



JUNE 2021

PESTICIDE USE NOTIFICATION PLAN

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INTRODUCTION

This 'Pesticide Use Notification Plan' (Plan) has been prepared in accordance with the requirements of the Pesticides Regulation 2017 (Regulation). The plan sets out how The Hills Shire Council will notify the community of pesticide applications. The use of such a Plan is mandatory and penalties for non-use apply.

Pesticides are defined in Part 1 of the Pesticides Act 1999 (Act). The full definition from the Act is included in Attachment 1.

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 The Hills Shire Council (Council). The Plan allows members of the community to take action to avoid contact with pesticides, if they wish.

Council's Annual Programmed Spraying and Baiting Calendar is available on Council's website and is updated annually. Council will also use pesticides reactively if necessary to treat specific pests. Council ensures that pesticides are applied to outdoor public places in a safe, responsible manner, minimising harm to the community or the environment. This includes appropriate training for all staff, contractors and volunteers handling and applying pesticides.

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 and 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 who wishes to discuss this plan with Council

Council manages an extensive system of public infrastructure and has a statutory responsibility to manage these on behalf of residents, the community and visitors. Hence, weed and pest control programs are a management priority for Council and pesticides are an essential component of many of these programs.

Council's weed and pest management programs aim to apply best practice and cost effective methods that will have minimal impacts on the environment.

Council uses pesticides for the following reasons:

- Controlling weeds, insects, feral and pest animals
- Protecting users of public places from nuisance or danger
- Restoring natural areas
- Maintaining parks and reserves

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. The frequency of pesticide application will vary depending on the type of pesticide being used and the location. Pesticides are also used under controlled circumstances on a programmed basis for the control or eradication of specified pests.

PUBLIC PLACES COVERED BY THE PLAN

Council proposes to use, or allow the use of, pesticides in the following categories of outdoor public places within The Hills Shire local government area (LGA):

- Parks and public gardens
- Playgrounds
- Picnic and outdoor eating areas
- Dog parks
- Lookouts
- Sporting fields, ovals and related sporting facilities
- Public roads including median-strips, traffic islands, roundabouts, verges, bus shelters, road reserves and car parks.
- Footpaths, cycle ways, laneways and pathways
- Drains and swales
- Easements accessible to the public
- Waterways
- Bushland areas
- Cemeteries
- Community Nursery and Environment Centre
- Areas surrounding Council buildings and facilities.

Council’s estimate of the level of community use, and regular user groups is summarised in the following table.

PUBLIC PLACES CONTROLLED BY COUNCIL	REGULAR USER GROUPS	LEVEL OF USE OF PUBLIC PLACE	TYPE OF PESTICIDE USED
Public parks, reserves and gardens	<ul style="list-style-type: none"> • General public and recreational users (e.g. joggers, walkers, picnickers). • Children and families • Elderly people • Council employees • Contractors • Hawkesbury River County Council • Volunteers • Educational groups 	Very 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) • Insect spray, bait and soil treatment control • Large vertebrate baiting • Growth Regulators
Playgrounds	<ul style="list-style-type: none"> • General public • Families • Employees • Contractors 	Medium to very high (multiple users, with short to medium length stays)	<ul style="list-style-type: none"> • Spot herbicides • Insect spray, bait and soil treatment control • Growth regulators
Picnic and outdoor eating areas	<ul style="list-style-type: none"> • Families • Social groups • Sporting groups • Employees • Contractors • Bushwalkers • Volunteers • Educational groups 	Medium to high (particularly on weekends, public holidays and school holidays)	<ul style="list-style-type: none"> • Spot herbicides • Bait rodenticides • Fungicide (usually garden beds) • Insect spray, bait and soil treatment control • Growth Regulators

