



**MIDCOAST**  
council

# Pesticide Use Notification Plan



Revision History				
N <sup>o</sup>	Issue Date	Revision Notes	Prepared By	Approved By
1	24/08/2015	Updated weblinks and state departmental name changes, removed references to Caravan parks and camping grounds, amendments to appendices 1, 3 and 4.	Terry Inkson	Andrew Staniland
2	23/05/2018	Updated contact information, modify plan to MidCoast Council, amendments to appendices 1, 2, 3, 4, 5 and 6.	Terry Inkson	Gerard Tuckerman

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May 2018

# PESTICIDE USE NOTIFICATION PLAN

## 1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of the *Pesticides Regulation 1995* (the Regulation). The plan sets out how Council may notify members of the community of pesticide applications it makes or allows to be made to public places that it owns or controls.

The aim of this plan is to provide information and consistent process in advising the community about pesticide applications made to outdoor public places that are owned or controlled by public authorities. The plan allows members of the community to be aware of proposed pesticides use, and if appropriate, to take action to avoid or minimise contact with those pesticides.

Council ensures that pesticides are applied to public places in accordance with respective pesticide labels and/or off label permits in a safe, responsible manner. In turn these processes will minimise any harm to the community or the environment.

The plan sets out how Council may notify members of the community of pesticide applications made by Council to public places.

The plan describes:

- what public places are covered under this notification process
- who regularly uses these public places and an estimate of the level of use
- how and when Council may provide the community with information about its pesticide applications in public places (i.e. what notification arrangements may be used)
- how the community can access this plan and get more information about Council's notification arrangements
- how future reviews of the plan may be conducted
- contact details for anyone wishing to discuss this plan with Council.

This plan forms a component of Council's integrated pest management policy. This policy states that Council only uses pesticides in public places when necessary to manage vegetation, eliminate weeds, to protect public property from pest damage and to protect the users of public places from nuisance or danger.

Generally, Councils pesticide use consists of applying herbicides for vegetation management and applying insecticides to manage certain insect pests. Frequency of programmed applications vary from site to site but range from 6–8 times per year for sports fields, 2–5 times per year for drains, parks, reserves and gardens and twice yearly for public thoroughfares.

Bait insecticides may be used for termite and ant control to protect structures and public safety wherever this is considered an effective solution.

Other pesticides that may be used include fungicides, rodenticides, bird baits and large vertebrate baits.

Further information on Council's pesticide use may be obtained by calling MidCoast Council on 6591 7222 or by visiting the website <http://www.midcoast.nsw.gov.au>

## 2. PUBLIC PLACES COVERED BY THIS PLAN

Council proposes to use or allow the use of pesticides in the following categories of outdoor public places within this Council's local government area:

• parks and public gardens	• playgrounds
• picnic areas	• sporting fields and ovals
• road verges and reserves	• laneways, pathways and bridges
• easements accessible to the public	• drains and wetlands
• waste management sites	• beaches
• other areas	

This plan will also provide information on how notification of activities may be provided to the community of pesticide use in the interiors of the following council buildings:

• council chambers	• libraries	• community halls/centres
• swimming pool buildings	• kiosks	• public toilets
• sports field facilities	• bus shelters	• aquatic centres
• childcare facilities	• surf clubs	• offices

## 3. EXISTING COMMUNITY USE

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. This assessment of use is done to establish the type of notification that may be required in each area. Although not required by the Regulation, a summary of the type of pesticides that may possibly be used in each category of public place is also provided.

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide applications that may possibly be made
<b>a) Public parks and gardens</b>	<ul style="list-style-type: none"> <li>• children and young families</li> <li>• mature people</li> <li>• local residents</li> <li>• general recreational users (e.g. joggers, dog-walkers, picnickers).</li> </ul>	very high (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broad scale herbicides</li> <li>• broad scale insecticides</li> <li>• fungicides</li> <li>• spray termiticides, ant control</li> <li>• bait termiticides, ant control</li> </ul>
<b>b) Playgrounds</b>	<ul style="list-style-type: none"> <li>• children</li> <li>• young families</li> <li>• local residents</li> </ul>	high	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• spray ant control</li> <li>• bait ant control</li> </ul>
<b>c) Picnic areas</b>	<ul style="list-style-type: none"> <li>• families</li> <li>• local residents</li> <li>• other social groups (e.g. ethnic, religious, clubs)</li> </ul>	high (particularly on weekends, public holidays, and school holidays)	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• fungicides</li> <li>• spray termiticides, ant control</li> <li>• bait termiticides, ant control</li> </ul>

