



PESTICIDE USE NOTIFICATION PLAN

Adopted by Council 15 July 2020

BATHURST REGIONAL COUNCIL PESTICIDE USE NOTIFICATION PLAN

1. INTRODUCTION

The Pesticides Act 1999 and Pesticides Regulation 2017 require Councils and other public authorities to notify the community when they use or allow the use of pesticides in outdoor public places that are owned or controlled by Council.

This Revised Pesticide Use Notification Plan has been prepared in accordance with the requirements of the Pesticides Regulation 2009 and sets out how Bathurst Regional Council will notify members of the community of pesticide applications that it makes or allows to be made to public places that it owns or controls. This Plan has been developed with no significant changes from Council's previous Pesticide Use Notification Plan.

A pesticide is defined as any substance or mixture of substances used to destroy, suppress or alter the life cycle of any pest. Pesticides can be naturally derived or synthetically produced substances and are often classified according to the organisms that they are applied to control. Examples of pesticides include herbicides, insecticides, fungicides, bactericides, nematocides, rotenticides, algaecides, baits and repellents.

Although Council ensures that pesticides are applied in public places in a safe, responsible manner by qualified persons, this Plan will allow members of the community to take action to avoid contact with pesticides, should they wish. Council uses pesticides in public places only when necessary to either control noxious weeds, to protect public property from pest damage and to protect the users of public places from pest nuisance.

This Pesticide Notification Plan will describe:

- what public places are covered by this 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 the 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.

The majority of Council's pesticide use consists of applying herbicides for weed control during various times of the year. These applications target chiefly grass and noxious weeds in parks, reserves and roadsides throughout the Bathurst LGA. To a lesser extent, Council also applies insecticides, bactericides, fungicides, algaecides and other pesticides to selected sports grounds and formal gardens to manage a range of insect pests and plant diseases. These applications are undertaken only on an as needs basis. Seasonal conditions and prevailing weather conditions play a major influence on the extent of pesticide applications that Council undertakes.

On average, the frequency of programmed pesticide applications range from 6 - 8 times per year for sports fields and 3-5 times per year for general parks, reserves and roadside verges. Depending upon seasonal influences, spraying applications can be undertaken as often as a monthly basis in high amenity parks such as Machattie Park, Kings Parade and Haymarket Reserve.

In addition to the requirements contained within this notification plan, Council will be required to adhere to other legal requirements imposed by the Pesticides Act and other Commonwealth and State Government policies when applying pesticides. It should be noted that Council staff that apply pesticides are required to hold appropriate qualifications for the application of chemicals, and keep records of chemical applications undertaken.

2. PUBLIC PLACES COVERED BY THIS PLAN

Bathurst Regional Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls in the Bathurst Regional Council Local Government Area.

- public amenity gardens
- community parks & playgrounds
- sporting fields and ovals
- drainage reserves
- riverine corridors
- road reserves, lane ways & car parks
- vacant Crown land & bushland reserves managed by Council
- Bathurst Aquatic Centre
- Bathurst Waste Management Centre
- Bathurst Monumental Cemetery
- Bathurst Library grounds
- Ben Chifley Dam

Council's estimate of the level of community use, regular user groups and types of pesticide use in each of these categories of public places is summarised in the following table.

Public places	Regular user groups	Level of use of public place	Type of pesticide use
Public amenity gardens	<ul style="list-style-type: none"> • Children • Families • Elderly people • Organised groups • Contractors • Education and tour groups • Maintenance staff 	Medium to High (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Spot spray fungicide • Fungicide (ornamental flower gardens)

