

ASSET MANAGEMENT DIRECTORATE



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# PESTICIDE USE NOTIFICATION PLAN



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## 1. Introduction

This Pesticide Use Notification Plan has been prepared in accordance with the requirements of Part 4B of the *Pesticides Regulation 2009* (the Regulation). The plan sets out how the Department of Education will notify members of the community of pesticide applications to outdoor public places owned or controlled by the Department.

The Department's general policy is that the use of chemical treatments (e.g. *pesticides, herbicides, rodenticides*) for the control of pests on school grounds should only be undertaken as a last resort after considering all alternative methods using integrated pest management principles (IPM). Information on the Department's IPM and the pesticides that may be used is available in the draft publication *Pesticide Use in DoE School Buildings and Grounds*.

## 2. Public places covered by this plan

The Regulation defines prescribed outdoor public places that must be covered by the notification plan, and excludes the insides of any buildings or structures. The prescribed public places owned or controlled by the Department that this plan applies to are:

- The grounds of Government schools, [clause 18], and
- Public land owned or controlled by the Department to which the public is entitled to have access, [clause 18].

A number of place categories are identified in the following table, but it should be noted that parts of school grounds may still be unsuitable for public access. The Department's estimate of the regular user groups and level of use in each of these categories is summarised in the following table.

Category	Regular user groups	Level of access to DoE site by user groups
Playgrounds	Students and teachers Parents Support staff General public	High Medium Medium Nil to medium (see note 1)
Car parks, driveways and bus bays	Students and teachers Parents Support staff	Medium Medium Medium
Ovals and other outdoor sports facilities	Students and teachers Parents Ground staff General public Non-school sporting groups	Medium Low to medium High Nil to medium (see note 2) Nil to medium (see note 2)
Field studies centres	Students and teachers Support staff General Public	Medium Medium Nil to Low
Agricultural plots	Students and teachers Support staff General public	Low to medium Low Nil
Shared public paths, access ways and commons	Students and teachers Support staff General public	Medium Medium Medium
Other public land – accessible exterior of Departmental offices and depots	Non teaching staff & contractors Visiting teachers Other visitors	Medium Low to medium Low

### Notes:

1. The level and frequency of public use of some school sites varies. The majority of schools are only open to public access for specific events, such as fetes. Some sites have more frequent public access such as weekend markets or use by community groups.
2. The level and frequency of public use of Departmental sporting facilities varies, with some being enclosed and others being open to public access and/or use by non-school sports.

## 3. Notification arrangements

This section describes the pesticide uses for which notice will be provided; how and when notice will be provided; arrangements for emergency pesticide applications and parts of school grounds where notice will not be given.

These notification arrangements have been developed with consideration to:

- The Department's IPM approach seeks to minimise use of pesticides and requires that all significant pesticide applications occur when facilities are not occupied by school staff and students (eg late on Fridays or preferably during school vacations);
- The potential areas offered for public access;
- The amount of pesticide being used; and
- Ensuring notification is well targeted.

### 3.1 How and when notice of pesticide use will be provided

The *Pesticides Regulation 2009*, provides an exemption Clause 10(2) (c) and 13 (2)(c) (for training and record keeping respectively) for quantities for outdoor use of 20 litres or 20 kilograms of ready to use product or 5 litres or 5 kilograms of concentrated product. The Department has set notification limits at 50% of these quantities i.e. if the quantity exceeds 10 litres or 10 kilograms of "ready-to-use" product or 2.5 litres or 2.5 kilograms of concentrated product notification is required.

Part 3, clause 10, of the NSW Pesticides Regulation 2009 requires that pesticides only be used by qualified persons. Part 4, clause 13 of the regulation requires that records be kept of pesticide use. However, there are exceptions to these requirements as spelt out in subclause 2 of both these clauses, of which clause 10(2)(c) and 13(2)(c) are most potential relevance to the DoE pesticide use notification plan. These provisions are referred to as the "small use" exemptions and are also described here:

<http://www.epa.nsw.gov.au/pesticides/training.htm#smallquantities>

<http://www.epa.nsw.gov.au/pesticides/pestrecords.htm>

The pesticide "products" referred to are limited to domestically available pesticides normally used in residential or home garden situations. Notice will not be given for pesticide uses requiring quantities less than these amounts.

For the following categories of public places, notice will be given of all pesticide uses where the amount being applied for a particular job **equals or exceeds half the outdoor quantities requiring application by a qualified person.**

The notification process will be undertaken by the Department site facility manager. In the case of a school this is the principal.