<b>Public places owned or controlled by Council</b>	<b>Regular user groups</b>	<b>Level of use of public place</b>	<b>Type of pesticide applications that may possibly be made</b>
<b>d) Sporting fields, ovals and related sporting facilities</b>	<ul style="list-style-type: none"> <li>• sporting clubs and associations</li> <li>• school sports groups</li> <li>• general recreational users (e.g. joggers, dog-walkers)</li> </ul>	high	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• broad scale herbicides</li> <li>• broad scale insecticides</li> <li>• fungicides</li> <li>• spray termiticides, ant control</li> <li>• bait termiticides, ant control</li> <li>• rodenticides near facilities</li> </ul>
<b>e) Beaches</b>	<ul style="list-style-type: none"> <li>• children and young families</li> <li>• local residents</li> <li>• mature people</li> <li>• general recreational users (e.g. joggers, dog-walkers, picnickers)</li> <li>• visitors to the area.</li> </ul>	high (seasonal)	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broad scale herbicides</li> <li>• aerial herbicides</li> <li>• large vertebrate baits</li> </ul>
<b>f) Swimming pool buildings and grounds</b>	<ul style="list-style-type: none"> <li>• children and young families</li> <li>• mature people</li> <li>• general recreational users</li> <li>• local residents</li> <li>• visitors to the area</li> </ul>	high (seasonal)	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broad scale herbicides</li> <li>• rodenticides near facilities</li> <li>• spot insecticides</li> <li>• bait insecticides</li> </ul>
<b>g) Waste management centres</b>	<ul style="list-style-type: none"> <li>• general members of the public</li> <li>• mature people</li> <li>• local residents</li> <li>• visitors to the area</li> </ul>	medium to high	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• bait insecticides</li> <li>• broad scale herbicides</li> <li>• broad scale insecticides</li> <li>• fungicides</li> <li>• spray termiticides, ant control</li> <li>• bait termiticides, ant control</li> <li>• rodenticides</li> <li>• large vertebrate baits</li> </ul>
<b>h) Council laneways, pathways and bridges</b>	<ul style="list-style-type: none"> <li>• local residents</li> <li>• people who work in the area</li> <li>• visitors to the area</li> </ul>	medium to high	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broad scale herbicides</li> </ul>
<b>i) Road shoulders, verges, road reserves and footpaths</b>	<ul style="list-style-type: none"> <li>• local residents or visitors walking or driving on the road</li> </ul>	low for rural roads;  medium to high for urban roads	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broad scale herbicides</li> </ul>

<b>Public places owned or controlled by Council</b>	<b>Regular user groups</b>	<b>Level of use of public place</b>	<b>Type of pesticide applications that may possibly be made</b>
<b>j) Easements accessible to the public (specifically road, sewer or electricity)</b>	<ul style="list-style-type: none"> <li>• local residents or visitors who walk or drive past the easement</li> <li>• people who work in the area</li> </ul>	low to medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broad scale herbicides</li> </ul>
<b>k) Council drains and wetlands</b>	<ul style="list-style-type: none"> <li>• local residents living adjacent to a drain or wetland.</li> <li>• local residents or visitors who walk or drive past the drain or wetland</li> </ul>	low to medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• broad scale herbicides</li> <li>• spot insecticides</li> <li>• bait insecticides</li> <li>• broad scale insecticides</li> <li>• large vertebrate baits</li> </ul>
<b>l) Interiors of public buildings</b>	<ul style="list-style-type: none"> <li>• library users (including young children, school groups 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> <li>• visitors to the area</li> </ul>	high	<ul style="list-style-type: none"> <li>• spot insecticides</li> <li>• bait insecticides</li> <li>• spray termiticides, ant control</li> <li>• bait termiticides, ant control</li> <li>• rodenticides</li> </ul>
<b>m) other areas (i.e. bushland areas, Estuarine Islands, etc.)</b>	<ul style="list-style-type: none"> <li>• general recreational users (e.g. joggers, dog-walkers, bushwalkers)</li> <li>• general members of the public</li> <li>• local residents</li> </ul>	low to medium	<ul style="list-style-type: none"> <li>• spot herbicides</li> <li>• spray termiticides, ant control</li> <li>• bait termiticides, ant control</li> <li>• spray termiticides, ant control</li> <li>• large vertebrate baits</li> </ul>

#### 4. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Council may provide notification of pesticide use in public places. Notification processes may become more stringent where the chemicals used are thought to pose a greater risk to the community.