Dog parks	<ul style="list-style-type: none"> • General public • Employees • Contractors 	Medium to high	<ul style="list-style-type: none"> • Spot herbicides • Broadscale selective herbicides • Broadscale non-selective herbicides • Insect spray, bait and soil treatment control • Growth regulators
Lookouts	<ul style="list-style-type: none"> • General public • Bushwalkers • Employees • Contractors 	Medium to high (particularly on weekends, public holidays and school holidays)	<ul style="list-style-type: none"> • Spot herbicides • Spot insecticides • Broadscale selective herbicides • Broadscale non-selective herbicides • Fungicides • Large vertebrate baiting • Insect spray, bait and soil treatment control • Growth regulators
Sporting fields, ovals, tennis courts, skate parks and related sporting facilities	<ul style="list-style-type: none"> • General public • Sporting clubs and associations • Fitness groups • School sports groups • Recreational users (e.g. joggers, dog-walkers) • Employees • Contractors 	Seasonal – may be medium to high during relevant sporting season	<ul style="list-style-type: none"> • Spot herbicides • Broadscale selective herbicides • Broadscale non-selective herbicides • Fungicide • Insect spray, bait and soil treatment control • Bait rodenticides near facilities • Large vertebrate baiting • Growth Regulators
Public roads, including median strip, traffic islands, roundabouts, verges, bus shelters, road reserves and car parks.	<ul style="list-style-type: none"> • General public • Local residents • Sporting clubs and associations • Fitness groups • School sports groups • General recreational users (e.g. joggers, dog-walkers) • Visitors walking • Employees • Contractors • Hawkesbury River County Council • Volunteers 	Low for rural roads and their infrastructure; Medium to high for urban roads and their infrastructure Medium for footpath and cycle ways Low for bus shelters Medium for carparks	<ul style="list-style-type: none"> • Spot herbicides • Spot insecticides • Broadscale selective herbicides • Broadscale non-selective herbicides • Insect spray, bait and soil treatment control
Footpaths, cycle ways, laneways and pathways	<ul style="list-style-type: none"> • General public • Local residents • Visitors walking • Recreational users (e.g. bike riding) • Employees • Contractors • Volunteers 	Medium to high	<ul style="list-style-type: none"> • Spot herbicides • Broadscale non-selective herbicides • Insect spray, bait and soil treatment control

Drains and swales	<ul style="list-style-type: none"> • General public • Local residents • Employees • Contractors 	Medium	<ul style="list-style-type: none"> • Spot herbicides • Broadscale non-selective herbicides • Insect spray, bait and soil treatment control
Easements accessible to the public	<ul style="list-style-type: none"> • Local residents • Employees • Contractors • Hawkesbury River County Council 	Low to medium	<ul style="list-style-type: none"> • Spot herbicides • Broadscale non-selective herbicides • Insect spray, bait and soil treatment control
Waterways	<ul style="list-style-type: none"> • Local residents living adjacent to a waterway • Local residents or visitors who walk past the waterway • Employees • Contractors • Hawkesbury river County Council • Volunteers 	Low to medium	<ul style="list-style-type: none"> • Broadscale non-selective herbicides • Spot herbicides • Insect spray, bait and soil treatment control
Bushland areas	<ul style="list-style-type: none"> • General public • Educational groups • Recreational groups (e.g. orienteering, walking groups) • Volunteers involved in bush regeneration • Employees • Contractors • Hawkesbury River County Council 	Medium to high	<ul style="list-style-type: none"> • Spot herbicides • Broadscale selective herbicides • Broadscale non-selective herbicides • Fungicides • Large vertebrate baiting • Insect spray, bait and soil treatment control
Cemeteries	<ul style="list-style-type: none"> • Families • General public • Educational groups • Recreational groups (e.g. orienteering, walking groups) • Volunteers involved in bush regeneration • Employees • Contractors • Hawkesbury River County Council 	Medium to high	<ul style="list-style-type: none"> • Spot herbicides • Broadscale selective herbicides • Broadscale non-selective herbicides • Fungicides • Large vertebrate baiting • Insect spray, bait and soil treatment control • Growth Regulators
Community Nursery and Environment Centre	<ul style="list-style-type: none"> • General public • Employees • Volunteers • Community groups 	Medium to high	<ul style="list-style-type: none"> • Spot herbicides • Broadscale selective herbicides • Broadscale non-selective herbicides • Fungicides • Large vertebrate baiting • Insect spray, bait and soil treatment control
Areas surrounding Council buildings and facilities	<ul style="list-style-type: none"> • General public • Employees • Contractors • Volunteers 	Medium	<ul style="list-style-type: none"> • Spot herbicides • Broadscale selective herbicides • Broadscale non-selective herbicides • Fungicides • Large vertebrate baiting • Bait rodenticides • Growth regulators • Insect spray, bait and soil treatment control

NOTIFICATION ARRANGEMENTS

This section of the Plan describes how and when Council (staff, contractors or volunteers) will provide notice of pesticide used in public places.

These notification requirements are based on Council's assessment of:

- The level and frequency of usage of public areas and the extent to which members of the public who are most likely to be sensitive to pesticides (eg young children, sick, pregnant or elderly) are likely to be present in a public place where pesticides may be used
- 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 of pesticides used.

Notification of pesticide use will be provided by one or a combination of the following:

- Signage
- Information on Council's website and/or social media (which will describe programmed, reactive and emergency pesticide use in public places)
- Public notices in local newspapers
- Letters/Emails
- Letterbox drops
- Door knocking
- Phone contact

The Plan will also allow persons and organisations to nominate in writing to have their details placed on a register which would allow them to be notified of certain pesticide use in particular places.

