

# COUNCIL POLICY



<b>Policy name</b>	Pesticide Use Notification Plan
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<p><b>Abstract</b></p> <p>To comply with the requirements of the NSW Pesticide Regulation 2009 in relation to Pesticide Use Notification Plans, thus ensuring all members of the community are made aware of intended use of pesticides on land managed by the Gunnedah Shire Council.</p> <p>To provide community members with information including types of pesticides being used along with specific and general areas in which these pesticides are to be applied.</p> <p>To allow Individuals to make informed decisions in regard to accessing areas in which pesticides have been applied.</p>
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<b>Dates</b>	Policy or amendment approved	21 Oct 2015
	Policy or amendment takes effect	21 Oct 2015
	Policy is due for review (up to 5 years)	21 Oct 2020
<b>Endorsed by</b>	Director Infrastructure Services	
<b>Approved by</b>	Gunnedah Shire Council, at its Ordinary Meeting of Council held 21 Oct 2015 Resolution number: 23.10/15	
<b>Policy Custodian</b>	Senior Weeds Officer	
<b>Relevant to</b>	All Staff Community Members	
<b>Superseded Policies</b>	Pesticide Use Notification Plan 2006	
<b>Related documents</b>	Nil	
<b>Related legislation</b>	NSW Pesticide Regulation 2009	
<b>File number</b>	907959	

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### **1. Purpose**

- 1.1 As part of this Council's general maintenance program, pesticides, including selective and non-selective herbicides, insecticides and fungicides are regularly applied in both urban and rural situations. Areas of usage range from parks, playing fields and streets within Gunnedah township and surrounding villages, to State highways, regional and rural roads and reserves across the shire. These areas are generally freely accessible to all members of the general public.

In accordance with the Pesticides Act, public authorities are required to notify the general public when and where applications of pesticides will take place, before such applications occur.

The NSW Pesticide Regulation 1995 required all public Authorities to have prepared, finalised and notified the Environment Protection Authority (EPA) of a **Pesticide Use Notification Plan** before February 2007.

A public authority must not use any pesticide in a prescribed public place that is owned by or is under the control of the public authority, or allow any person to use any pesticide in a prescribed public place that is owned by or is under the control of the public authority, unless the public authority has first complied with this obligation

A pesticide use notification plan for a public authority must set out how and when the public authority will give public notice of the proposed use of pesticides in any prescribed public places owned by the public authority or under its control.

The following draft Plan describes:

- Which public places are covered by the plan
- Who regularly uses these public places and an estimate of the level of use
- How and when Council will provide the community with information regarding pesticide applications in public places.
- How the community can access this plan and obtain more information regarding the notification arrangements.
- How future reviews of this plan will be undertaken.

- Contact details for anyone wishing to discuss aspects of this plan.

The Plan explains how Council will notify members of the community of when pesticide applications are undertaken in public places.

## **2. Scope**

Councillors, staff and members of the community must comply with this policy.

## **3. Definitions**

Under the NSW Pesticides Act 1999, a pesticide is an agricultural chemical product. This is defined by the Agricultural and Veterinary Chemicals Code Act 1994 as being '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; or
- Destroying a plant; or
- Modifying the physiology of a plant or pest so as to alter its natural development, productivity, quality or reproductive capacity; or
- Attracting a pest for the purpose of destroying it'.

The Gunnedah Shire Council Noxious Weed Unit commonly uses herbicides as a part of its functions. Herbicides are a type of pesticide that destroy, suppress or prevent the spread of a weed or other unwanted vegetation.

## **4. Policy principles**

To comply with the requirements of the NSW Pesticide Regulation 2009 in relation to Pesticide Use Notification Plans, thus ensuring all members of the community are made aware of intended use of pesticides on land managed by the Gunnedah Shire Council.

To provide community members with information including types of pesticides being used along with specific and general areas in which these pesticides are to be applied.

To allow Individuals to make informed decisions in regard to accessing areas in which pesticides have been applied.

## **5. Policy statement**

As part of this Council's general maintenance program, pesticides, including selective and non-selective herbicides, insecticides and fungicides are regularly applied in both urban and rural situations. Areas of usage range from parks, playing fields and streets within Gunnedah township and surrounding villages, to State highways, regional and rural roads and reserves across the shire. These areas are generally freely accessible to all members of the general public.

