

A photograph of a field of yellow flowers, possibly rapeseed, with green leaves. The image is partially obscured by a white text box.

# **Pesticide Use Notification Plan**

**Kempsey Shire Council**

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**Adopted: 16 January 2007**



**KEMPSEY**  
Shire Council

## **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. Council ensures that pesticides are applied in accordance with the respective Pesticide Label 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. 5 years.
- Contact details for anyone wishing to discuss this plan with Council.

This plan forms a component of Council's integrated pest management policy. This policy states that 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 weeds and insect pests. Frequency of programmed applications range from 2–4 times per year for sports fields, 2–4 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 wherever this is considered an effective solution. Other pesticides used include fungicides, rodenticides, bird baits and large vertebrate baits.

Further information on Council's pesticide use can be obtained by calling Council's Customer First Centre on 02 65663200 or by visiting the website [www.kempsey.nsw.gov.au](http://www.kempsey.nsw.gov.au)

## **2. PUBLIC PLACES COVERED BY THIS PLAN**

Council proposes to use or allow the use of pesticides in the following categories of outdoor 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 accessible to the public
- drains
- Beaches
- Caravan Parks
- Public Land under Council control and management
- Landfill/waste transfer stations
- Saleyards
- Macleay Water facilities

This plan will also provide information on how notice will be provided to the community of pesticide use in the interiors of the following council buildings: council chambers, libraries, community halls/centres and childcare facilities.

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.

<b>Public places owned or controlled by Council</b>	<b>Regular user groups</b>	<b>Level of use of public place</b>	<b>Type of pesticide use</b>
<b>a) Public parks and gardens – including cemeteries</b>	<ul style="list-style-type: none"> <li>• children and young families</li> <li>• elderly people</li> <li>• general recreational users</li> <li>• families</li> <li>• other social groups (eg. ethnic, religious, clubs)</li> <li>• local residents</li> <li>• people who work in the area</li> <li>• visitors to the area</li> </ul>	Very high (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> <li>• fungicide (usually garden beds)</li> <li>• spray termiticides, ant control</li> <li>• bait termiticides, ant control</li> <li>• bait bird control</li> </ul>
<b>b) Playgrounds</b>	<ul style="list-style-type: none"> <li>• children</li> <li>• young families</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray ant control</li> <li>• bait ant control</li> </ul>
<b>c) Picnic areas</b>	<ul style="list-style-type: none"> <li>• families</li> <li>• other social groups (eg. ethnic, religious, clubs)</li> </ul>	High (particularly on weekends, public holidays and school holidays)	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• bait rodenticides</li> <li>• fungicide (usually on garden beds)</li> <li>• spray termiticides</li> <li>• spray ant control</li> <li>• bait termiticides</li> <li>• bait ant control</li> <li>• bait bird control</li> </ul>
<b>Public places owned or</b>	<b>Regular user groups</b>	<b>Level of use of public place</b>	<b>Type of pesticide use</b>

<b>controlled by Council</b>			
<b>d) Sporting fields, ovals and related sporting facilities</b>	<ul style="list-style-type: none"> <li>• sporting clubs and associations</li> <li>• school sports groups</li> <li>• general recreational users (e.g. joggers, dog-walkers)</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>
<b>e) Council laneways and pathways</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• people who work in the area</li> <li>• visitors to the area</li> </ul>	Medium to high	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broadscale non-selective herbicides</li> </ul>
<b>f) Road reserves including shoulders, verges, road reserves and footpaths</b>	<ul style="list-style-type: none"> <li>• local residents or visitors walking or driving on the road</li> </ul>	Low for rural roads;  Medium to high for urban roads	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broadscale non-selective herbicides</li> </ul>
<b>g) Bridges</b>	<ul style="list-style-type: none"> <li>• local residents or visitors who walk or drive past a drain</li> <li>• people who work in the area</li> <li>• visitors to the area</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale non-selective herbicides</li> <li>• spray or bait termiticides on facilities</li> </ul>
<b>h) Easements accessible to the public (specifically road, sewer or electricity)</b>	<ul style="list-style-type: none"> <li>• local residents and people who work in the area</li> </ul>	Low to medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broadscale non-selective herbicides</li> </ul>
<b>i) Council drains</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent to a drain;</li> <li>• local residents or visitors who walk or drive past a drain.</li> </ul>	Low to medium	<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• spot herbicides</li> <li>• broadscale aerial non-selective herbicides</li> </ul>
<b>j) Beaches</b>	<ul style="list-style-type: none"> <li>• local residents or visitors walking or driving on the beach</li> </ul>	medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• broadscale aerial non-selective herbicides</li> </ul>

