

**POLICY NAME:** (REVIEW)  
**PESTICIDE USE**

**POLICY REF:** P04A

**MEETING ADOPTED:** 23 July 2015 | Resolution No 230715/22

**POLICY HISTORY:** 251110/25; 231106/038



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### **OBJECTIVES**

The objectives of the Ballina Shire Council Pesticide Use Policy are to:

- maintain public health and safety within Ballina Shire
- reduce weeds and their impact from public areas
- reduce pests and their impact from public buildings
- minimise environmental pollution
- inform the public of pesticide use
- minimise the cost and use of pesticides where possible.

### **POLICY**

This Policy covers all pesticide use by Council staff, contractors, ~~Far North Coast Weeds~~ **Rous County Council** and community members to ensure that such activity is safe to all persons and the environment and effective in pest control.

#### **1.1 Responsibility for Pesticide Applications**

It is the responsibility of Council to ensure that all pesticide applications are only undertaken by authorised and qualified persons.

#### **1.2 Pesticide Regulation**

Pesticide use must comply at all times with the Pesticide Regulation 2009 **2017** and other listed legislation. This is to include for the purposes of managing qualifications, safety, usage and recording.

Pesticide use must comply with Council's Pesticide Use Notification Plan at all times. This is for the purpose of notifying members of the community regarding pesticide use.

#### **1.3 Pesticide Procurement**

Pesticide use must comply with Council's Chemical Procurement Procedure at all times. This is to include for the purposes of managing the acquisition, storage, handling and disposal of pesticides.

#### **1.4 Personnel Safety and Protective Equipment**

Council shall supply the necessary facilities and equipment to allow the pesticide user to undertake their responsibilities with pesticides in a safe and healthy manner and to comply with the requirements of AS 2507 The Storage and Handling of Agricultural and Veterinary Chemicals **Pesticides**.

Where required, Council will undertake a health monitoring program of authorised pesticide users.

### 1.5 Roadside Pesticide Free Areas

Landholders may apply to maintain adjacent roadsides as pesticide free areas. The requirements are outlined in the Roadside Pesticide Free Area fact sheet.

#### BACKGROUND

Ballina Shire Council manages an extensive and diverse range of public places that includes but is not limited to public reserves, road reserves, footpaths, cycle paths, bushland reserves, gardens, public buildings, playgrounds and operational lands.

Council has a responsibility to manage these areas to provide for:

- a broad range of active and passive recreation opportunities for a diverse range of user groups, community members and visitors across the shire
- conservation of places of natural, cultural and heritage value
- public and visual amenity
- the delivery of council services and maintenance.

Across all these land uses, weed and pest control programs are a management priority for Council and pesticides are an essential component of many of these programs. Pesticide use is about balancing public safety against the benefits pest and weed control provide, to ensure the best outcome.

#### DEFINITIONS

<b>Authorised Person</b>	is a person authorised to undertake pesticide applications on behalf of Council, and is qualified as per the Pesticide Regulation 2009 <b>2017</b> in the safe use of chemicals, and can consist of Council staff, contractors, <del>Far North Coast Weeds</del> <b>Rous County Council</b> and volunteers.
<b>Pest</b>	an unwanted biological entity; including animal, plant and microbe
<b>Pesticide</b>	a chemical (or mixture of chemicals) intended to be used for the selective control of pests. Pesticide does include chemicals used for the control of pests in buildings, in air systems, and in water systems. Pesticide also includes insecticides, herbicides, fungicides, algaecides, rodenticides and molluscicides.
<b>Pesticide Application</b>	is the dispersal of a pesticide over a target area or volume.
<b>Pesticide Operation</b>	includes any or all of the processes of pesticide acquisition, storage, mixing, application (including supervision of an application undertaken by a private pest control firm), and disposal.

#### SCOPE OF POLICY

This policy applies to:

- Council or Crown employees

- Councillors
- Community volunteers
- Person conducting a business or undertaking (PCBU's), Contractors
- Lessees or licensees of Council or Crown premises
- ~~Far North Coast Weeds~~ **Rous County Council**.

### RELATED DOCUMENTATION

#### Legislation

- **Biosecurity Act 2015**
- Pesticides Act 1999
- Pesticides Regulation 2009 **2017**
- Work Health and Safety Act 2011
- Work Health and Safety Regulations **2011**

#### Australian Standards

- **AS 2476: General Fumigation Procedures**
- **AS 2507: The Storage and Handling of Agricultural and Veterinary Chemicals** **Pesticides**
- **AS 1940: The Storage and Handling of Flammable and Combustible Liquids**

#### Codes of Practice

- WorkCover NSW Code of Practice: Safe Use of Pesticides **Including Herbicides** in Non-Agricultural Workplaces
- WorkCover NSW Code of Practice: Managing Risks of Hazardous Chemicals in the Workplace
- WorkCover NSW Code of Practice: Labelling of Workplace Hazardous Chemicals
- **WorkCover NSW Code of Practice: Safe Use and Storage of Chemicals (Including Pesticides and Herbicides) in Agriculture**

#### Ballina Shire Council Procedures/ Policies

- Pesticide Use Notification Plan
- Chemical Procurement Procedure

### 1.6 Review of Policy

The Pesticide Use Policy will be reviewed every four years.

