



**Department of Planning, Industry
and Environment**
Crown Lands

PESTICIDE USE NOTIFICATION PLAN



Published by:

Department of Planning, Industry & Environment – Crown Lands
PO Box 2185
DANGAR NSW 2309

Phone: 1300 886 235

Email: enquiries@crowmland.nsw.gov.au
Website: www.industry.nsw.gov.au/lands

LANDS Ref: DOC19/289323

July 2021

PESTICIDE USE NOTIFICATION PLAN

1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of the *Pesticides Regulation 2017* (Part 5 – Notification of proposed use of Pesticide) and will be referred to as ‘the Regulation’.

The aim of this plan is to meet the community’s right to know about pesticide applications made to outdoor public places that are controlled or owned by the Ministers administering the *Crown Land Management Act 2016*. This plan covers the activities of the Department of Planning, Industry and Environment (DPIE) – Crown Lands. Crown Lands within DPIE assists the Deputy Secretary and the Ministers in carrying out their functions with respect to lands managed under the *Crown Land Management Act 2016*, such as Crown reserves. Throughout this plan, references to “Lands” should be taken to mean DPIE – Crown Lands carrying out functions on behalf of the Deputy Secretary and the Ministers.

The plan helps members of the community take action to avoid pesticide applications, if they wish. It sets out how Lands will notify members of the community of pesticide applications it makes or allows to be made to public places that it owns or controls. 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 Lands 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 Lands’ notification arrangements
- Contact details for anyone requiring further information about the plan.

Crown land comprises approximately half of all land in New South Wales. Some of this land is allocated to public uses such as national parks, state forests, schools, hospitals, sporting, camping and recreation areas, as well as lands which are managed and protected for their environmental importance. Crown land which is not allocated to public use can be used in a number of ways, including leasing for commercial or agricultural purposes, through to land development and sale.

Lands is responsible for the sustainable and commercial management of Crown land, being the primary administrator for Crown land tenures and unallocated Crown lands, administering an area of approximately 33.5 million hectares (including the 3 nautical mile zone and Western Crown land). It is responsible for the professional management of approximately 54,000 licences and leases including 35,000 Crown reserves.

The Crown reserve system is NSW’s oldest and most diverse system of natural, cultural and open space, providing many of the state’s town squares and local parks, state heritage sites, buildings, community halls, nature reserves, coastal lands, waterway corridors, sports grounds, racetracks, showgrounds, caravan parks, camping areas, travelling stock routes, rest areas, walking tracks, commons, community and government infrastructure and facilities.

Through a network of regional offices, Lands ensures that Crown reserves are responsibly managed and that natural resources such as water, flora and fauna and

scenic beauty are conserved, while still encouraging public use and enjoyment of the land. Crown reserves are generally managed by either Crown Land Managers, Lands, local councils or State government departments. Members of the public volunteer to be involved in approximately 600 community boards managing Crown land.

Lands uses pesticides when necessary to control weeds and pest animals, to protect public property from pest damage and to protect the uses of public places from nuisance or danger. Lands pest management programs aim to apply best practice, humane and cost effective methods that will have minimal impacts on the environment. Wherever possible, an integrated approach is adopted which uses a range of techniques.

The majority of pesticide use by Lands consists of applying herbicides (primarily glyphosate based) for weed control. Herbicides applied in various ways, are an essential component of most weed control programs undertaken by Lands eg. bush regeneration application techniques such as cutting-and-painting or stem injection of woody weeds, foliar spot-spraying and occasionally aerial spraying.

Biological control is used where effective agents are available, but in most cases biocontrol must be supplemented with conventional control techniques including the use of pesticides. For example, the main method for the control of foxes and wild dogs throughout Australia is poisoning with the pesticide 1080. Baiting is cited consistently in scientific and management literature as the most cost-effective method for the control of foxes and wild dogs, while 1080 is cited as the most target-specific toxin available.

Minor uses also include the application of insecticides to control certain insect pests, termiticides to protect buildings, rodenticides to control rats or mice and bird baits to control birds.

2. PUBLIC PLACES COVERED BY THIS PLAN

Lands proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls in New South Wales to which the public is entitled to have access:

- town squares
- local parks
- State heritage sites
- State parks
- buildings and community halls
- nature reserves
- travelling stock reserves
- coastal lands
- waterway corridors
- sport grounds
- racetracks
- showgrounds
- caravan parks
- camping areas
- rest areas
- walking tracks
- community and government infrastructure and facilities

Lands will provide notification of pesticide use for public places that are under its direct day-to-day management. Notification of pesticide use for those public places managed by others e.g. Non-Council Crown Land Managers, Council Crown Land Managers, and other Government Departments on behalf of Lands will be provided by those organisations. Where Councils and Government Departments are considered to control public places that are Crown Land for the purposes of the Regulation, notification will be provided in accordance with those authorities' notification plans.