Public places	Regular user groups	Level of use of public place	Type of pesticide use
Community parks and playgrounds	<ul style="list-style-type: none"> • Children • Families • Local residents • Recreational users • Organised groups • Contractors • Education and Tour groups • Maintenance staff 	Medium (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Broad scale spraying herbicides • Broad scale spraying insecticides • Cut & paint herbicides
Drainage reserves & riverine corridors	<ul style="list-style-type: none"> • Maintenance staff • Local residents • Contractors • Education and tour groups 	Low	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Cut & paint herbicides
Sporting fields & ovals	<ul style="list-style-type: none"> • Sport clubs and associations • School groups • General public • Spectators • Maintenance staff 	Medium (Variable use, higher use on weekends to moderate use in evenings).	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Spot spray fungicide • Broad scale spraying herbicides • Broad scale spraying insecticides
Road reserves & laneways	<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 • Broad scale spraying herbicides • Broad scale spraying insecticides
Bushland reserves and Crown land managed by Council	<ul style="list-style-type: none"> • Maintenance staff • Local residents • Contractors • Education and tour groups 	Low	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Cut & paint herbicides • Vermin control (baiting rabbits etc)
Bathurst Aquatic Centre	<ul style="list-style-type: none"> • Families • School groups • Visitors/tourists • Maintenance staff 	Medium to High	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides

Public places	Regular user groups	Level of use of public place	Type of pesticide use
Bathurst Cemetery	<ul style="list-style-type: none"> • Visitors • Maintenance staff 	Low to med	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Broad scale spraying herbicides
Bathurst Library	<ul style="list-style-type: none"> • Maintenance staff • Families • School groups • Visitors/tourists 	Med to high	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides
Bathurst Waste Management Centre	<ul style="list-style-type: none"> • Customers • Maintenance staff 	Low to med	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Broad scale spraying herbicides • Vermin control (baiting rabbits etc)
Ben Chifley Dam	<ul style="list-style-type: none"> • Maintenance staff • Families • School groups • Visitors/tourists • Recreational users 	Med to high	<ul style="list-style-type: none"> • Spot spray herbicides • Spot spray insecticides • Broad scale spraying Herbicides • Broad scale spraying Insecticides • Vermin control (baiting rabbits etc)

3. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Council will provide notice of pesticide use in public places, including special measures for sensitive places 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 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 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)
- The type and quantity of pesticide used

3.1 When notice of pesticide use will not be provided

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.

This will apply to minor control of outdoor insect pests, spot weed control using vehicle/tractor mounted tank & wand based application methods, hand-held or back-pack spray bottles, cut & paste herbicide applications, and linear weed spraying operations within sealed road ways, including kerb & gutters, with Council's street sweeper. Such chemicals may include Glyphosate (*Roundup*[®]), Pyrethrum, Dipel[®], amongst other common chemical products.

In addition, it is also proposed that no notice will be issued for Council controlled facilities that are restricted from public access. Such facilities may include the Bathurst Wastewater Treatment Works, Water Filtration Plant, areas within the Waste Management Centre, or any other Council facility that is restricted from public access or can be secured from public access during pesticide application treatments, and any withholding periods prescribed on the pesticide label.

This notification plan also does not apply to pesticide use within Council buildings.

3.2 How and when notice of pesticide use will be provided

The public will be notified of all other incidences of spraying by way of one or more of the following:

- information on Council's website
- signs
- telephone, fax or e-mail
- personal contact (sensitive places and emergency applications only)

The notification procedures described below will apply to the following public place categories owned or controlled by Council within the local government area:

- Public gardens
- Community parks
- Playgrounds
- Drainage reserves
- Bathurst Waste Management Centre
- Vacant Crown lands under the care & control of Council
- Road verges
- Bathurst Aquatic Centre
- Sporting fields and facilities
- Bushland reserves
- Water-way areas under the care & control of Council

In these public places, information will be available to the general community on Council's website which will advise about the forward program for the following types

of pesticide applications. Pesticide application information will be provided within a minimum of 24hrs prior notice, except for emergency conditions:

- High volume spraying of herbicides or insecticides
- Spraying of fungicides
- Spraying of termiticides
- Broad scale Ant Control
- Bait bird control
- Bait rodenticide

In addition, Council will erect signs near the application area or main entrance immediately prior to application and remove them immediately after application. Such signs will only advise the public that pesticide works are being conducted and provide further contact numbers, including Council's web site, for those people wishing to find out the full information about each specific application being undertaken. If a spray vehicle is used, an additional sign may also be attached to the vehicle.