### School grounds – including playgrounds, carparks, driveways, bus bays

For school grounds including playgrounds, carparks, driveways and bus bays, notice will be provided to each of the following user groups at least 24 hours prior to application by one of the indicated methods:

- Parents – information in the school newsletter OR in a note sent home with students;
- Teachers and support staff – posting a note on sign-on books, by note in pigeon-holes, by announcement at assembly OR announcement at a staff meeting;
- School P&C – if requested by the P&C (where there is one) in person, by phone, fax, email OR in writing, according to local agreement; and
- Community groups who use school facilities – if the pesticide use is to occur within 24 hours prior to times these groups are known to use affected school facilities, notice will be provided in person, by phone, fax, email OR in writing, according to local agreement.

### Ovals and other outdoor sports facilities

For school ovals and other outdoor sports facilities, notice will be provided to the following user groups at least 24 hours prior to application by one of the indicated methods:

- Parents – information in the school newsletter OR in a note sent home with students;
- Teachers and support staff – posting a note on sign-on books, by note in pigeon-holes, by announcement at assembly OR announcement at a staff meeting;
- School P&C – if requested by the P&C (where there is one) in person, by phone, fax, email OR in writing, according to local agreement; and
- Sporting and community group users – if the pesticide use is to occur within 24 hours prior to times these groups are known to use affected sports facilities, notice will be provided in person, by phone, fax, email OR in writing, according to local agreement.

### **Field studies centres**

For field studies centres, notice of pesticide use will be provided to any school groups visiting the centre in the 24 hour period following a proposed application. Staff responsible for organising the pesticide application will ensure that notice will be provided by phone, fax, email or in writing at least 24 hours prior to the visit occurring.

### **Shared public paths, access ways and commons**

Where pesticides are applied to public paths, access ways and commons shared with school grounds, notice will be provided according to the arrangements already outlined for school grounds. Where other public authorities apply pesticides to these areas, notice will be provided in accordance with their pesticides notification plan.

### **Measures for sensitive places**

Clause 18 of the *Pesticides Regulation* 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 (now a part of the Department of Environment and Conservation) – none have been declared.

School grounds are already covered by this definition. Where after-school care or other childcare facilities are co-located with schools, the operators of these facilities will be provided with notice at least 24 hours prior to the application in person, by phone, fax, email OR in writing, according to local agreement.

### **Notification of emergency pesticide applications**

In cases where emergency pesticide applications 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), or with plague animals, advance notice will not be provided. Where emergency applications require amounts of pesticide use that would otherwise require notice under this plan, notice will be provided to user groups at the earliest practicable opportunity by the normally required method.

### **Pesticide contractors and lessees of public places**

The Department typically uses contractors to apply pesticides under the Whole of Government Facilities Management Contract. Delivery of notice of pesticide use by appointed contractors may be made by local arrangement, noting that the Regulation dictates that the Department has a legal responsibility to notify in accordance with this plan.

Where persons or organisations hold an existing lease on Departmental land that remains open to public access, the lessee is responsible for notifying in accordance with this plan.

### **3.2 Places for which no notice will be provided**

Notice will not be provided for places that have restricted access and which effectively do not function as public places. These include but are not limited to the following parts of the grounds of schools:

- Agricultural and horticultural plots, including farm areas in agricultural high schools;
- Areas that are fenced off to prevent unauthorised access, particularly those with site security fencing.

Notice will not be provided for pesticide applications to the exterior areas of Departmental offices and depots.



## 4. What information will be provided

In accordance with clause 20(1) (h) of the Pesticides Regulation, notice of pesticides uses will include 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 places 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; 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.

## 5. How the community will be informed of this plan

The Department will advise the community of this plan and its contents by:

- Having a copy of the Notification Plan available free of charge, at its Asset Management Directorate office at Level 4, 35 Bridge Street, Sydney 2000;
- Placing the Notification Plan on the Department's Internet site.

## 6. Future reviews of the plan

The notification plan will be reviewed every five years or when there are major legislative changes that require a review of the plan. When there are small changes, such as updating of references to updated legislation, then the Notification Plan will be amended and made available without undertaking a review and consequent actions.

When needed the review will include:

- A report on the implementation of the plan;
- Public consultation on the notification methods outlined in the plan, including producing a review report, calling for public submissions and, if required, exhibiting a new plan for comment with proposed amendments; and
- Recommendation for alterations (if applicable) to the plan.

## 7. Contact details

Anyone wishing to contact the Department to discuss the Notification Plan should contact:

Director Property & Facilities Management  
Asset Management Directorate  
Department of Education  
PO Box 33  
SYDNEY NSW 2001  
Tel: (02) 9561 8546  
Fax: (02) 9561 8077  
[www.det.nsw.edu.au](http://www.det.nsw.edu.au)

<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.

