

Willoughby City Council

# PESTICIDE USE NOTIFICATION PLAN



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## Acknowledgement of Country

Willoughby City Council acknowledges the Traditional Owners of the lands on which we stand, the Gamaragal people. We pay our respects to their Elders past and present.

# 1. INTRODUCTION

This Pesticide Use Notification Plan has been prepared in accordance with the requirements of the *Pesticides Regulation 2017* (the Regulation), Pesticide Act 1999.

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 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;
- contact details for anyone wishing to discuss this plan with Council.

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. Pesticide application varies and is dependent on seasonal pest and area requirements. 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.

Where broadacre pesticide application is required on our sporting ovals and fields, it will occur on weekdays when climatic conditions are suitable. All spraying will cease prior to the commencement times of formal bookings, known community activities and high public usage to allow for specific application withholding period. Foam markers and dyes may be used during application to indicate sectional spraying. These dyes and markers are not pesticides. Where spot spraying or application is required, it will occur at times when area use is minimal.

## 2. PUBLIC PLACES COVERED BY THIS PLAN

This plan covers the use of pesticides in the following outdoor public areas under the control of Council:

- parks and public gardens;
- playgrounds;
- picnic areas;
- bushland reserves;
- sporting fields and ovals;
- road verges and road reserves;
- laneways and pathways;
- open channel storm water drains;
- easements accessible to the public;
- leased sites owned by Council including golf courses and tennis courts.

The plan also provides 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.

This plan, however, does not cover other Council owned lands which have been leased to other organisations and where pesticide use is NOT under the control of Council. Members of the Public requiring more information should contact these organisations directly.

Public places controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
Public parks, Gardens, Picnic areas and Reserves	<ul style="list-style-type: none"> <li>• Children</li> <li>• Families</li> <li>• Elderly people</li> <li>• Social groups</li> <li>• Informal recreational users (e.g. runners, dog-walkers, picnickers).</li> </ul>	High to very high	<ul style="list-style-type: none"> <li>• Spot selective and non - selective herbicides</li> <li>• Broadacre selective herbicides</li> <li>• Broadacre fungicide (only rose garden beds)</li> <li>• Bait for rat control</li> <li>• Spray for termite control</li> <li>• Bait for termite control</li> </ul>

			<ul style="list-style-type: none"> <li>• Bait for large vertebrate animals (fox, rabbit control)</li> </ul>
<b>Playgrounds</b>	<ul style="list-style-type: none"> <li>• Children</li> <li>• Families</li> </ul>	High	<ul style="list-style-type: none"> <li>• Spot herbicides</li> </ul>
<b>Council Sporting fields, ovals and related sporting facilities</b>	<ul style="list-style-type: none"> <li>• Sporting clubs and associations</li> <li>• Schools</li> <li>• Informal recreational users (e.g. runners, dog-walkers, picnickers).</li> </ul>	High	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Broadacre selective herbicides</li> <li>• Broadacre non - selective herbicide</li> <li>• Broadacre insecticides</li> <li>• Spray for termiticides on facilities</li> <li>• Bait for rat control near facilities</li> </ul>
<b>Bushland Reserves</b>	<ul style="list-style-type: none"> <li>• Informal recreational users (e.g. walkers, dog-walkers, families)</li> <li>• Local residents and visitors</li> </ul>	Medium	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Broadacre herbicides</li> <li>• Bait for large vertebrates (fox, rabbit control)</li> </ul>
<b>Council road reserves, laneways and pathways</b>	<ul style="list-style-type: none"> <li>• Local residents, visitors and people who work in the area</li> </ul>	Medium to high	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Broadacre non-selective herbicides</li> </ul>
<b>Council drainage 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	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Broadacre non-selective herbicides</li> </ul>
<b>Council open channel storm water drains</b>	<ul style="list-style-type: none"> <li>• Local residents living adjacent to open storm water channels</li> <li>• Local residents or visitors who walk past open storm water channels</li> </ul>	Low	<ul style="list-style-type: none"> <li>• Spot herbicides</li> </ul>

<p>Interiors of some Council buildings</p>	<ul style="list-style-type: none"> <li>• Library users (including young children, 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 of the public</li> </ul>	<p>high</p>	<ul style="list-style-type: none"> <li>• Spot insecticides</li> <li>• Bait rodenticides</li> <li>• Spray termiticides</li> <li>• Spray ant, webbing spider and cockroach control</li> </ul>
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### 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 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);
- the type of pesticide used.