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

- the effect on humans, pesticide use will have when using Council assets
- type of pesticide used
- the level of usage of public places where and when 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, sick, pregnant or mature 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)

Notification of pesticide use may be given by one or more of the following methods where appropriate:

• signs	• newspaper public notice
• information on Council's website	• letters
• information on community notice board	• email
• letterbox drops	• door knocking
• phone/fax	• personal contact.

Council may also allow persons and organisations to nominate to have their details placed on a central register of chemical sensitivity. This would allow those registered to be notified personally, of certain types of pesticide uses in particular places, as described in this section of the plan.

##### a) Outdoor and recreation areas

The notification arrangements described below may apply to the following public place categories and types of application, made on areas owned or controlled by Council within the local government area (LGA):

<ul style="list-style-type: none"> <li>• public parks and gardens</li> <li>• playgrounds</li> <li>• picnic areas</li> <li>• Beaches</li> <li>• swimming pool buildings and grounds</li> <li>• waste management centres</li> </ul>	<ul style="list-style-type: none"> <li>• broad scale herbicides</li> <li>• broad scale insecticides</li> <li>• broad scale fungicide</li> <li>• broad scale plant growth regulators</li> <li>• pest animal baits</li> <li>• aerial boom spraying</li> <li>• spray termiticide and ant control</li> <li>• bait insecticides</li> <li>• spot herbicides</li> <li>• spot insecticides</li> <li>• bait termiticide and ant control</li> <li>• bait rodenticide</li> </ul>	<p>(See <b>appendix 4 Public notification for owners, strata managers and property managers</b>)</p> <p>(see <b>Appendix 1 Public notification of the use of 1080 pest animal baits</b>)</p> <p>(see <b>Appendix 2 Public notification when aerial boom spraying weeds</b>)</p> <p>(see subsection <b>d) No notification given</b>)</p>
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In these public places, signs may be provided to the general community near the application area or main entrance immediately prior to pesticide use, and may remain in place at least until the operation is completed. When foliage is sprayed, signs may

remain at least until the pesticide has dried. Signs will be left in place where the pesticide label, permit or Pesticide Control Order requires a longer period of notification.

For sporting fields, ovals and related sporting facilities, apart from the above measures, sporting groups may also have a notice of the above pesticide uses faxed or e-mailed at least 24 hours prior to application.

**b) Outdoor public thoroughfares and certain easements**

The notification arrangements described below may apply to the following public place categories and types of application, made on areas owned or controlled by Council within the local government area (LGA):

<ul style="list-style-type: none"> <li>• laneways, pathways and bridges</li> <li>• road shoulders, verges, road reserves and footpaths</li> <li>• drains and wetlands</li> </ul>	<ul style="list-style-type: none"> <li>• broad scale herbicides</li> <li>• spot herbicides (see subsection d) <b>No notification given</b>)</li> </ul>
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In these public places, Council may publish a notice in a newspaper circulating in the locality of the roads 2 days prior to the application of the herbicide(s). The notice may contain the following details:

- what herbicide(s) is to be applied,
- a general area for the application
- a month or date range when the herbicide(s) is to be applied,
- contact number where information can be obtained.

If no advertisement appears in the local weekly paper for whatever reason, signs may be provided to the general community near the application area or attached to the vehicle applying the chemical immediately prior to and during the pesticide use, and may remain in place at least until the operation is completed. Signs will be left in place where the pesticide label, permit or Pesticide Control Order requires a longer period of notification.

