



Ku-ring-gai Council

# Pesticide Notification Plan for Outdoor Public Places

Version Number 3

*Effective 8 October 2022*



# Pesticide Notification Plan for Outdoor Public Places Table of Contents

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## 1. Controlled Document Information

### 1.1. Authorisation Details

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Controlled Document Number:	121	TRIM Record No:	2022/205661
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Approval Type:	Internal		
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### 1.2. Related Document Information, Standards & References

Related Legislation:	<p>Environmentally Hazardous Chemicals Act 1985</p> <p>Environmental Planning and Assessment Act 1979 (EP&amp;A Act)</p> <p>Protection of Environment Operations Act 1997 (PEO Act)</p> <p>Work, Health and Safety Act 2011 &amp; Work Health and Safety Regulation 2017</p> <p>Pesticide Act 1999 No 80 &amp; Pesticides Regulation 2017</p> <p>Agricultural &amp; Veterinary Chemicals Code Act 1994</p> <p>Model Code of Practice: Managing risks of hazardous chemicals in the workplace July 2020</p>	<p>Pesticides Regulation 2017</p> <p><a href="#">Sensitive Places – Part 5; Division 1; Section 39 Sensitive place (a)(b)(c)</a></p> <p><a href="#">Notice of pesticide uses (Information sign) – Part 5; Division 2; Section 41 (1)(h)</a></p>
Related Policies (Council & Internal)	Weed management Policy July 2018	
Related Documents - Procedures, Guidelines,	Council Safework Method Statements and Risk Assessments	Specific to application of pesticides

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Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements, etc		
Other References	N/A	N/A

### 1.3. Version History

Version Number	Version Start Date	Version End Date	Author	Details and Comments
1	November 2006	24/07/2016	Greg Piconi	Original policy
2	25/07/2016	June 2020	Director Operations	Department name change, policy format, Officer contact details
3	7 October 2022		Director Operations	Overseer of the policy, Manager Infrastructure Services

## 2. Policy

### 2.1. Purpose and Objectives

This Pesticide Use Notification Plan has been prepared in accordance with the requirements of the Pesticides Regulation 2017 (the Regulation).

The aim of this plan is to satisfy the community's right to know about pesticide application in outdoor public places owned or controlled by Ku-ring-gai Council.

The plan allows members of the community to take action to avoid contact with pesticides. Council ensures pesticides application is conducted in a safe, responsible manner, minimising harm to the community or the environment.

The following plan sets out how Council will notify members of the community of pesticide application on Council owned public places.

### 2.2. Scope

This policy will affect all Council staff and Council contractors responsible for the application within the local government area.

Members of the public will be notified of pesticide use in accordance with this plan.

### 2.3. Responsibilities

Council is to ensure all pesticide use by staff and contractors complies with this plan.

Operational staff are responsible for implementation of the plan.

### 3. Introduction

The Ku-ring-gai Local Government Area covers an area of 8,446ha consisting of 1,110ha of bushland, 177ha of parkland, 17ha of gardens, 3,792ha of residential housing and approximately 981ha of road reserves. Council uses pesticides for the control of weeds and nuisance pests in the maintenance of outdoor public places.

The aim of this plan is to meet the community's general right to know about pesticide applications made to outdoor public places owned or controlled by public authorities. The plan allows members of the community to take action to avoid potential contact with pesticides, if they wish. The 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 the council will notify members of the community of pesticide applications made by the 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 the council will provide the community with information about its pesticide applications in public places (that is, what notification arrangements will be used)
- how the community can access this plan and get more information about the council's notification arrangements
- how future reviews of the plan will be conducted
- contact details for anyone wishing to discuss this plan with the council.

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. Insecticides in a bait format are also used for termite and ant control to protect structures. Other pesticides used include fungicides, rodenticides, bird baits and manufactured baits for the control of vertebrate pests (foxes).

Under the *NSW Pesticides Act 2017*, a pesticide is an 'agricultural chemical product' as defined in the *Agricultural and Veterinary Chemicals Code Act 1994* (Commonwealth), namely:

*"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*
- *Modifying an effect of another agricultural chemical product; or attracting a pest for the purpose of destroying it."*

Standard safety precautions, such as restricting pesticide use in high wind or wet conditions and avoiding pesticide applications in close proximity to sensitive places will be followed as a matter of practice.

The use of Second-generation Anticoagulant Rodenticides (SGARs) which are harm native birds and wildlife will be avoided. The '[Action Kit for Councils](#)' published by Birdlife Australia will be used as a guide.

Further information on the council's pesticide use visit [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au) or contact council on (02) 9424 0000.

### 3.1. Public Places covered by this Plan

Ku-ring-gai Council proposes to use or allow the use of pesticides in the following categories of outdoor public places it owns or controls in the Ku-ring-gai Local Government Area.