**POLICY NAME:** (REVIEW)  
PESTICIDE USE NOTIFICATION PLAN

**MEETING ADOPTED:** 230715 | Resolution No. 230715/22

**PLAN HISTORY:** 251110/25; 231106/038

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**INTRODUCTION**

This Pesticide Use Notification Plan (the plan) has been prepared in accordance with the requirements of the Pesticides Regulation 2009 **2017** (the Regulation). The plan sets out how Ballina Shire Council will notify members of the community of pesticide applications it makes or allows to be made to public places that it owns and controls.

The plan aims to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by Council. The plan allows members of the community to take action to avoid or minimise contact with pesticides, if they wish.

Council ensures that pesticides are applied to public places in a safe, responsible manner, minimising potential harm to the community and the environment. Pesticides are used in public places when necessary to eliminate weeds, to protect public property from pest damage, to protect the users of public places from nuisance or danger, and to meet the community expectations for aesthetically appealing parks and public facilities.

Council is committed to ensure that pesticide use is justified, minimised and the lowest toxicity of pesticides necessary to achieve the desired outcome. Council will continue to investigate alternatives to pesticide use where available.

The plan sets out how Council will notify members of the community of pesticide applications made by Council and its contractors in public places.

The plan describes:

- The public places that are covered by the plan.
- The types of users and visitors to these public places and their estimated level of use.
- How and when Council will provide the community with information about its pesticide applications in public places i.e. notification methods and channels.
- How the community can access this plan to obtain further information about Council's notification arrangements.
- How future reviews of the plan will be conducted, and
- Contact details for anyone wishing to discuss this plan with Council.

**1. PUBLIC PLACES COVERED BY THIS PLAN**

Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls within the Ballina Shire local government area:

- Public parks, reserves and other green open space areas
  - Bushland reserves
  - Playgrounds
  - BBQ and picnic areas
  - Sporting fields, ovals, courts and skate facilities
  - Street trees, planter boxes and streetscape planting
  - Civic spaces
  - Campgrounds
  - Road verges
  - Outdoor swimming pool surrounds
  - Footpaths, laneways and public roads
  - Drains
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- Public buildings
  - Public toilets and car parks
  - Grounds of public buildings and infrastructure.

### **2. PESTICIDE USE PROGRAMMING**

Pesticide use on Council controlled land includes programmed or reactive applications.

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. Frequency of programmed pesticides applications range from as required for sports fields, parks and gardens, public thoroughfares, drains, sewer pumps, bushland and coastal reserves to 1-2 times per year for roadsides.

Application of insecticides, fungicides, rodenticides, nematode alternatives, soil additives, growth inhibitors and algacides is also applied reactively to control pests on an as needs basis.

Baits are used to control outbreaks of vermin in public open spaces and to protect buildings and structures from damage by termites and soil pests.

### **3. NOTIFICATION ARRANGEMENTS**

This section of the plan describes how and when Council will provide notice of pesticide use in the categories of public places, including special measures for sensitive sites that are adjacent to public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

Pesticide use notification arrangements are based on Council's assessment of:

- Level of usage of public places where pesticides may be used
- The extent to which members of the public that are most likely to be sensitive to pesticides (eg. children) are likely to regularly use the areas
- The extent to which activities generally undertaken in these areas could lead to some direct contact with pesticides (e.g. picnic areas, active sports on fields etc)
- Types of pesticide used.

#### **3.1 Notification Methodology**

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

- Information on Council's website (describing programmed, reactive and emergency pesticide use) and the Pesticide Use Notification Plan
- Advertisements in the local newspaper or local radio station
- Signage erected at main entrances at location of application including on signage on vehicle at time of application (Noting that public signage is occasionally subject to removal and vandalism)

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- Phone contact line
  - Email notices of proposed pesticide use to registered sensitive places and sporting groups
  - Notification by email, telephone, letter or face to face contact via door knocking
  - Responding to all reasonable requests for information.

### **3.2 When Notification of Pesticide Use will not be provided**

No notification for pesticide use will apply for usage of small quantities of pesticides that are widely available in retail outlets and ordinarily used for domestic purposes and include:

- Minor spot spraying of herbicides or insecticides by use of hand held or back carried sprayer or by cut and paint or stem injection techniques
- Insect, rodent and mollusc baiting in garden beds, tree bases, planters, indoor carparks and public toilets.