For Drains and wetlands only, see **Appendix 3. Public notification when spraying weeds in drains.**

**c) Interiors of public buildings**

The notification arrangements described below may apply to the following public place categories and types of application, made on areas owned or controlled by Council within the local government area (LGA):

<ul style="list-style-type: none"> <li>• Council Chambers</li> <li>• Libraries</li> <li>• Community halls/centres and</li> <li>• Childcare facilities</li> <li>• swimming pool buildings</li> <li>• kiosks</li> <li>• sports field facilities</li> <li>• bus shelters</li> <li>• surf clubs</li> <li>• public toilets</li> </ul>	<ul style="list-style-type: none"> <li>• aquatic centres</li> <li>• offices broad scale use of insecticides</li> <li>• bait rodenticides</li> <li>• spray termiticides and ant control</li> </ul>
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In these public places, signs may be provided near the application area or at the main entrance immediately prior to pesticide use and may remain in place at least until the operation is completed. Signs will be left in place where the pesticide label, permit or Pesticide Control Order requires a longer period of notification.

#### d) No notification given

At times, Council uses small quantities of some pesticides that are readily available at retail outlets to the general public for the control of pests for which they are registered. Council will not provide notification for the following pesticide uses in any of the public places it controls or owns other than by way of this description in this plan:

- small quantities (less than 20 litres of “ready-to-use’ spray mix) of glyphosate and metsulfuron herbicides applied by a knapsack, hand-held applicator, cut-and-paint or stem injection techniques.
- minor control of indoor and outdoor pests using baits or insecticides applied by aerosols, a knapsack, hand-held applicator or by injection techniques.

#### e) Sensitive places

Clause 11J(1) of the Pesticides Regulation defines a sensitive place to be any:

• school or pre-school	• kindergarten
• childcare centre	• hospital
• community health centre	• nursing home
• places of persons or organisations who are listed on a chemical sensitive register as held by Council (See paragraph below for details on how to register)	• places declared to be a sensitive place by the Environment Protection Authority .

Where any pesticide uses occur adjacent to sensitive places, the occupiers may be provided with 24 hours prior targeted notice by phone, fax, mail or letterbox drop (whichever Council deems as most practicable).

For non-emergency reactive pesticide use in outdoor public places next to sensitive places, Council may provide concurrent notice to the occupier by phone, fax, e-mail, door-knock or letterbox drop, (shortly before use).

If a pesticide must be used to deal with an emergency in an outdoor public place that is adjacent to a sensitive place, Council may organise a door-knock in that sensitive place, preferably at least 30 minutes before hand. This will allow people to be aware that a pesticide is about to be used.

Persons and organisations who are sensitive to pesticides either for health reasons or because of organic status, may indicate to Council in writing, their need and reason to be included on a chemical sensitivity register. Each claim must be substantiated by a doctor’s certificate outlining the specific chemicals they are sensitive to, or a copy of any organic and bio-dynamic certification issued by the Biological Farmers of Australia group.

### 5. WHAT INFORMATION WILL BE PROVIDED

In accordance with *clause 11L(2)(g) 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 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 APVMA<sup>1</sup> permit, the proposed date/s or date range of the pesticide use.

Signs may be of a standardised design that are easily recognised by the public and workers.

## **6. HOW THE COMMUNITY MAY BE INFORMED OF THIS PLAN**

Council may advise residents of the contents of this plan by:

- making a copy of the plan available for public viewing free of charge in Council's libraries and main office at Breese Parade Forster during office hours
- placing a copy of the plan on the Council website at <http://www.midcoast.nsw.gov.au>
- placing a notice in The Sydney Morning Herald, Great Lakes Advocate, Myall Coast News, Gloucester Advocate, Manning River Times or any other local media.
- placing a notice in the NSW Government Gazette
- including a leaflet in the annual rates notice advising residents of the plan and where they can view a copy of it.

## **7. FUTURE REVIEWS OF THE PLAN**

The notification plan may be reviewed every 5 years. The review may include:

- a report on progress of implementing the plan
- 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.

## **8. CONTACT DETAILS**

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

MidCoast Council  
Administration Building,  
Breese Parade, Forster, NSW

General Manager  
P.O. Box 450  
Forster, NSW 2428

Phone: (02) 6591 7222 (switchboard)  
Fax: (02) 6591 7200

Email: [council@midcoast.nsw.gov.au](mailto:council@midcoast.nsw.gov.au)  
Website: <http://www.midcoast.nsw.gov.au>

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<sup>1</sup> 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.

