



PORT STEPHENS COUNCIL

PESTICIDE USE NOTIFICATION PLAN 2023 – 2028

CONTROLLED DOCUMENT INFORMATION:

This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website www.portstephens.nsw.gov.au			
RM8 container No	PSC2006-0184	RM8 record No	17/211124
Audience	Public & Council		
Process owner	Natural Systems Coordinator		
Author	Environmental Operations Team Leader		
Review timeframe	Five years	Next review date	June 2028
Adoption date			

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
2	18/04/17	Bushland Management Officer	Updated reference to pesticide Regulation from 1995 to 2009. Added document control	
3	06/08/18	Bushland Management Officer	Updated reference to Pesticide Regulation 2017. Changes to notification requirements for pesticide use over water	
4	July 2023	Environmental Risk Manager		

Pesticide Use Notification Plan
Assigned review period: 5 years
© Port Stephens Council

PESTICIDE USE NOTIFICATION PLAN

1. INTRODUCTION

1.1 This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 2017 (the Regulation). The plan sets out how Port Stephens Council will notify members of the community of pesticide applications it makes or allows to be made to public places that it owns or controls. This notification plan has been developed by council staff trained in environmental management with input from other staff members who use pesticides in council. A pesticide users group (PUG) in council has been established and meets regularly to discuss ways to ensure the safe and responsible best practice use and storage of pesticides.

The plan describes;

- What is a pesticide
- Which public places are covered by the plan
- Who regularly uses those places and an estimated level of use
- How and when council will notify the public of it's intended use of pesticides
- How the public can access this plan and obtain further details on council's use of pesticides
- How future reviews of this plan will be conducted
- Contact details for anyone wishing to discuss this plan with the council

Note: Port Stephens Council maintains an Environment Protection Licence (EPL) that permits the use of pesticides over waterways in the Port Stephens Council area. The EPL provides details of restrictions for pesticide use and monitoring/reporting requirements in these situations.

What is a Pesticide?

The Pesticides Act 1999 defines a pesticide as:

- (a) an agricultural chemical product within the meaning of the Agvet Code

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:

- 1) 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
- 2) destroying a plant, or
- 3) modifying the physiology of a plant or pest so as to alter its natural development, productivity, quality or reproductive capacity, or
- 4) modifying an effect of another agricultural chemical product, or
- 5) attracting a pest for the purpose of destroying it, or

- 6) a veterinary chemical product (within the meaning of the Agvet Code) that is represented as being suitable for, or is manufactured, supplied or used for, the external control of ectoparasites of animals.

Note: The term pesticide also includes insect repellents for use on human beings.

This notification plan generally refers to the small scale use of common herbicides and insecticides.

2. PUBLIC PLACES AND THEIR USE

Port Stephens 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 Port Stephens Council area:

- bushland areas
- parks, cemeteries, [picnic areas](#), playgrounds, sporting fields, and ovals
- timber structures
- [reserves](#),
- certain council buildings
 - [childcare facilities](#)
 - [libraries](#)
 - [community centres](#)
 - [community halls](#)
- public land owned or controlled by Port Stephens Council, including:
 - drains, road verges and roads
 - caravan and holiday parks
 - swimming pools

Port Stephens 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	Type of pesticide use
Aquatic Areas	General recreation (swimmers, walkers)	Medium to High	Targeted spot-spray selective or non-selective herbicides
Bushland areas	General recreation (walkers, motorists)	Low to medium	Targeted spot-spray herbicides or insecticides non-selective herbicides Rodenticides Large vertebrate baiting
Parks, reserves, cemeteries, picnic areas, playgrounds, sporting fields, ovals and timber structures	General recreation, families, social groups, Sporting clubs and associations General public (joggers, dog walkers)	Medium to High, particularly during holidays	Targeted spot-spray herbicides or insecticides Broad scale selective or non-selective herbicides Rodenticides Fungicides termiticides
Drains, road verges and roads	Local residents, visitors, travelling public walking , riding or driving	Low to medium for drains, rural roads, medium to high for arterial roads	Targeted spot-spray herbicides or Broad scale selective or non-selective herbicides
Caravan and Holiday parks, Swimming pool buildings and grounds	Residents Visitors Swimming clubs Residents Schools Social groups	Medium to high	Targeted spot-spray herbicides or insecticides Broad scale selective or non-selective herbicides Broad scale insecticides Fungicides Spray termiticides Spray ant control Bait termiticides, Bait bird control Rodenticides
Certain Council Buildings	Residents (young and aged)	Medium to High	Targeted spot-spray herbicides or insecticides Broad scale selective or non-selective herbicides Rodenticides Bait Termiticides

3. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Port Stephens Council will provide notice of pesticide use in public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

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

- The estimated level of usage where pesticides may be used
- The extent to which activities generally undertaken in those areas could result in direct contact with pesticides
- The type of pesticide to be used
- The manner and extent of intended application
- Signage and letters to residents in the immediate area.

3.1. Instances where no notice will be provided

Port Stephens Council preferentially uses pesticides that are available to the general public at retail outlets. It is not intended to notify of the use of such products unless otherwise stated in this plan, including;

- Spot spraying of weeds with selective or non-selective herbicides
- Minor insecticide, rodenticide applications
- Use of biological controls
- For emergency control (for example wasps and bees)
- Council will not give notice of pesticide use by lessees of council owned land that remain a public place

3.2 How and when notice of pesticide use will be provided

Aquatic areas

Port Stephens Council has an obligation to notify the public prior to using herbicides on or over water. This obligation includes;

1. Publishing of a notice in the local paper:
 - At minimum, the licensee must at least 1 day and no more than 14 days prior to the application of the herbicide(s) to the waters, publish a notice in a newspaper circulating in the locality of the waters, notifying of the Licensee's intention to apply herbicide(s) to the waters which includes at a minimum the following details:
 - (a) what herbicide(s) is to be applied,
 - (b) when the herbicide(s) is to be applied,
 - (c) a warning not to use, drink or swim in the water until further notice,
 - (d) that further information can be obtained from the Licensee,
 - (e) the Licensee's name and contact phone number, and
 - (f) small scale reapplications using hand held non powered sprayers may occur within 30 days of the date of the original treatment.
2. Displaying signage during the works.

At minimum, the Licensee must erect a warning sign adjacent to the waters where the herbicide(s) is applied which:

- states at minimum, in legible English, and in any other language as may be considered reasonably necessary:

WARNING

Water may contain dangerous chemicals. The public is advised not to use, drink or swim until further notice. For further information contact Port Stephens Council, ph 02 4980 0255

- is maintained to ensure it remains in place and is visible to the public until the water is safe for use,
 - is not removed until the water is safe for use.
3. Advance written notice will be addressed to occupiers of land adjacent to the waterbody in certain locations listed below. As many treatments require access through private property this obligation has generally been in addition to verbal communication with landowners. Nominated locations where advance written notice will be given to properties in the LGA that are situated directly adjacent to waterways include:

- The Williams River and tributaries, including the potable water section
- Paterson and Hunter River systems and tributaries.
- Spraying in or over water in the Campvale Drain and catchment area

4. Notification will be provided to Hunter Water Corporation when applying herbicides to the Seaham Weir Pool and any waterways adjacent to Hunter Water Corporation potable water supply offtake points.

3.2.1 Bushland areas

For bushland areas, signage will be provided prior to works commencing for the following pesticide uses:

- Products not available to the general public at retail outlets
- Vertebrate baiting

For mobile works, signs will be positioned on spray vehicles.

3.2.2 Parks, reserves, cemeteries, picnic areas, playgrounds, sporting fields, ovals and timber structure

For sporting fields and ovals, signs will be located at the major entrances to the area to be treated, and at a location where they are most likely to be seen e.g. amenities block, change room (except for those situations described in section 3.1). Signs will be put up immediately prior to pesticide use and will remain in place at least until the operation is completed (where the pesticide label or permit requires a longer period of signage, this will be followed). When foliage is sprayed, signs will remain at least until the pesticide has dried. Signs will be used for the following pesticide uses:

- Broad scale selective or non-selective herbicides
- Broad scale insecticides
- Fungicides
- Termiticides
- Spray ant control

For mobile works signs will be positioned on spray vehicles.

