



Pesticide Use Notification Plan

Version: November 2006

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Date:	_____	Date:	_____

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1. INTRODUCTION

This Pesticide Use Notification Plan has been prepared in accordance with the requirements of the Pesticides Regulation 1995 (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 public authorities. The Plan allows members of the Community to take action to avoid contact with pesticides, if they wish. Cessnock 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 Council will notify members of the Community of pesticide applications made by 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 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 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.

This plan forms part of Council's Integrated Management System.

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 insect pests.

Further information on Council's pesticide use can be obtained by calling Council's Vegetation Officer on 4993 4370 or by visiting the Website on www.cessnock.nsw.gov.au.

2. REFERENCES

- The Pesticides Act 1999
- Pesticides Amendment (Notification and Miscellaneous Matters) Regulation 2005
- Pesticides Notification – A Guide for Local Councils, Department of Environment and Climate Change (DECC)
- Environment Matters Newsletter Pesticides 41, Department of Environment & Climate Change (DECC)
- Protection of the Environment Operations Act 1997
- Local Government Act 1993
- Noxious Weeds Act 1993

3. PUBLIC PLACES COVERED BY THIS PLAN

Council proposes to use or allow the use of pesticides in the following categories of outdoor and indoor 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
- Drains
- Kerb & Gutter
- Bridges

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. 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 – Public Place Categories & Usage

Public Places owned or Controlled by Council	Regular user groups	Level of use of Public Place	Type of Pesticide Use
Public Parks and Gardens	<ul style="list-style-type: none"> • General recreational users (e.g. joggers, dog-walkers, picnickers). • School Groups • General Public 	<ul style="list-style-type: none"> • 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 garden beds) • Ant control
Playgrounds	<ul style="list-style-type: none"> • General Public 	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • Spot herbicides • Spot insecticides • Ant control
Picnic Areas	<ul style="list-style-type: none"> • General Public 	<ul style="list-style-type: none"> • High (particularly on weekends, public holidays and school holidays) 	<ul style="list-style-type: none"> • Spot herbicides • Spot insecticides • Fungicide (usually on garden beds) • Ant control

Public Places owned or Controlled by Council	Regular user groups	Level of use of Public Place	Type of Pesticide Use
Sporting fields, ovals and related sporting facilities	<ul style="list-style-type: none"> Sporting clubs and associations School sports groups General Community 	<ul style="list-style-type: none"> High 	<ul style="list-style-type: none"> Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale non-selective herbicides Broadscale insecticides Rodenticides near facilities
Council laneways and pathways	<ul style="list-style-type: none"> General Public 	<ul style="list-style-type: none"> Medium 	<ul style="list-style-type: none"> Spot herbicides Broadscale non-selective herbicides
Road shoulders, verges, road reserves and footpaths	<ul style="list-style-type: none"> General Public 	<ul style="list-style-type: none"> Low for rural roads Medium to high for urban roads 	<ul style="list-style-type: none"> Spot herbicides Broadscale non-selective herbicides
Easements (specifically water, sewer or electricity)	<ul style="list-style-type: none"> Authorised Personnel 	<ul style="list-style-type: none"> Low 	<ul style="list-style-type: none"> Spot herbicides Broadscale non-selective herbicides
Council drains/ culverts and Bridges	<ul style="list-style-type: none"> General Public 	<ul style="list-style-type: none"> Low 	<ul style="list-style-type: none"> Broadscale non-selective herbicides Spot herbicides
Tourist Facilities (outside grounds only)	<ul style="list-style-type: none"> General Public 	<ul style="list-style-type: none"> High 	<ul style="list-style-type: none"> Spot herbicides Broadscale non-selective herbicides Bait rodenticides Ant control
Aquatic Facilities (outside grounds only)	<ul style="list-style-type: none"> General Public 	<ul style="list-style-type: none"> High 	<ul style="list-style-type: none"> Spot herbicides Broadscale non-selective herbicides Bait rodenticides Ant control

4. 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 pesticide may be used.

- 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) and 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.
- Type of pesticide used.