## LAND TO WHICH THIS PLAN APPLIES

### PUBLIC PLACES

Any of the following to which the public is entitled to have access (whether or not on payment of a fee): -

- Any public garden,
- Any picnic area,
- Any playground,
- Any park, sporting field or oval,
- Any public land owned or controlled by a public authority (for example, a road verge, rail easement or an easement for electricity purposes or for the purposes of other utilities),
- Any land reserved under the National Parks and Wildlife Act 1974 or any State forest or Crown land, or
- The grounds of any government school (within the meaning of the Education Act 1990) or any establishment maintained by the Technical and Further Education Commission, but does not include the inside of any building or structure located at such a place.

### SENSITIVE PLACES, AS DEFINED BY CLAUSE 11J (1) OF THE PESTICIDES REGULATION

- Any school or pre-school, or
- Any kindergarten, or
- Any childcare centre, or
- Any hospital, or
- Any community health centre, or
- Any nursing home, or
- Any place declared to be a sensitive place by the Environment Protection Authority by notice in the Gazette.

#### User Groups, frequency of use and types of pesticides used on Gunnedah Shire Council controlled assets.

Public Places	Regular Users	Frequency of use	Pesticides used
Council controlled Rural roads & verges.	Travellers, Local community members, council maintenance workers, contractors and travelling livestock	Low to Medium	Glyphosate Metsulfuron Methyl Picloram Triclopyr MCPA/Dicamba Chloryralid/Diflufenican
Roadside rest areas	Travellers, Local community members, council maintenance workers and contractors	High	Glyphosate. MCPA/Dicamba Chloryralid/Diflufenican
Roadside utilities including guide posts, Armco rails, bridges, signposts and culverts	General public, drovers of livestock, council maintenance workers and contractors	High	Glyphosate
Parks & Playing fields, tourist information centres	General public, school children and local sporting bodies	High	Glyphosate MCPA/Dicamba/Chloryralid/Diflufenican Insecticides

Public Places	Regular Users	Frequency of use	Pesticides used
			Fungicides Fertiliser Wetting agents
Urban streets and footpaths.	General public including pedestrians and urban commuters	High	Glyphosate MCPA/Dicamba
Easements including waterways and access roads.	Council Maintenance staff and contractors	Low to Medium	Glyphosate MCPA/Dicamba Picloram Triclopyr
Pool	Council Maintenance staff and contractors	Medium to High	Glyphosate MCPA Dicamba Chloryralid/Diflufenican
Airports	Council Maintenance staff and contractors	Medium to High	Glyphosate MCPA Dicamba/Chloryralid/Diflufenican
Crown lands	Bushwalkers, Council weeds control staff, pet owners, Dept of Lands staff	Low to Medium	Glyphosate Metsulfuron Methyl Picloram Triclopyr MCPA/Dicamba/Chloryralid/Diflufenican

## NOTIFICATION ARRANGEMENTS

This section of the Plan describes how and when the Gunnedah Shire Council will provide notice of pesticide use in public places. These notification arrangements are determined by an 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 (eg, young children, sick, pregnant and elderly people) and are likely to use these areas regularly
- The extent to which activities in these areas could lead to some direct contact with pesticides
- The type of pesticide used.

Pesticide use is subject to suitable weather conditions, but wherever possible information will be provided at least twenty-four hours prior to the planned pesticide application. Notice of pesticide use will be issued in one or more of the following ways: -

- The erection or placement of signs in areas where pesticides have been applied eg, Parks, Ovals and reserves.
- Advertisement in print media or via radio announcements. For example, Town streets and footpaths.

- Advertisement on Council's website [www.infogunnedah.com.au](http://www.infogunnedah.com.au)
- Telephone, email or personal contact in the case of sensitive areas.