- Public parks
- Sportsfields
- Public gardens
- Picnic areas
- Bushland and natural areas
- Council's golf courses
- Road reserves including nature strips and round-a-bouts
- Car parks
- Laneways and footpaths
- Easements and drains
- Other Council owned facilities
- Urban spaces/town centres

### 3.2. Level of Community Use

The table below summarises council's estimate of the level of community use, and regular user groups for each of these public place categories. Although not required by the Regulation, a summary of the type of pesticide use in each category of public place is also provided.

Public places	Regular user groups	Level of use of public place	Type of pesticide use
Public parks, sportsfields, public gardens, picnic areas	<ul style="list-style-type: none"> <li>• local residents</li> <li>• children</li> <li>• families</li> <li>• community groups</li> <li>• recreational groups</li> <li>• sporting clubs</li> <li>• visitors to the area</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>
Bushland and natural areas	<ul style="list-style-type: none"> <li>• local residents</li> <li>• children</li> <li>• families</li> <li>• community groups</li> <li>• recreational groups</li> <li>• visitors to the area</li> </ul>	Low – Medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broadscale selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• baits for vertebrate control</li> <li>• fumigation for vertebrate control</li> </ul>

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<b>Golf courses</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• community groups</li> <li>• recreational groups</li> <li>• sporting clubs</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 selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides and fungicides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> <li>• baits for vertebrate control</li> <li>• fumigation for vertebrate control</li> </ul>
<b>Road reserves, nature strips and round-a-bouts &amp; footpaths</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• visitors to the area</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>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>
<b>Car parks</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• visitors to the area</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>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>
<b>Laneways</b>	<ul style="list-style-type: none"> <li>• local residents</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 selective herbicides</li> <li>• broadscale non-selective herbicides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>
<b>Easements and drainage easements</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• visitors to the area</li> </ul>	Low	<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>• spray or bait termiticides on facilities</li> </ul>
<b>Urban spaces/town centres</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• visitors to the area</li> </ul>	High	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>
<b>Other Council owned facilities</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• visitors to the area</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>



## 4 Notification Arrangements

This section of the plan describes how and when Ku-ring-gai Council will provide notice of pesticide use in public places covered by this plan, 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.

For products which have a specific Pesticide Control Order (eg. 1080 & Pindone), notification arrangements will be as per the order.

Notification requirements are based on Ku-ring-gai Council's assessment of:

- Level of usage of public places where pesticides may be applied
- Frequency of public to these areas who are most likely to be sensitive to pesticides, such as young children, sick, pregnant and elderly people
- Range of activities within these areas which could lead to direct contact with pesticides, such as picnic areas and / or contact with the ground
- Type of pesticide used

### 4.1 Types of Notification

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

- Temporary signage
- Information on Council's website which will describe programmed pesticide use in public places (ie) sports field broadscale application
- Letters

### 4.2 What information will be provided

In accordance with the [Pesticides Regulation 2017, Part 5 Division 2 Section 41\(1\)\(h\)](#), notices of pesticide use must include **all** the following information:

- the full product name of the pesticide to be used
- the purpose for which the pesticide is to be used
- the dates on which, or the range of dates during which, the pesticide is to be used
- the places where the pesticide is to be used
- any warnings about limitations on the subsequent use of or entry onto the land if such warnings are specified on the approved label for the pesticide or in the permit for use of the pesticide
- a contact telephone number or email address for the officer of the public authority whom the affected persons can contact to discuss the notice

### 4.3 Where no notification will be provided

Council will provide no notification for the use of pesticides involving hand-application techniques such as 'cut-and-paint' and 'stem-scrape' in public places due to the small quantity of pesticide used and the wide availability of these pesticides for domestic purposes.

This applies also to the minor control of indoor and outdoor pests using baits or aerosol spray cans, which are widely available in retail outlets and ordinarily used for domestic purposes.

## 5 Public Places Notification

### 5.1 Public parks, sportsfields, public gardens, picnic areas

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>spot herbicides</li> <li>spot insecticides</li> <li>spray or bait termiticides on facilities</li> <li>rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>broadscale non-selective herbicides</li> <li>broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>Temporary sign</li> <li>Information on Council's website</li> </ul>	At each entrance and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).
<ul style="list-style-type: none"> <li>baits for vertebrate control</li> <li>fumigation for vertebrate control</li> </ul>	As per the relevant Pesticide Control Order			

### 5.2 Bushland and natural areas

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>spot herbicides</li> <li>spot insecticides</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>broadscale non-selective herbicides</li> </ul>	Temporary sign	At each entrance and near the application area	During and post application until pesticide has dried	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).
<ul style="list-style-type: none"> <li>baits for vertebrate control</li> <li>fumigation for vertebrate control</li> </ul>	As per the relevant Pesticide Control Order			

### 5.3 Golf courses

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary sign</li> <li>• Information on Council's website</li> </ul>	At each entrance and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).
<ul style="list-style-type: none"> <li>• baits for vertebrate control</li> <li>• fumigation for vertebrate control</li> </ul>	As per the relevant Pesticide Control Order			

### 5.4 Road reserves, nature strips and round-a-bouts & footpaths

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary sign</li> <li>• Information on Council's website</li> </ul>	At each entrance and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).