## **APPENDICES**

- **Appendix 1. Public notification of the use of 1080 pest animal baits**
- **Appendix 2. Public notification when aerial boom spraying weeds**
- **Appendix 3. Public notification when spraying weeds in drains**
- **Appendix 4. Public notification for owners, strata managers and property managers**
- **Appendix 5. Sample Pesticide warning sign**
- **Appendix 6. Sample Pesticide notification letter**



## **Appendix 1. Public notification of the use of 1080 pest animal baits**

The conditions of use of 1080 for the control of foxes, wild dogs, feral pigs or rabbits in NSW is specified in various Pesticide Control Orders (PCOs) issued under the NSW *Pesticides Act 1999*. Notification of 1080 use by MidCoast Council will comply with the requirements specified in the relevant PCO as well as any additional requirements of the *Pesticides Regulation 1995* not included in the PCO (see below).

The notification procedure outlined below, addresses the requirements in the Pesticide Control (1080 Bait Products) Order 2017 and the *Pesticides Regulation 1995*. It is extracted from Schedule 2 of the PCO for the "Use of ACTA 1080 Concentrate product or PAKS 1080 Concentrate product for control of foxes in rural and urban bushland areas". The numbers 5 through 7.4 are the numbers in this PCO.

### **5. PUBLIC NOTIFICATION**

A person authorised to use 1080 wild dog bait under clause 9 of this Order must notify certain persons of the use of 1080 wild dog baits in accordance with the following conditions:

5.1 A person must not lay any 1080 wild dog 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 wild dog baits. This notice must be given to the occupier, manager or authorised agent of every property which has a property boundary within one (1) kilometre of a baiting location ("notification").

5.2. The notification may be given by telephone, text message, email, or in person, or, where this is not possible, 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 notification may be made by advertisement in a local newspaper or on a government website where baiting is done under a NPWS RPMS program. Likewise for large group baiting programs (more than 25 participants) organised or approved by an Authorised Control Officer, notification may be via advertisement in a local newspaper or on a government website where baiting is done under a NPWS RPMS program.

5.3 The use of 1080 wild dog 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.

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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.

### **6. EMERGENCY BAITING (Ground application only)**

A person authorised to use or possess 1080 wild dog bait under clause 9 of this Order may undertake emergency baiting but only in accordance with the following conditions:

6.1 A person whose livestock are being attacked or can provide evidence that their livestock are under imminent threat of attack may lay 1080 wild dog baits (by way of ground baiting only) without the need to comply with condition 5.1 (3-day prior neighbour notification). A person who undertakes emergency baiting must, however,

notify each landholder whose property boundary lies within one (1) kilometre of a baiting location before laying any 1080 wild dog baits.

6.2 A person who undertakes emergency baiting must comply with all requirements in relation to the use of 1080 wild dog baits, except as provided for in condition 6.1.

## **7. 1080 POISONING NOTICES**

A person authorised to use 1080 wild dog bait under clause 9 of this Order must erect notices in accordance with the following conditions:

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

- (a) every entry to the baiting location; 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 wild dogs are being laid on this property; and
- (b) the dates on which 1080 wild dog 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 wild dog baits or in the case of a public authority a person or office that can be contacted for information about 1080 wild dog baits being used on the property; and
- (d) warning that domestic animals may be affected.

7.3 Under the Pesticides Regulation 2009 (clauses 19 to 23) public authorities have additional public notification obligations that must be complied with. There are also other notification requirements in the Regulation.

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

## **Appendix 2. Public notification when aerial boom spraying weeds**

(information extracted from "Best practice guidelines for aerial spraying of bitou bush in New South Wales")

### **i. Public notice**

A public notice must be placed in a local newspaper during the month preceding the proposed operation to notify the public of:

- the area proposed to be sprayed and the reserve/beach/road/track closures; that these areas will be patrolled and cleared of people prior to spraying; and possible traffic delays
- proposed dates and anticipated duration of the spraying operation
- the agency/council undertaking the operation
- the full product name of the herbicide to be used (as per the label/APVMA Permit)
- purpose of the application (i.e. to control Bitou bush)
- any warnings regarding re-entry to the place of application specified on the product label or the APVMA permit for use
- a hotline or contact number.