If bait termiticides, bait bird control or rodenticides are used in outdoor recreation areas, signs will be provided to the general community near the application area or main entrance on the day of application and be removed seven days following application, or when the baits have been removed. Public notification will also include an advertisement in a local newspaper at least three days prior to the commencement of any baiting operations.

Where any of the above pesticide uses occur adjacent to sensitive places the occupiers will be provided with **5 working days**' notice by phone, fax, email or letterbox drop (whichever is most practical), except for emergency situations.

For pesticide applications undertaken within the grounds of the Bathurst Aquatic Centre, signs will be placed at the entrance of the Centre on the planned day of application. Where possible, pesticide applications will occur only in periods of nil or low public use. It should be noted that no notification will be given for chemicals used in the general day to day operational requirements of maintaining pool and pool water hygiene in accordance with industry standards (i.e. chlorination treatments).

In addition to the notification requirements stated above, Council will endeavour to apply pesticides in Council maintained land only in periods of low public use, and for sensitive places such as schools, child care centres etc, applications will be applied outside of normal school hours.

3.3 Special measures for sensitive places

Clause 39 (Definitions) 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 Environment Protection Authority.

In addition to the notification requirements contained in section 3.2 above, further notification procedures for pesticides applied near a sensitive place shall be undertaken as follows:

- For non-emergency reactive pesticide use in outdoor public places within 20m from the property boundary of sensitive places, Council will provide concurrent notice shortly before use to the occupier by phone, door-knock or letterbox drop, depending upon what is practical.
- If a pesticide must be used to deal with an emergency in an outdoor public place that is within 20m from a sensitive place, Council will organise a door-knock of that sensitive place, immediately before application, so people are aware that a pesticide is about to be used to deal with a significant pest infestation.

3.4 Notification of 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. Such signs will only advise the public that pesticide works are being conducted and provide further contact numbers for those people wishing to find out the full information about the pesticide treatment being undertaken. If signs are not possible, Council will provide information by request to the person applying the pesticide.

3.5 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.

In public areas where multiple agencies have responsibility for the management and or maintenance of that land, where Council is undertaking the pesticide application it will follow this Pesticide Notification Plan, unless it is operating under contract to another authority.

4. WHAT INFORMATION WILL BE PROVIDED

In accordance with Clause 41 of the Pesticides Regulation, notice of pesticides uses will include the following information:

- the full product name of the pesticide to be used, and
- the purpose of the use, clearly setting out what pest or pests are being treated, and

- the proposed date/s or date range of the pesticide use, and
- the places where the pesticide is to be used, and
- 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 any required permits for use.

As already noted, Council's website will have a dedicated area that describes its programmed, reactive and, if practicable, emergency pesticide use in public places with a link to this notification plan. The relevant website address will be publicised in rate notices and by periodic inclusions in Council's weekly block newspaper advertisement in local newspapers.

5. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

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

- making a copy of the plan available for viewing, free of charge, at Council's Civic Centre, cnr Russell and William Streets Bathurst, during office hours.
- placing a copy of the plan on the its website at www.bathurst.nsw.gov.au
- adopting the plan at one of Council's Ordinary Meetings.

6. FUTURE REVIEWS OF THE PLAN

This notification plan will be reviewed via Council's standard review processes every 5 years, or as required by changes to legislation. 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 5 of this Plan.

7. CONTACT DETAILS

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

Manager Recreation
 Bathurst Regional Council
 Telephone (02) 6333 6285
 Facsimile (02) 6333 6115
 Civic Centre
 Cnr Russell & William Streets
 Private Mail Bag 17
 BATHURST NSW 2795

OR

View Council's Website: www.bathurst.nsw.gov.au