3.2.3 Drains, road verges and roads

For drains, road verges and roads, signage will be provided during works for the following pesticide uses:

- Broad scale selective or non-selective herbicides

For mobile works, signs will be positioned on spray vehicles.

NOTE: Spraying in or over water in the Campvale Drain and catchment area is classified as Aquatic application. Please see Aquatic Section for notification requirements.

3.2.4 Caravan and holiday parks Swimming pool buildings and grounds

For caravan and holiday parks, advice will be placed on notice boards or near/at the main entrance immediately prior to the following pesticide uses:

- Spot herbicides or insecticides
- Broad scale selective or non-selective herbicides
- Broad scale insecticides
- Fungicides
- Spray termiticides
- Spray ant control
- Bait termiticides,
- Bait bird control
- Rodenticides

3.2.5 Certain Council Buildings

For buildings and grounds of certain council buildings, advice will be placed on notice boards or near/at the main entrance immediately prior to the following pesticide uses:

- Spot herbicides or insecticides
- Broad scale selective or non-selective herbicides
- Broad scale insecticides
- Fungicides
- Spray termiticides

- Spray ant control
- Bait termiticides,
- Bait bird control
- Rodenticides

3.3 Special measures for sensitive places

The *Pesticides Regulation* defines a sensitive place to be any:

- School or pre-school
- Kindergarten
- Childcare centre
- Hospital
- Community health centre
- Nursing home
- Any place declared to be a sensitive place by the environment protection authority.

Special notification measures for non-emergency pesticide use in public places adjacent to sensitive places will consist of written and or verbal advice as per Section 4 to be provided to the responsible person at least 5 days prior to pesticide use within 20 metres of the boundary of a sensitive place.

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), signage will be provided on vehicles or within sight of the application during the work for the following pesticide uses:

- Broad scale insecticides

3.5 Pesticide contractors and lessees of public places

Where Port Stephens Council uses contractors to apply pesticides on its behalf:

- The arrangements detailed in this plan apply. Where possible Port Stephens Council will require contractors to comply with this plan as a condition of contract.
- Where persons or organisations hold an existing lease on Port Stephens Council land that remains a public place:
- Council will not give notice of pesticide use by contractors and lessees but will request that contractors and lessees carry out works in accordance with this plan.

4. WHAT INFORMATION WILL BE PROVIDED

In accordance with the Pesticides Regulation, notice of pesticide use will include the following information or be available by contacting the phone number listed on such sign/notice or from Port Stephens Council.

- 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 the APVMA¹ permit.

The persons using the pesticide will be able to provide this information on site.

¹ The Australian Pesticides and Veterinary Medicines Authority (APVMA), the national government body responsible for assessing and registering (or otherwise approving) all pesticide products in Australia and for their regulation up to and including the point of retail sale.

5. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Port Stephens Council will advise residents of this plan and its contents by:

- making a copy of the plan available for viewing, free of charge, at its main office at Raymond Terrace
- placing a copy of the plan on the its website
- Publishing in NSW government gazette once finalised

6. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every 5 years or when circumstances require a review of the plan. The review will include:

- a report on progress of implementing the plan
- exhibiting a plan for comment with proposed amendments and calling for public submissions
- consideration of comments and recommendation for alterations (if applicable) to the plan
- Environmental Protection Agency (EPA) gazette if there are any changes.

7. CONTACT DETAILS

General Manager
Port Stephens Council
PO Box 42
Raymond Terrace, NSW 2324
Phone: 02 4980 0255 Fax: 02 4987 3612
Email: council@portstephens.nsw.gov.au

Signed under delegated authority for Port Stephens Council.

(Name and title)
Port Stephens Council

Date