## 5.5 Car parks

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary sign</li> <li>• Information on Council's website</li> </ul>	At each entrance and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).

## 5.6 Laneways

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary sign</li> <li>• Information on Council's website</li> </ul>	At each entrance and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).

## 5.7 Easements and drainage easements

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary sign</li> <li>• Information on Council's website</li> <li>• Online circulars</li> </ul>	At each entrance and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).

## 5.8 Urban spaces/town centres

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary sign</li> <li>• Information on Council's website</li> </ul>	At main thoroughfare points and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).

## 5.9 Other Council owned facilities

Type of pesticide use / application	Notification Type	Notification Location	Notification Duration	Special measures for sensitive places
<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray or bait termiticides on facilities</li> <li>• rodenticides near facilities</li> </ul>	Temporary sign	Near the application area	During and post application until pesticide has dried	N/A
<ul style="list-style-type: none"> <li>• broadscale non-selective herbicides</li> <li>• broadscale insecticides</li> </ul>	<ul style="list-style-type: none"> <li>• Temporary sign</li> <li>• Information on Council's website</li> <li>• Online circulars</li> </ul>	At each entrance and near the application area	48 hours prior to application, and remain for at least 48 hours afterwards	Occupiers will be provided with 48hrs prior notice by mail or letterbox drop ( <i>whichever is most practicable</i> ).

## 6 Emergency pesticide applications

An emergency pesticide application in a public place may be required to:

- deal with biting or dangerous pests (such as rodents, wasps, bees, venomous spiders, fleas, bird mites or similar creatures)
- where a pest or disease alert has been issued

In these situations, the council will, where possible, provide notice by posting signs nearby at the time of the application. If this is not possible, the council will provide information via its council customer service centre, or members of the public can ask for information from the person applying the pesticide.

Should the emergency pesticide application occur adjacent to sensitive places, Council will endeavour to notify relevant tenants of the site/s at least 30 minutes prior to application and place temporary signs near the application area.

## 7 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.

## 8 How the Community will be informed of this plan

Ku-ring-gai Council will advise residents of this plan and its contents by:

- making a copy of the plan available for public viewing free of charge in council's libraries and main office at 818 Pacific Hwy, Gordon during office hours
- placing a copy of the plan on the council website at [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au)

## 9 Future Reviews

Review of the Notification Plan will be every three (3) years or when circumstances require a review of the plan.

The review will include:

- a progress report on the plan's implementation
- 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.

## 10 Contact Details

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

Manager Infrastructure Services

Ku-ring-gai Council

Locked Bag 1006, GORDON NSW 2072

Phone: (02) 9424 0000

Email: [krq@krq.nsw.gov.au](mailto:krq@krq.nsw.gov.au)



## 11 Definitions

Term / Abbreviation	Definition
The Act	Pesticides Regulation 2017 NSW.
Broadscale	Application of pesticide using motorised vehicle with a boom apparatus and multiple number of spray jets to disseminate pesticide over wide area.
Herbicide	Substance designed to destroy, suppress or prevent the spread of a weed or other unwanted vegetation. For example, the herbicide glyphosate is used to control a range of weeds in home gardens, bushland and agricultural situations
Pesticide	An 'agricultural chemical product' as defined in the <i>Agricultural and Veterinary Chemicals Code Act 1994</i> , such as 'a substance or mixture of substances that is represented, imported, manufactured, supplied or used as a means of directly or indirectly: <ul style="list-style-type: none"> <li>• 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;</li> <li>• Destroying a plant;</li> <li>• Modifying the physiology of a plant or pest so as to alter its natural</li> <li>• Development, productivity, quality or reproductive capacity;</li> <li>• Modifying an effect of another agricultural chemical product; or</li> <li>• Attracting a pest for the purpose of destroying it product.</li> </ul>
Sensitive place	School or pre-school, kindergarten, childcare centre, hospital, community health centre, nursing home, or any additional place declared to be a sensitive place by NSW Office of Environment and Heritage as declared under clause 11J(1) of the <i>Pesticides Regulation 2017</i> NSW.
Spot herbicides	Hand-held application of pesticide using a pump, spray or pressurised applicator device.
Vertebrate Bait	Pre-prepared products or products which need to be mixed with a food catalyst to control a pest, including large animals, such as foxes and rabbits, and baits for insects, such as cockroaches and ants.