In addition, local radio announcements should be broadcast one week before and on the morning of the spraying operation.

### **ii. Signage**

Signs will be placed on all roads, trails and tracks which give access to the treated areas. The signs will be put up at least 24 hours before the spraying operation. Signs should contain the following information:

- prior to the spray operation, the words "Planned aerial spraying of Bitou bush in this area" [Closure of a reserve/beach/road/track - see (iii) below: the words "Warning – No Entry – Aerial spraying of Bitou bush in progress"]
- full product name of the herbicide as listed on the label/APVMA Permit
- purpose of the application (i.e. to control Bitou bush)
- who is undertaking the operation (i.e. the agency coordinating the spray program and not the contractor e.g. MidCoast Council)
- map of the proposed area to be treated
- the place name at which the herbicide is to be applied
- a statement that access to the area marked on the map will be closed to the public during the spray program [Closure of a reserve/beach/road/track - see (iii) below: signs should contain a statement that visitors are advised not to enter areas marked on the map during the times outlined on the sign].
- proposed date/s and times (starting time – finishing time); the exact date will depend on various factors and thus the sign must specify a range of proposed dates
- contact details for inquiries (name and telephone number)
- any warnings regarding re-entry to the place of application specified on the product label/APVMA Permit.

All warning signs should be removed from the treated area the day after the spraying program.

### **iii. Closure of public areas**

Protocols are needed to notify people who use the areas to be sprayed (i.e. reserves, beaches, roads and walking tracks). Signs notifying of reserve/beach/road/track

closure due to the impending spray operation must be put up on all access roads and at the proposed helipad site at least one week before the proposed aerial spraying operation. All warning signs should be removed from the treated area the day after the operation.

**iv. Notification prior to pesticide application within 150 m of a dwelling, school premises, factory premises or another public place**

PESTICIDES AND ALLIED CHEMICALS ACT 1978

Order Under Section 49A(1)

Order Number AIR-1

MidCoast Council must notify and obtain the written consent from the occupier or person in charge of any dwelling, school premises, factory premises or another public place (excluding roads, travelling stock reserves and State Rail land), prior to applying pesticides within 150 m of that dwelling, school premises, factory premises or another public place. Such notification will include all information specified in section 4 of this plan. MidCoast Council must keep a record of the notification provided and a copy of the written consent from the occupier.

### **Appendix 3. Public notification when spraying weeds in drains**

The conditions of use of herbicides for weed control in drains is specified in the Environment Protection Licence (EPL) 11346 maintained by MidCoast Council, issued under the *Protection of the environment operations act 1997*. Council will comply with the requirements specified in the relevant operating conditions as well as any additional requirements of the *Pesticides Regulation 1995* not included in the "Licence to Pollute" operating conditions. (see below).

The following information is extracted from Section 4 of Councils Environmental Protection Licence (EPL) 11346.

- 01.2 This licence authorises the use of products approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA) for use in or over water(s) for the control of aquatic weeds, provided that the product is used in strict accordance with the current APVMA approved label or minor use permit and that the approved label or minor use permit allows the use of the product in or over water(s).
- 01.3 The Licensee must take all reasonable steps to warn users of waters in the vicinity of the herbicide(s) application about any risks to human health or of harm to the environment which may arise from the application of herbicide(s) in the waters.
- 01.4 At minimum, the Licensee must at least 2 days prior to the application of the herbicide(s) in the waters, give written notification to any occupier of the waters or any occupier of land adjacent to the waters into which herbicide(s) are to be applied, of the Licensee's intention to apply herbicide(s) in the waters which include 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, and
  - e) the Licensee's name and contact phone number.
- 01.5 At minimum, the Licensee must at least 2 days prior to the application of the herbicide(s) in the waters, publish a notice in a newspaper circulating in the locality of the waters 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, and
  - e) the Licensee's name and contact phone number.

**Note:** It is for the licensee to determine what other reasonable steps it may need to take to warn other water users of any risks to human health or of harm to the environment which may result from the application of the herbicide(s) in the waters and to prevent such injury or harm from occurring.