INSTANCES WHERE COUNCIL WILL NOT PROVIDE NOTIFICATION OF PESTICIDE USE

Council uses 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 the way of this plan. This will apply to minor control of outdoor insect pests using baits or aerosol spray cans and spot weed control using a wand or hand-held applicator where no more than 20 litres or 20 kilograms of "ready-to-use" product or 5 litres or 5 kilograms of concentrated product is used.

In remote bushland areas beyond 50m of urban/parkland interface of Councils public reserve system and areas beyond 20m of walking tracks Council does not intend to provide notice for pesticide application, other than by the way of this plan.

CATEGORIES

Outdoor Recreation Areas

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

- Public parks, reserves and gardens
- Playgrounds
- Picnic and outdoor eating areas
- Dog parks
- Lookouts
- Sporting fields, ovals, tennis courts, skate parks and related sporting facilities

In these public places, signage will be provided near the application area or main entrance prior to commencing the application and will remain in place for as long as determined by the pesticide labelling requirements for the following:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Fungicides
- Spray termiticides and ant control
- Bait termiticides and ant control
- Bait bird control
- Bait rodenticide
- Large vertebrate baiting
- Growth regulators

Where any of the above pesticide uses occur within 20m of a sensitive place and/or for parties who register interest with Council, notification will be provided with at least 5 working days' notice by door knock, phone, mail or letterbox drop depending on the most practical and effective method.

For **sporting fields, ovals and related sporting facilities**, sporting groups and occupiers of adjacent properties who register interest with Council can also have notice of the above pesticide uses, phone, faxed or emailed at least 5 working days prior to application.

Where specific members of the community are known by Council to be specifically at risk of the use of pesticides, such as guide dogs, Council will endeavour to communicate directly with the representative groups. Council does maintain a relationship with representative groups to ensure issues for this group are identified early and appropriately managed.

Public Roads and Road Infrastructure

The notification arrangements described below will apply to the following categories of public roads and related road infrastructure owned or controlled by The Hills Shire Council.

- Public roads including median strips, traffic islands, roundabouts, verges, bus shelters road reserves and car parks

Signs will be displayed on the day of application and for as long as required by the pesticide label requirements for the following pesticide uses:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Spray termiticides and ant control

Where any of the above pesticide uses occur within 20m of a sensitive place and/or for parties who register interest with Council, notification will be provided with at least 5 working days' notice by door knock, phone, mail or letterbox drop depending on the most

Outdoor Public Thoroughfares and Easements Accessible to the Public

The notification arrangements described below will apply to the following categories of public land owned or controlled The Hills Shire Council.

- Footpaths, cycle ways, laneways and pathways
- Drains and swales
- Easements accessible to the public
- Waterways

In these public places, signage will be provided near the application area or main entrance prior to commencing the application and will remain in place for as long as determined by the pesticide labelling requirements for the following:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Fungicides
- Spray termiticides and ant control

Where any of the above pesticide uses occur within 20m of a sensitive place and/or for parties who register interest with Council, notification will be provided with at least 5 working days' notice by door knock, phone, mail or letterbox drop depending on the most practical and effective method.

From time to time adjoining property owners may use pesticides without Council's knowledge or consent on Council property such as a nature strip as part of maintaining their private property. Council will only notify the community where Council is advised of the use of pesticides by the adjoining owner.

Bushland Areas and Cemeteries

The notification arrangements described below will apply to the following categories of public land owned or controlled The Hills Shire Council.

- Bushland Areas
- Cemeteries

In these public places, signage will be provided near the application area or main entrance prior to commencing the application and will remain in place for as long as determined by the pesticide labelling requirements for the following:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Fungicides
- Spray termiticides
- Bait termiticides
- Bait rodenticides
- Large vertebrate baiting (in addition to notice requirements of the label and any relevant permits).

Where any of the above pesticide uses occur within 20m of a sensitive place and/or for parties who register interest with Council, notification will be provided with at least 5 working days' notice by door knock, phone, mail or letterbox drop depending on the most practical and effective method.

Where specific members of the community are known by Council to be specifically at risk of the use of pesticides, such as guide dogs, Council will endeavour to communicate directly with the representative groups. Council does maintain a relationship with representative groups to ensure issues for this group are identified early and appropriately managed.

Community Nursery and Environment Centre

The notification arrangements described below will apply to the following categories of public land owned or controlled The Hills Shire Council.

- Bidjiwong Community Nursery
- Community Environment Centre Annangrove

In this public place, signage will be provided near the application area or main entrance prior to commencing the application and will remain in place for as long as determined by the pesticide labelling requirements for the following:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Fungicides
- Spray and bait control
- Large vertebrate baiting
- Spray termiticides

For parties who register interest with Council, notification will be provided with at 5 working days notice by door knock, phone, mail or letterbox drop depending on the most practical and effective method.