Notice of pesticide use will be provided by any combination of the following (notification type is dependent on the area of use):

- A-frame and corflute signs;
- information on Council’s website;
- letters;
- letterbox drops;
- door knocking.

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).

## a) Outdoor recreation areas

The notification arrangements described below will apply to the following public place categories or controlled by Council within the local government area (LGA):

- public parks, gardens, picnic areas and reserves;
- bushland reserves;
- playgrounds;
- 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 at the time of application and until application is complete for the following pesticide uses:

- broadacre selective herbicides;
- broadacre non-selective herbicides;
- broadacre insecticides;
- fungicides (on the relevant garden beds);
- spray termiticides;
- bait termiticides (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 d) Special measures for sensitive places) the occupiers will be provided with notice prior to application by phone, mail, email, letterbox drop or signage (whichever is most practicable).

Information will be available to the general community on council's website about the forward program for the above applications (updated regularly), and on the following pesticide uses in outdoor recreation areas:

- spot herbicides;
- spot insecticides;

## 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, pathways and road reserves;
- drainage easements;
- open channel storm water drains.

In these public places, general information on the forward program for broadacre herbicide will be posted on Council's website.

Notice will not be given where occupiers of properties adjacent to Council public places use pesticides on parts of these public places near their properties.

### **c) Council buildings**

For pesticide use in Council chambers, Council owned libraries, community halls and Centres, theatres and childcare facilities that are owned, controlled or maintained by Council, signs will be provided near the application area or main entrance at least 48 hours prior to application for the following pesticide uses:

- spot use of insecticides;
- bait rodenticides;
- spray termiticides;
- spray ant or webbing spider control.

Information for the general community will be posted on Council's web-site about the above applications.

In addition, 5 days prior notice of all programmed pesticide use in Council childcare facilities will be given to operators of the facilities.

### **d) Special measures for sensitive places**

Clause 11J(1) of the *Pesticides Regulation 1999* 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 (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.

### **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 on 9777 1000 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 require the contractor or lessee to provide notification in accordance with the requirements of this plan.

### **g) Public places and pesticide uses where Council will not provide any notification**

Council will not provide notification in any of the following places:

- public places where persons or organisations hold an existing lease on Council land. For these places, Council will not provide notification of pesticide use, but it will request the lessee to carry out notification of the lessee's pesticide use in a manner which is consistent with this plan. Where possible, Council will require lessee's, as a part of their lease, to comply with this Plan.
- public places that have been closed temporarily to the public where the closure is unrelated to the pesticide use.
- remote areas where there is little likelihood of them being encountered by the public.

In addition, Council will not provide notification for the following pesticide uses in any of the public places it controls:

- pesticides used in small quantities (less than 10 litres) and readily available at retail outlets to the general public for the control of pests:
  - e.g. small quantities (less than 10 litres of "ready to use" spray mix) of glyphosate and triclopyr herbicide applied by hand held applicator, or by cut- and-paint or by stem injection techniques.
  - e.g. minor control of indoor and outdoor pests using baits or hand held aerosols.

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

In accordance with clause 11L(2)(g) of the *Pesticides Regulation 1999*, 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.

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.

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

Upon finalisation, Council will advise residents of the contents of the plan and its contents by:

- placing a copy of the plan on the Council website at [www.willoughby.nsw.gov.au/](http://www.willoughby.nsw.gov.au/).
- placing a notice in the NSW Government Gazette;



## 6. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every 5 years. Council will not exhibit the updated notification plan if it considers any proposed amendments are not of sufficient substance to warrant public consultation. Should the changes be considered sufficient in nature, Council will:

