification of sensitive places will be required as per Section 5 of this plan, and will not require notification as per Section 7 of this Plan.

9 ARRANGEMENTS GOVERNING PESTICIDE USE BY CONTRACTORS AND LESSEES OF PUBLIC PLACES

Where contractors apply pesticides on Councils behalf both the Council and the contractor are responsible for ensuring notification occurs in accordance with this plan.

In public places over which persons or organisations hold an existing lease on Council land, or leases on Crown land for which Council is the trustee, Council will not provide notification of pesticide use. However, it will request the lessee to carry out notification of the lessee's pesticide use in a manner consistent with the plan. Where possible, Council will require lessees, as a condition of the lease, to comply with this plan.

10 WHAT INFORMATION WILL BE PROVIDED?

The following information will be provided on all notification required under this plan:

- The Product name of the pesticide used as it is listed on the pesticide label;
- The purpose of the application, including the pest that is being treated;
- The date or date range that the pesticide was or will be applied;
- Product specific warnings on the subsequent use of the land (if appropriate); and
- Contact details of the Council officer who people contact regarding the notice.
- The place where the pesticide is to be used.

- 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.

11 HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Council will consult with the community on the Notification Plan, including the types of public places covered and the proposed notification methods. The Notification Plan will be placed on public display for 28 days at Lamerton House (Council Administration Centre), Lamerton Crescent, Shellharbour City Centre and a notice will be published in the Illawarra Mercury and Lake Times advising that the plan is available for public comment. A copy of the plan will also be available on the Council's website.

Council will consider all comments from the community prior to finalising the plan.

Council will advise residents of the contents of the final Notification Plan by:

- Making a copy of the plan available for public viewing in all Council's libraries and at the Customer Service counter of Council's Administration Building;
- Placing a copy of the plan on the Council website; and
- Placing a notice in the NSW Government Gazette and the Illawarra Mercury and Lake Times.

12 FUTURE REVIEWS OF THIS PLAN

The Notification Plan will be reviewed every five years. The review will include:

- Report on progress of implementing the Notification Plan;
- Public consultation on the notification methods outlined in the Notification Plan; and
- Recommendation for alterations (if applicable) to the Notification Plan.

13 CONTACT

Anyone wishing to contact Shellharbour Council regarding the Notification Plan or to obtain details of specific details of pesticide applications in public places should contact:

Parks Manager
Shellharbour City Council
Locked Bag 155
Shellharbour City Centre NSW 2529
Phone: (02) 4221 6111