Notice of pesticide use may be provided by any of the following:

- Signs
- Information on Council's website (which will describe programmed, reactive and emergency pesticide use in public places).
- Letters
- Fax and email
- Letterbox drops
- Door knocking
- Phone contact
- Local Newspaper

Council uses small quantities of some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes (including home gardening). 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 outdoor insect pests using baits or aerosol spray cans and spot weed control using non-powered equipment.

4.1 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
- Aquatic Facilities
- Tourist Facilities

In these public places, signs will be provided to the general community near/at the main entrance immediately prior to application and remain during the pesticide application for the following pesticides uses:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Fungicide (usually garden beds)
- Ant control
- Bait bird control
- Bait rodenticide

Information will be available to the general community on Council's website about the forward program for the above applications.

4.2 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
- Hospital
- Community health centre
- Nursing home
- Place declared to be a sensitive place by the Environmental Protection Authority (EPA) – now a part of the Department of Environment and Climate Change (DECC).

Notification for these areas will only be given if applications are to be undertaken within the property boundary. Refer to Section 4 of this plan for notification methods.

4.3 Emergency Pesticide 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 will, where possible, provide notice by posting signs nearby or at the main entrance at the time of the application. If this is not possible, Council will provide information on request from the person applying the pesticide or by contacting Council on 4993 4300 during normal working hours.

5. PESTICIDE CONTRACTORS AND LESSEES OF PUBLIC PLACES

Where Council uses Contractors to apply pesticides on its behalf, the Contractor will be responsible for notification of any pesticide application. Details of Council's requirements for notification will be included in any Contract/Agreement made with the Contractor and be consistent with the 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 and specific Licence Agreements.

In addition, 5 days prior notice of all programmed pesticide use in Council childcare facilities will be given to operators of the facilities.

6. EXEMPTIONS

The following categories will be exempt from pesticide notification:

- Laneways and pathways
- Road shoulders, verges, road reserves and footpaths
- Road, sewer and electricity easements accessible to the public
- Drains
- Kerb and Gutter
- Aquatic Work (managed under EPA Licence No 4708)
- The inside of any building or structure located at any of the identified categories detailed in Section 3 of this Plan.

- Non Scheduled or Non Programmed Treatments
- Scheduled spot spraying in the following *as per 4.1 Outdoor Recreation Areas*.

In these public places, information on the forward program for Broadscale herbicide or spot spraying will be posted on Council's website.

Vehicles used for undertaking this work will display signage stating "Weed Spraying".

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.

Where works are undertaken by Council Staff for other Government Departments, that Department's Notification Plan will be complied with.

7. WHAT INFORMATION WILL BE PROVIDED

In accordance with Clause 11L(2)(g) of the Pesticides Regulation, requests for information 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 who 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 provided to required design standards that will be easily recognisable to the public and workers.

As already noted, Council's website will provided information alongside programmed works for Road Maintenance and Construction and Recreation Operations as follows: Where required by this plan, details will be publicised by inclusion in Council's regular block newspaper advertisement in local newspapers.

8. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Council will advise residents where they can view a copy of the plan by:

- Making a copy of the plan available for public viewing free of charge in Council's libraries and main office at 62-78 Vincent Street, Cessnock during office hours.
- Placing a copy of the plan on the Council website at www.cessnock.nsw.gov.au
- Placing a notice in the Cessnock Advertiser and Newcastle Herald.
- 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.

9. FUTURE REVIEWS OF THE PLAN

The Plan's implementation will be reviewed by internal audit under Council's Integrated Management System. Audit results including any non-conformance issues identified will be reported to Senior Executive on a quarterly basis as part of Management Review Meetings.

Every three years or as required by changes to legislation, the plan will be reviewed by key stakeholders. Where changes to the plan (other than minor) are required, the plan will be placed on public exhibition identifying the proposed changes and calling for public submissions. Any changes will then be incorporated. Notification of the revised plan will be as detailed in Section 8 of this Plan.

10. CONTACT DETAILS

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

Cessnock City Council
62-78 Vincent Street
CESSNOCK NSW 2325

Phone: (02) 4993 4300 Fax: (02) 4993 2500

Email: council@cessnock.nsw.gov.au

Website: www.cessnock.nsw.gov.au