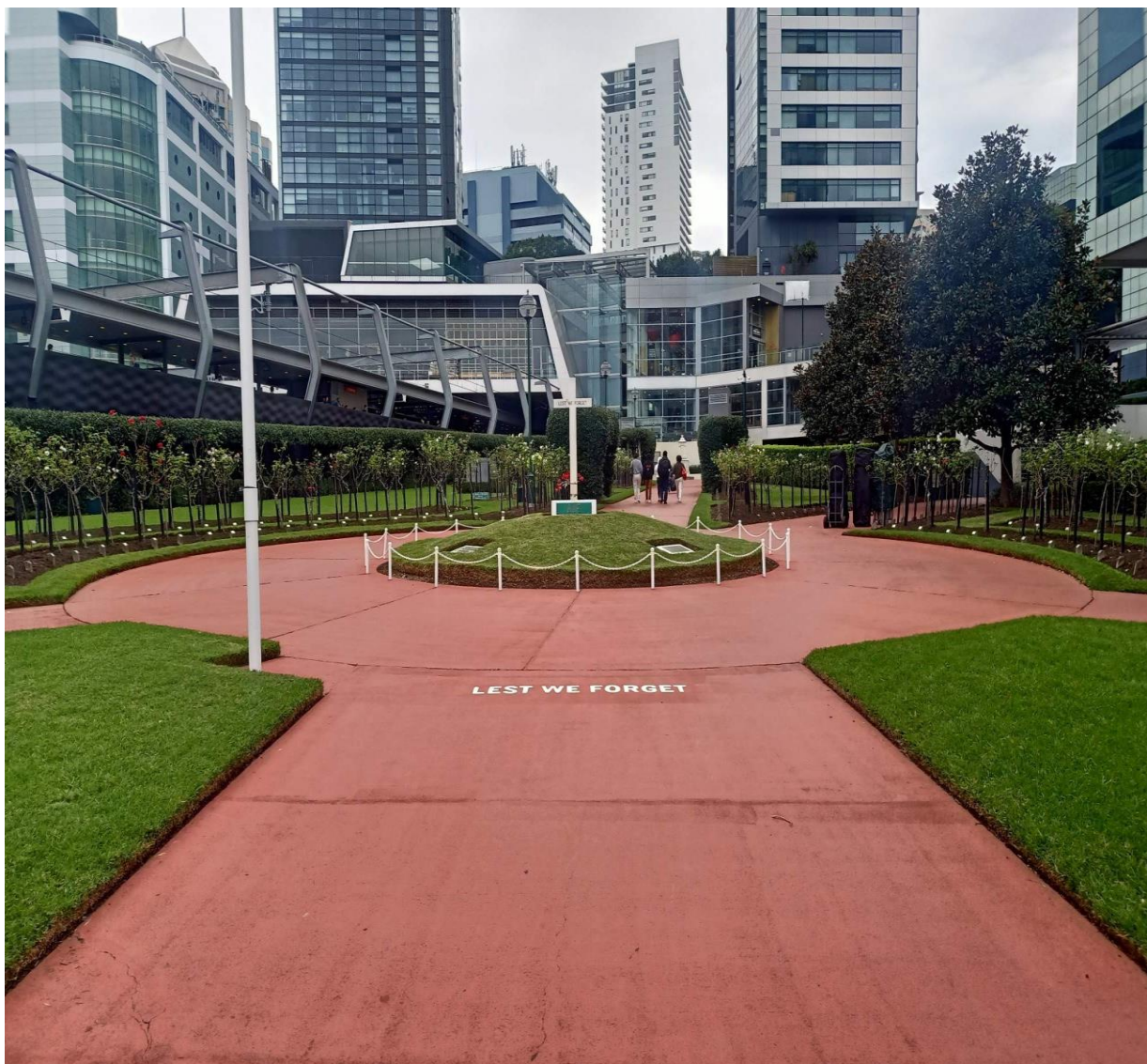
- place the plan on public exhibition, with any proposed changes, calling for public submissions;
- in the light of public submissions, making recommendations for alterations (if applicable) to the plan.

## 7. CONTACT DETAILS

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

Council's Customer Service Team on 9777 1000 where, if appropriate, they will be referred to the most responsible officer.

Information can also be obtained by visiting Council's website [www.willoughby.nsw.gov.au/](http://www.willoughby.nsw.gov.au/)



## APPENDIX 1. PUBLIC NOTIFICATION OF THE USE OF FOXOFF 1080 BAITES BY COUNCIL

Pesticide Use Notification Plan | Willoughby City Council Approved May 2024

The conditions of use of 1080 for the control of foxes in NSW is allowed under a permit system which is specified in various Pesticide Control Orders (PCOs) issued under the NSW *Pesticides Act 1999*. The EPA issues PCOs to ensure restricted pesticides are used safely and disposed of appropriately. Restricted pesticides can only be used if authorised to do so under a PCO or a restricted pesticide authorisation. Current PCOs can be found on the EPA website [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au). Notification of 1080 used by Council will comply with the requirements specified in the relevant PCO as well as any additional requirements of the *Pesticides Regulation 2017* not included in the PCO.