### **3.3 Special Measures for Notification to Sensitive Places**

The Regulation defines sensitive places to include within 20m from the boundary of any of the following:

- School, pre-school, kindergarten or childcare centre
- Hospitals, community health centres or nursing homes
- Any place declared to be a sensitive place by the Environment Protection Authority.

A sensitive place register will be maintained and when pesticide use is to occur within a sensitive place the following will apply:

- A minimum 5 days prior pesticide use notification will be provided and/or
- Emailed notification in advance of Council's Pesticide Use calendar. Sensitive places must maintain current email contacts with Council for accurate pesticide use calendar notifications.

When requiring emergency pesticide use for biting or dangerous pests within a sensitive place immediate prior notification will occur.

### **3.4 Requesting a Roadside Pesticide Free Area**

Some land holders, such as primary producers with organic certification, may request that Council does not use pesticides on council road reserves around their property. Such a request may be approved by Council as outlined in the Roadside Pesticide Free Areas fact sheet available on Councils website.



## 10.8 Policy (Review) - Pesticide Use and Pesticide Notification Plan.DOC

Ballina Shire Council

(Review) Pesticide Use Notification Plan

### 3.5 Public Place Assessment, Pesticide and Notification Type Table

Public Places	Regular User Groups	Level of Use	Type of Pesticide Used	Pesticide Use Notification
<b>Parks and reserves, bushland reserves and other green open spaces areas</b>	Residents & visitors Sporting Groups Passive recreational users Children and adults Schools Corporate and private Bookings and events hire Companion animals	High	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaecides Rodenticides Baits including molluscicides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>Playgrounds</b>	Children & adults Childcare & community groups Schools	High	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaecides Rodenticides	Small quantity non-notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>BBQ and Picnic Areas</b>	Residents & visitors Sporting Groups Passive recreational users Children and adults Schools Corporate and private Bookings and events hire	High	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaecides Rodenticides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>Sporting fields, ovals, courts and skate facilities,</b>	Sporting groups Children & adults Active recreational users Schools	High	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaecides Rodenticides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply. Sports groups will be electronically notified.
<b>Street trees, planter boxes &amp; streetscape plantings</b>	Residents and Visitors passing by Walkers, cyclists, drivers	Low	Insecticides – contact Fungicides - contact	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.

10.8 **Policy (Review) - Pesticide Use and Pesticide Notification Plan.DOC**

Ballina Shire Council

Pesticide Use Notification Plan

Public Places	Regular User Groups	Level of Use	Type of Pesticide Used	Pesticide Use Notification
<b>Civic spaces</b>	Residents and visitors Corporate & private bookings Companion animals	High	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaeicides Rodenticides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>Campgrounds</b>	Residents and Visitors Children and adults	High	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaeicides Rodenticides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>Footpaths and cycle paths</b>	Residents and Visitors Walkers, cyclists and drivers	High	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaeicides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>Road reserves and drains</b>	Residents and Visitors Drivers	Medium	Insecticides - contact & systemic Herbicides – selective and non-selective/systemic & contact Fungicides/algaeicides Rodenticides	Small quantity non -notifications apply. Vehicle mounted signage will be used for major applications. Special measures for sensitive places apply.
<b>Outdoor swimming pool surrounds</b>	Visitors and members of pool	Medium	Herbicides – selective & non-selective Insecticides Rodenticides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>Public buildings, toilets, car parks</b>	Families and children Residents and visitors	Medium	Herbicides – selective & non-selective Insecticides Rodenticides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.
<b>Grounds of public buildings and infrastructure</b>	Families and children Residents and visitors Council staff	High	Herbicides – selective & non-selective Insecticides Rodenticides	Small quantity non -notifications apply. Signage will be used at major entrances and until re-entry period has elapsed for major applications. Special measures for sensitive places apply.

### **3.6 External Providers of Services to Council**

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 by the leaseholder in accordance with the requirements of this plan.

### **3.7 Sites owned and/or shared by multiple government agencies**

In public places where multiple agencies have responsibility for land management on their land, and where there is no physically defined boundary, where the council is undertaking the pesticide application it will follow this plan.

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

In accordance with the Regulation, notification of pesticide use will at least include the following six (6) areas of 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.
- The period (if any) during which the affected area should not be entered (but only if the approved label for the pesticide or the permit for use of the pesticide requires that such a period be observed).
- The contact telephone number or email address for the Council officer whom people can contact to discuss the notice.

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

Ballina Shire 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 Customer Service Centre, 40 Cherry Street, Ballina.
- Placing a copy of the plan on Council's website: [www.ballina.nsw.gov.au](http://www.ballina.nsw.gov.au).
- Placing a notice in the local press.
- Placing a notice in the NSW Government Gazette.

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

The notification plan will be reviewed every 4 years or when circumstances require a review of the plan.