<b>k) Caravan Parks</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent to a caravan park</li> <li>• local residents or visitors who walk or drive into caravan park</li> <li>• people who work in the area</li> <li>• visitors to the area</li> <li>• school groups</li> <li>• children</li> <li>• young families</li> <li>• children and young families</li> <li>• elderly people</li> <li>• general recreational users (e.g. joggers, dog-walkers, picnickers).</li> <li>• campers</li> </ul>	Medium to High	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>
<b>l) Public Land under Council control and management</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent to land</li> <li>• local residents or visitors who walk or drive into area</li> <li>• visitors to the area</li> <li>• school groups</li> <li>• general recreational users</li> </ul>	Low	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• broadscale aerial non-selective herbicides</li> </ul>
<b>m) Landfill/waste transfer stations</b>	<ul style="list-style-type: none"> <li>• visitors to the area</li> <li>• school groups</li> <li>• contractors</li> </ul>	Low to Medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• rodenticides</li> <li>• broadscale insecticides</li> </ul>
<b>n) Interiors and exteriors of certain Council buildings</b>	<ul style="list-style-type: none"> <li>• library users (including young children, school groups and the elderly)</li> <li>• young children and their carers (childcare facilities)</li> <li>• parents groups/playgroups</li> <li>• community associations</li> <li>• church groups</li> <li>• general members</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• spot insecticides</li> <li>• bait rodenticides</li> <li>• spray termiticides</li> </ul>

	<p>of the public</p> <ul style="list-style-type: none"> <li>• local residents living adjacent to land</li> <li>• local residents or visitors who walk or drive into area</li> <li>• people who work in the area</li> <li>• visitors to the area</li> <li>• school groups</li> <li>• general recreational users (e.g. joggers, dog-walkers, picnickers).</li> </ul>		<ul style="list-style-type: none"> <li>• spray ant control</li> <li>• bait termiticides</li> <li>• bait ant control</li> <li>• bait bird control</li> </ul>
<b>o) Saleyards</b>	<ul style="list-style-type: none"> <li>• local residents or visitors who walk or drive past saleyards</li> <li>• people who work in the area</li> <li>• visitors to the area</li> <li>• school groups</li> <li>• children and young families</li> <li>• elderly people</li> <li>• Farmers</li> </ul>	Medium to High	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> </ul>
<b>p) Macleay Water facilities including: Pump Stations, Booster stations, Treatment Plants, Sherwood Recharge Channel, Borefields, Dams, Effluent outfalls, and Reservoirs.</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent</li> <li>• local residents or visitors who walk or drive past facilities</li> <li>• facility visitors</li> <li>• school groups</li> <li>• training groups</li> </ul>	Low to medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> <li>• algicides (dams and ponds)</li> <li>• fungicide (usually on garden beds)</li> </ul>
<b>q) Airport – Public Points and Terminal Buildings</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent</li> <li>• facility visitors</li> <li>• school groups</li> </ul>	Low to medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• rodenticides near facilities</li> <li>• broadscale non-selective herbicides</li> </ul>
<b>r) Waterway facilities – jetties, boatramps, wharves, flood mitigation structures, pedestrian bridges</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent</li> <li>• local residents or visitors who walk or drive near areas</li> <li>• people who work in the area</li> <li>• visitors to the area</li> </ul>		<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spray or bait termiticides on facilities</li> </ul>

	<ul style="list-style-type: none"> <li>• school groups</li> <li>• children</li> <li>• young families</li> <li>• children and young families</li> <li>• elderly people</li> <li>• general recreational users (e.g. joggers, dog-walkers, picnickers)</li> </ul>		
<b>s) Aged Housing – internal and external</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent</li> <li>• local residents or visitors who walk or drive near areas</li> <li>• people who work in the area</li> <li>• visitors to the area</li> <li>• elderly people</li> </ul>	Medium to high	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale insecticides</li> <li>• rodenticides near facilities</li> <li>• broadscale non-selective herbicides</li> </ul>
<b>t) Council Depot</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent</li> <li>• local residents or visitors who walk or drive past</li> <li>• people who work in the area</li> <li>• visitors to the area</li> </ul>	Medium to high	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broadscale non-selective herbicides</li> <li>• spray or bait termiticides on facilities</li> <li>• broadscale insecticides</li> <li>• rodenticides near facilities</li> </ul>

### 3. 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 pesticides 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 (such as picnic areas where food is consumed; sporting or other recreational activities that result in contact with the ground)
- type of pesticide used.

Notice of pesticide use will be provided by a combination of:

- signs
- information on Council's website (which will describe programmed, reactive and emergency pesticide use in public places) and will be publicised in rate notices;

- letters
- fax and email
- letterbox drops
- door knocking
- phone contact
- Council notices in local newspapers and/or mayoral notices.

Council will also allow persons and organisations to nominate to have their details placed on a central register which would allow them to be notified of certain types of pesticide uses in particular places, as described in this section of the plan.

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 indoor and outdoor insect pests using baits or aerosol spray cans and spot weed control using a wand or hand-held spray bottle.

Council will publish an article in the Quarterly Community Newsletter advising residents of the plan and where they can view a copy of it.