The notification procedure outlined below, addresses the requirements in the Pesticide Act 1999 – Pesticide Control (1080 Fox Bait) Amendment Order 2006 and the *Pesticides Regulation 1995*. It is extracted from Schedule 2 of the PCO for the “Permit to Allow Minor Use of an Agvet Chemical Product”. The numbers used 5.1 through 5.5 and 7.1 through 7.4 are the numbers used in this PCO.

### Public Notification

5.1 A person must not lay any 1080 fox baits on any land unless the person has first given a minimum of three (3) days’ notice of the date on which they will lay 1080 fox baits – henceforth referred to as ‘notification’. The notification must be given to the landholder or authorised agent of every property which has a property boundary within one (1) kilometre of a baiting location. The notification must contain the following information:

- (a) pest being controlled with 1080 baits;
- (b) dates when 1080 baits will be used;
- (c) property on which 1080 baits will be used;
- (d) contact details of the person who will lay the 1080 baits or in the case of a public authority a person or office that can be contacted for information about 1080 baits being used on the property; and
- (e) a warning that pets and working dogs may be affected and recommend actions to be taken as specified in condition 3.3.

5.2. The notification may be given by telephone, text message, email, in person, or by mail (including letter box drop).

If notification cannot be made by telephone, text message, email, personal contact or mail, or the number of persons to be notified is more than twenty-five (25), then:

- (i) notification may be made by advertisement in a local newspaper; or
- (ii) where baiting is done under a NPWS RPMS program or equivalent Forestry Corporation program notification may be made by advertisement in a local newspaper or on a government website.

In the case of large group baiting programs comprising more than 25 participants, and organised or approved by an Authorised Control Officer, then:

- (i) notification may be made by advertisement in a local newspaper; or
- (ii) where baiting is done under a NPWS RPMS program or equivalent Forestry Corporation program notification may be made by advertisement in a local newspaper or on a government website

5.3 The use of 1080 fox baits for ground baiting may be conducted for longer than seven (7) days but must commence within 21 days of notification otherwise further notification of

intended baiting is required. In the case of aerial baiting, a date range of up to 14 days can be given but must commence within 21 days of notification, otherwise further notification is required.

5.4 Where replacement baiting is planned the notification must include the time period baiting is planned to be maintained.

5.5 Where baiting programs are ongoing notification must be given every six (6) months and condition 5.3 does not apply.

4.1. Public notification must include an advertisement in a prominent local area newspaper at least 5 days prior to the commencement of Foxoff 1080 baiting. Public notification may also include notification by telephone or personal contact, or, where this is not possible, by mail. Public notification must include appropriate details of the baiting program and the closure of bushland reserves to dogs.

### **1080 Poisoning Notices**

7.1 A person who uses 1080 fox baits must erect notices before laying 1080 fox baits on any land. These notices must remain up for a minimum of four (4) weeks after the last day of baiting and must remain intact and legible for the duration. Notices must be placed at:

(a) every formed and/or used entry point into the baiting location that is authorised by the landholder and provides access to the bait site. For example, a gateway, road, or trail, including designated walking tracks. This does not include unformed or permanently closed access points, formed or used entry points that are not authorised (including but not limited to an access point created by falling trees or unauthorised alterations to fencing or vegetation) or gates or intersections within the baiting location for which someone would have already passed a notice; and

(b) the main entrance to a private property where baiting is undertaken or in the case of a National Park the main entrance to the area being baited; and

(c) at the extremities of and up to five (5) kilometre intervals along all public thoroughfares which border or pass through the baiting location.

7.2 The notices must specify the following:

(a) 1080 baits for foxes are being laid on this property; and

(b) the dates on which 1080 fox baits are first laid or the dates between which baits will be laid; and

(c) contact details of the person who will lay the 1080 fox baits or in the case of a public authority a person or office that can be contacted for information about 1080 fox baits being used on the property; and

(d) warning that domestic animals may be affected.

7.3 Under the *Pesticides Regulation 2017* public authorities have additional public notification obligations (clauses 40 to 44), that must also be complied with.

7.4 1080 Poison Notices may be obtained from Authorised Control Officers.



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**Office hours:** Please check the website for the latest opening hours for the Customer Service Centre and Duty officer.

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