Areas surrounding Council Buildings and Facilities

The notification arrangements described below will apply to the following categories of public land owned or controlled The Hills Shire Council.

- Areas surrounding Council Buildings and Facilities

In this public place, signage will be provided near the application area or main entrance prior to commencing the application and will remain in place for as long as determined by the pesticide labelling requirements for the following:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Fungicides
- Spray and bait control
- Large vertebrate baiting
- Spray termiticides
- Bait termiticides
- Bait rodenticides
- Growth regulators

Where any of the above pesticide uses occur within 20m of a sensitive place and/or for parties who register interest with Council, notification will be provided with at least 5 working days notice by door knock, phone, mail or letterbox drop depending on the most practical and effective method.

SPECIAL MEASURES FOR SENSITIVE PLACES

Clause 39 of the Regulation defines a sensitive place to be any:

- School, pre-school, kindergarten or childcare centre
- Hospital, community health centre or nursing home
- Place declared to be a sensitive place by the Environmental Protection Authority by order published in the NSW Government gazette

Where programmed or non-emergency spot herbicide applications occur within 20m of sensitive places (other than a hospital), prior notice will be provided at least 5 working days beforehand.

EMERGENCY PESTICIDE APPLICATION

Emergency Pesticide Application could be required to deal with a range of dangerous pests that pose an immediate health or safety risk including wasps, bees, venomous spiders, fleas, mites or dangerous rodents.

For any emergency pesticide application appropriate signage will be used immediately prior to pesticide use and remain in place until the operation is completed, or as long as determined by the pesticide label requirements.

If a pesticide must be used to deal with an emergency in an area within 20 metres of a sensitive place, Council will organise communication prior to pesticide use so users of sensitive places are aware that a pesticide is about to be used to deal with a dangerous pest infestation.

PESTICIDE CONTRACTORS AND VOLUNTEERS

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.

Council also permits appropriately trained bushcare volunteers to apply herbicide within their allocated work sites. Council will ensure that notification is made in accordance with the notification requirements of this plan.

WHAT INFORMATION WILL BE PROVIDED?

Notices of pesticide use must include 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 or 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 of label or the Australian Pesticides and Veterinary Medicines Authority (APVMA) permit.

Signage will be of a standardised design that will be easily recognisable to the public and workers.

Council's website will have information that describes its programmed pesticide use.

HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Council will advise residents of the contents of the Plan and its contents by:

- Making a copy of the Plan available for public viewing in Council's Administration building and Libraries
- Placing a copy of the Plan on the Council website
- Placing a notice in the NSW Government Gazette

FUTURE REVIEWS OF THE PLAN

This plan will be reviewed every five years. The review will include:

- Placing the Plan on public exhibition, with any proposed changes and calling for public submissions
- In the light of public submissions, making recommendation for alterations (if applicable) to the Plan

CONTACT DETAILS

Anyone wishing to contact Council to discuss the Plan or to obtain details of specific details of pesticide application in public places should contact:

Manager – Vegetation Works
The Hills Shire Council
3 Columbia Ct, Norwest NSW 2153
council@thehills.nsw.gov.au

ATTACHMENT 1 DEFINITION OF PESTICIDE

5 Definition of "pesticide"

- (1) In this Act, **pesticide** means:
- (a) an agricultural chemical product (within the meaning of the Agvet Code), or
 - (b) a veterinary chemical product (within the meaning of the Agvet Code) that:
 - (i) is represented as being suitable for, or is manufactured, supplied or used for, the external control of ectoparasites of animals, and
 - (ii) is concentrated and requires dilution or mixing in water before use, and
 - (iii) is not prescribed under the Stock Medicines Act 1989 as a low-risk veterinary chemical product.

Note. The Agvet Code defines an agricultural chemical product to be a substance or a mixture of substances that is represented, imported, manufactured, supplied or used as a means of directly or indirectly:

- (a) 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
- (b) destroying a plant, or
- (c) modifying the physiology of a plant or pest so as to alter its natural development, productivity, quality or reproductive capacity, or
- (d) modifying an effect of another agricultural chemical product, or
- (e) attracting a pest for the purpose of destroying it.

The term also includes a substance or mixture of substances declared by regulations to be an agricultural chemical product. However, the term does not include a substance or mixture of substances declared by regulations not to be an agricultural chemical product.

- (2) For the purposes of this Act, a pesticide continues to be regarded as a pesticide even when it is mixed with some other substance (whether or not the other substance is a pesticide). However, a pesticide does not include a prescribed mixture or a mixture of a prescribed class or description.

Note. Subsection (2) generally deals with the situation where a pesticide is diluted, or is mixed, before being used. The effect of the provision is that the mixing of a pesticide does not mean that it is no longer a pesticide.