## **SITUATIONS WHERE PESTICIDES ARE LIKELY TO BE APPLIED**

### **Outdoor public thoroughfares and certain easements accessible to the public**

This includes the following categories of public places: -

- Council controlled roads and verges
- Roadside rest areas

## **COUNCIL MANAGED LAND**

- Roadside utilities, including guideposts, Armco rails, bridges, signposts and culverts
- Parks and Playing fields, tourist information centres
- Easements including waterways and access roads
- Pool and Council managed Airports

Information on the use of pesticides in these places will be: -

- Found on signs (in accordance with clause 11L (2)(g), placed in a prominent location of the site during and after the pesticide has been applied. The signs will remain in place until the operation is completed. When foliage has been sprayed, the signs will remain in place until the herbicide has dried.
- Information may also be obtained from the Gunnedah Shire Council via the telephone number printed on the sign.

## **VACANT CROWN LANDS RESERVES**

Information on the use of pesticides in these places will be: -

- Found on signs (in accordance with clause 11L (2)(g), placed in a prominent location of the site during and after the pesticide has been applied. The signs will remain in place until the operation is completed. When foliage has been sprayed, the signs will remain in place until the herbicide has dried.
- Information may also be obtained from the Gunnedah Shire Council via the telephone number printed on the sign.

## **URBAN STREETS AND FOOTPATHS**

Information on the use of pesticides in these places will be:

- Via radio or print media announcements at least twenty four (24) hours prior to application of that pesticide

## **SPECIAL MEASURES FOR SENSITIVE PLACES**

Clause 11J (1) of the Pesticides Regulation defines a sensitive place to be any,

- School or pre-school
- Kindergarten
- Childcare centre
- Hospitals
- Community health centre
- Nursing home

Special notification measures for programmed pesticide use in public places adjacent to the sensitive places listed above will consist of: -

- Notification of that intended pesticide use will be provided via Email or Fax to The management of defined sensitive places at least twenty four (24) Hours prior to the application of that pesticide.
- Where pesticides are to be applied within two hundred metres of a Sensitive Place,

Pesticide Use signs will be of a standardized design that will be easily recognizable to members of the community.

## **WHAT INFORMATION WILL BE PROVIDED**

In accordance with clause 11L (2)(g) of the Regulation, notices of pesticide use must include the following information:

- The full product name of the pesticide
- The purpose of the use of the pesticide, clearly stating what weeds are being treated
- The proposed date or range of dates, of the pesticide use
- The place where the pesticide is to be used
- The telephone number and email address of the Noxious Weed Inspector that can be contacted to discuss the use of the pesticide
- Any warnings regarding re-entry or the use of the site after the application of the pesticide

In cases where verbal or written notification is given, the preceding information will also be made available.

## **HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN**

Gunnedah Shire Council will advise the community of this plan and its contents by: -

- Making copies of the Plan available for viewing at each of the branch offices
- Advertising the Plan on the Council website
- Advertising the Plan in the local print media
- Placing a notice in the NSW Government Gazette

## **FUTURE REVIEWS OF THE PLAN**

The Plan will be reviewed every three years, or when circumstances require a prior review. The review will include: -

- A report on the progress of implementing the Plan
- Exhibiting the Plan to the public for 30 working days, calling for written submissions commenting on the Plan.
- Making further recommendations or alterations resulting from the public submissions

## **CONTACT DETAILS**

Anyone wishing to contact Gunnedah Shire Council regarding the Plan or to obtain details of pesticide applications conducted by Council should contact Council at [council@infogunnedah.com.au](mailto:council@infogunnedah.com.au) or 02 6740 2100.

## **6. Accountability, roles and responsibilities**

### **6.1 Policy Custodian**

Senior Weeds Officer – Lee Amidy

### **6.2 Responsibility: Responsible Officers**

Infrastructure Services Staff

Contractors



## 7. Acknowledgements

- 7.1 Environment Protection Authority  
NSW Pesticide Regulation 2009

## 8. Version control and change history

Date	Version	Approved by & resolution no.	Amendment
06 Dec 2005	Version 1	Council: Res No. 51.2	Pesticide use notification provisions have been mandatory since 2007.
15 Jul 2015	Version 2		Amendment in accordance with Environment Protection Authority's NSW Pesticide Regulation 2009.
21 Oct 2015	Version 3	Council Resolution 23.10/15	Amendment