#### **Appendix 4. Public notification for owners, strata managers and property managers.**

The conditions of use of pesticides applied by a licensed pest management technician is specified in the Environment Protection Authority (EPA) "*industry guidance fact sheet*" entitled "*Pesticides Notification for Owners, Strata Managers and Property Managers*".

Council will comply with those requirements specified, over and above the general arrangements outlined in this plan.

The following information is an extract from that "fact sheet".

#### **For what kinds of pest treatments do I need to provide notice to residents?**

Under the Pesticides Regulation 2009 (the Regulation), you need to provide residents with **at least 5 working days notice** when you organise a pest management technician to treat the common areas of multiple occupancy residential complexes. Common areas include pathways, gardens, lawns, foyers, hallways, share laundries, car parks, roof cavities and sub-floor areas.

**Multiple occupancy residential complexes** include units, flats, townhouses and villas with three or more residences. They include caravan parks with long-term residents.

These rules do not apply to dual occupancies, duplexes or to single residences.

No notice is required for minor domestic-style pesticide use that does not require a pest management technician.

#### **What kind of notice do I have to provide to residents?**

The person who is organising pesticide treatments to a property must ensure that at least 5 working days notice is given to each resident:

- in person, or by fax, phone, email or post or
- by placing a notice under each resident's door, or in each resident's letterbox or
- by posting a notice on the main notice board (if there is one) and at all exit and entry points to the common areas being treated.

The pesticide application cannot go ahead unless 5 working days notice has been given to residents.

You must also make sure that the notice announcing the pesticide treatment gives residents information about the pesticide treatment. The notice must include:

- the full product name of the pesticide to be used and
- the reason why the pesticide is being used (e.g. what pest is being treated) and
- the proposed date or dates of use, or expected duration if it is a baiting program and
- where the pesticide will be used and
- any re-entry requirements that are on the pesticide label or permit and
- the contact details of the pest management technician who will be applying the pesticide or the contact details of their office.

## Example notice of intended pesticide application

### Notice to residents of 'Bangalow', 54 Severn Hills Road, Severn Hills, NSW 2999

A pesticide application is planned to take place on

**28 October 2013/between 28 and 31 October 2013\***

(\*Include a specific date, or a range of dates to cover short-term postponements.)

**Full name of pesticide product:** Cislin WG Residual Insecticide

**This pesticide is being used to treat:** Ants

**The pesticide will be applied to:** Foyer, stairwells and hallways

**Re-entry periods:** The Cislin label directions require the treated area to be thoroughly ventilated and any treated carpets or flooring to be dry before resuming activity on them.

**The pesticide will be applied by:** Rob Jones, Responsible Pest Services, contactable on telephone (02) 8626 6556 or mobile 0444 222 111.

#### Information about this notice

Under the Pesticides Regulation 2009, residents in multiple occupancy residential complexes must be given at least 5 working days notice before pesticides are used to treat any common areas of the property. This notice has been posted on notice boards and placed in all letterboxes on 20 October 2013.

Date of notice: **20 October 2013**

Appendix 5. Sample Pesticide warning sign

450 mm

  
**MIDCOAST**  
council

**WARNING**

**PESTICIDES IN USE**

Pesticide type:

Trade name:

Date of application:

Target pest:

Special requirements:

**For further information contact:**  
MidCoast Council, Administration Building Breese Parade Forster, NSW  
P:(02) 6591 7222 F: (02) 6591 7200 E: [council@midcoast.nsw.gov.au](mailto:council@midcoast.nsw.gov.au)

600 mm



**Appendix 6. Sample Pesticide notification Letter**



**Forster office**  
4 Breese Parade | PO Box 450  
Forster NSW 2428

Wednesday, 28 March 2018

The Resident  
1463 Coolatai Way  
LANTANAVILLE NSW 2999

Ref: Organic status  
Enquiries: My Name

Dear Resident

**NOTIFICATION OF PESTICIDE APPLICATION**

Please be advised MidCoast Council will be undertaking pesticide controls in the vicinity of your property with regards to the following:

**Target Pest:** .....

**Proposed date(s):** .....

**Location:** .....

**Product Name:** .....

**Warnings/special requirements:** .....

.....

.....

.....

Should you require further information regarding this matter please contact Council's

Yours sincerely

**My Name**  
Position Title