#### **a) 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.

In these public places, signs will be provided to the general community near the application area or main entrance prior to application and remain for at least 24 hours afterwards for the following pesticide uses:

- broadscale selective herbicides
- broadscale non-selective herbicides
- broadscale insecticides
- fungicides (on the relevant garden beds)
- 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)
- bait rodenticide (where part of an ongoing program, first use of pesticide only)

Where any of the above pesticide uses occur adjacent to sensitive places (see definition of 'sensitive places', under subsection e) Special measures for sensitive places) the occupiers will be provided with a minimum of 24 hours prior targeted notice by phone, mail or letterbox drop (whichever is most practicable).

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 faxed or emailed at least 24 hours prior to application.

If no advertising took place or for emergency use of pesticides, a sign can be erected on the back of vehicle using pesticides.

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

The notification arrangements described below will apply to the following categories of public place owned or controlled by Council within the LGA:

- laneways and pathways
- road shoulders, verges, road reserves and footpaths
- road, sewer and electricity easements accessible to the public
- drains.

In these public places, information on the forward program for broadscale herbicide will be posted on Council's website. For **drains** only, information on the forward program for use of herbicides will also be included in Council's regular box advertisements in local newspapers.

Where programmed spot herbicide applications occur on outdoor public thoroughfares and the above easements, adjacent to sensitive places, and/or for parties who register interest with Council, prior notice by mail or letterbox drop will be provided at least 48 hours beforehand.

If no advertising took place or for emergency use of pesticides a sign can be erected on the back of vehicle using pesticides.

### **c) Certain Council buildings**

For pesticide use in Council chambers, Council owned libraries, community halls and centres and childcare facilities that are owned or controlled by Council, signs will be provided near the application area or main entrance at least 24 hours prior to application and remain for at least 24 hours afterwards for the following pesticide uses:

- spot use of insecticides
- bait rodenticides

- spray termiticides
- spray ant control.

If no advertising took place or for emergency use of pesticides a sign can be erected on the back of vehicle using pesticides.

In Kempsey Shire Council's Aged Housing properties, at least five working days prior notice will be given to residents, before a pest treatment is undertaken.

#### **d) 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
- aged care
- place declared to be a sensitive place by the Environment Protection Authority (EPA) – now a part of the Department of Environment and Conservation (DEC).

Special notification measures for programmed pesticide use in outdoor public places adjacent to sensitive places for each category of public place have already been noted.

For non-emergency reactive pesticide use in outdoor public places next to sensitive places, Council will provide concurrent notice shortly before use to the occupier by phone, door-knock or letterbox drop, depending upon what is practicable.

If a pesticide must be used to deal with an emergency in an outdoor public place that is adjacent to a sensitive place, Council will organise a door-knock in that sensitive place, preferably at least 30 minutes before, so people are aware that a pesticide is about to be used to deal with a dangerous pest infestation.

#### **e) 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 at the time of the application. If this is not possible, Council will provide information via its Council's Customer First Centre on (02) 65663200, or by request to the person applying the pesticide.

#### **f) Pesticide 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 if they use pesticides in this area, Council will still require notification in accordance with the requirements of this plan.

#### **g) Small Uses**

Where Council's staff or contractors use only small amounts, such as less than 20 litres of mixed herbicide at one location, that usage will be exempt from this notification plan.

### **4. WHAT INFORMATION WILL BE PROVIDED**

In accordance with clause 11L(2)(g) of the Pesticides Regulation, notices 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 of a standardised design that will be easily recognisable to the public and workers.

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

Council will advise residents of the plan and its contents by and /or:

- making a copy of the plan available for public viewing free of charge in Council's Customer First Centre in Tozer St West Kempsey during office hours
- placing a copy of the plan on the Council website at [www.kempsey.nsw.gov.au](http://www.kempsey.nsw.gov.au)
- placing a notice in local newspaper including Macleay Argus and Macleay Happenings
- placing a notice in the NSW Government Gazette
- including an article in the Quarterly Community Newsletter that goes out in the annual rates notice advising residents of the plan and where they can view a copy of it.

### **6. FUTURE REVIEWS OF THE PLAN**

The notification plan will be reviewed every 3 years. The review will include:

- a report on progress of implementing the plan
- placing the plan on public exhibition, with any proposed changes and calling for public submissions
- in the light of public submissions, making recommendations for alterations (if applicable) to the plan.

## **7. 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:

General Manager

PO Box 78, WEST KEMPSEY NSW 2440

Ph: (02) 65663200 Fax: (02) 65663 3205, Email: [ksc@kempsey.nsw.gov.au](mailto:ksc@kempsey.nsw.gov.au)

Or access the website: [www.kempsey.nsw.gov.au](http://www.kempsey.nsw.gov.au)

**Disclaimer: Policy is subject to legislative requirements. Plan is to be reviewed every five (5) years.**