Although not required by the Regulation, this notification plan will also provide information on how notice will be provided to the community of pesticide use in the interiors of Lands buildings or throughout such listed facilities being: offices, workshops, amenities and/or any other infrastructure owned/maintained by Lands.

Lands' estimate of the level of community use, regular user groups and types of pesticide use in each of these categories of public places is summarised in the following table.

High Use Public Places

- Local parks & town squares
 - Regular user groups include: community members; utilities staff; recreational users; social groups and maintenance workers.
 - Types of pesticide used include: spot and broad-scale selective and non-selective herbicides; spot and broad-scale insecticides; pest animal control products; biological controls; fungicides; spray and bait ant control; bait bird control.
- State heritage sites & State Parks; nature reserves; walking tracks
 - Regular user groups include: community members; utilities staff; recreational users; social groups; maintenance workers; horse riders; bushwalkers; birdwatchers and school groups.
 - Types of pesticide used include: large vertebrate baiting; spot and broad-scale selective and non-selective herbicides; spot and broad-scale insecticides; pest animal control products; biological controls; fungicides; spray ant control; bait bird control; spray and bait termiticides.
- Community halls & buildings; community and government infrastructure and facilities; interiors of public places
 - Regular user groups include: community members; utilities staff eg. Telstra; recreational users; social groups; permitted users – licence; sporting clubs; school groups; committees and clubs; maintenance workers and employees.
 - Types of pesticide used include: spot herbicides and insecticides; pest animal control products; biological control; fungicides; spray and bait ant control, bait bird control; spray and bait rodenticides.
- Coastal lands

- Regular user groups include: walkers; fishers; four wheel drivers; swimmers; maintenance workers; joggers and unauthorised camp sites.
- Types of pesticide used include: mainly glyphosate based applied on-ground, aerially or cut and paint.
- Waterway corridors
 - Regular user groups include: recreational users; fishers; bushwalkers; community members; horse riders; landholders; graziers; boat clubs and individuals.
 - Types of pesticide used include: spot and broad-scale selective and non-selective herbicides; spot and broad-scale insecticides; pest animal control products; biological controls; fungicides; spray and bait ant control; bait bird control; large vertebrate baiting.
- Sporting grounds, showgrounds and racetracks
 - Regular user groups include: community members; sports clubs; turf clubs; horse trainers; horse owners – stables; horse organisations and clubs; side show operators; permitted users – licence; school groups; utilities eg. Telstra; maintenance workers.
 - Types of herbicide used include: large vertebrate baiting; spot and broad-scale selective and non-selective herbicides; spot and broad-scale insecticides; pest animal control products; biological controls; fungicides; spray ant control; bait bird control; spray and bait termiticides; rodenticides.

Low to High (depending on season or holiday periods) Use Public Places

- Caravan parks & camping areas
 - Regular user groups include: caravan owners; tourists; campers; community members; recreational users; maintenance workers; permitted users – licence; school groups; clubs eg. fishers and bikers.
 - Types of herbicide used include: large vertebrate baiting; spot and broad-scale selective and non-selective herbicides; spot and broad-scale insecticides; pest animal control products; biological controls; fungicides; spray and bait ant control; bait bird control; spray and bait termiticides; bait and spray rodenticides.

Medium Use Public Places

- Rest areas and Travelling Stock Reserves
 - Regular user groups include: community members; recreational users; vehicle drivers; landholders – grazing.
 - Types of herbicide used include: large vertebrate baiting; spot and broad-scale selective and non-selective herbicides; spot and broad-scale insecticides; pest animal control products; biological controls; fungicides; spray and bait ant control; bait bird control.

3. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Lands (either through its staff, contractors or managers) will provide notice of pesticide use in public places, including special measures for sensitive places that are adjacent to public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

These notification requirements are based on Lands' risk assessment that:

- Some areas have high visitor use (eg. picnic areas and campgrounds in areas visited frequently, popular reserves close to urban areas); other areas are rarely visited by the public (eg. nature reserves in remote areas)
- Some visitors may be more sensitive to pesticides than others
- Some visitors may be more likely than others to encounter pesticides, eg. campers vs. passing motorists
- For some application techniques, the public is unlikely to encounter pesticides, eg. bush regeneration programs using the cut-and-paint or stem injection techniques
- The toxicity of pesticides varies

a. How and when notice of pesticide use will be provided

Notice of pesticide use will be provided in one or more of the following ways:

- The placement of signs
- Postage of letters and letterbox drops
- Through the media
- By telephone, fax, email or personal contact
- Web notifications
- Social media

Due to the large number of sites managed and administered by Lands, the range of potential pest species and the range of pesticides available for their control, it is not possible for all detailed uses of pesticides to be specified in this plan. Thus, it is important that visitors who wish to avoid places where pesticides have been used recently, contact the site manager and ask for details.

In large or unfenced areas where control operations are to be undertaken, signs will be strategically placed in the area of application (treated area) as described in this plan. At smaller or fenced (enclosed) areas a sign will be placed at major entrances to the area. Where the pesticide label does not stipulate a withholding/re-entry period restriction, the pesticide application notification sign may be restricted to the operating vehicle only during the application of the pesticide. Additional pesticide information (if requested) will be available from either the local Lands office or site manager, with the relevant contact number being provided on the sign for the office responsible for the pesticide application.

Where signs are used, they will be erected immediately prior to pesticide use and will remain in place until the operation is completed (unless the pesticide label or permit requires a longer period of signage). Where foliar spraying occurs signs will remain at least until the pesticide has dried. Where required, any designated withholding period (WHP) on the pesticide label will be followed. In certain circumstances (low risk areas or where very small quantities of pesticide treatment occurs) notification may not be given and these are described in 3e.

For vertebrate pesticides, notification will be as specified in the relevant Pesticide Control Order, unless the Order does not specify all of the information required by the Regulation.

For smaller, target specific spot-spraying programs in areas frequently used, signs will be placed at the major entrances to the area to be treated. Additional pesticide information (if requested) will be available from either the local Lands office or site manager, with the relevant contact number being provided on the sign for the office responsible for the pesticide application. Signs will be erected immediately prior to pesticide use and will remain in place at least until the pesticide has dried (unless the pesticide label or permit requires a longer period of signage).

For spot-spraying areas that are used infrequently, signs will be restricted to the operating vehicle only. Additional pesticide information (if requested) will be available from either the local Lands office or site manager, with the relevant contact number being provided on the sign for the office responsible for the pesticide application. In certain circumstances notification will not be given and these are described in 3e.

When using insecticides, rodenticides, fungicides, termiticides or bird-baits around Lands owned or managed infrastructure such as office buildings, workshops and storage sheds, signs will be placed at the major entrances to the area being treated. Additional pesticide information (if requested) will be available from either the local Lands office or site manager, with the relevant contact number being provided on the sign for the office responsible for the pesticide application. Signs will be erected immediately prior to pesticide use and will remain in place at least until the pesticide has dried (unless the pesticide label or permit requires a longer period of signage). Where foliar spraying occurs signs will remain at least until the pesticide has dried.

Situations where no notification will be given are described in 3e.

b. Special measures for sensitive places

Clause 39 of the Regulation defines a sensitive place to be any:

- school
- pre-school
- kindergarten
- childcare centre
- hospital
- community health centre
- nursing home
- declared to be a sensitive place by the Environment Protection Authority by order published in the Gazette.

For pesticide use within 150m of sensitive places listed in cl.39, Lands will provide prior or concurrent notice to that sensitive place by phone, door-knocking or letterbox drop, based on prior arrangement with the sensitive place or when no prior arrangement exists depending on which is most practicable.

c. Notification of emergency pesticide applications

In cases where emergency pesticide applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, bird mites or rodents (that pose an immediate health hazard), signs will be placed “on-site” (with the exception of those situations described in 3e). Additional

information will also be available at the local Lands office or site manager or via the contact number on the sign. Signs will be erected immediately prior to pesticide use and will remain in place until the operation is completed (where the pesticide label, permit or Pest Control Order requires a longer period of signage, this will be followed).

Where broad-scale spraying is required at short notice (eg. locust control) and public notification is not possible, special precautions will be taken to prevent the public encountering pesticides, eg. closure of camping grounds or walking tracks.

d. Pesticide contractors and lessees of public places

To assist in its compliance with this plan, where Lands uses contractors to apply pesticides on its behalf it will require a written commitment that they will use signs, letters, letterbox drops, etc. according to the notification requirements of this plan. Lands will require contractors, as a condition of their contract, to comply with this plan.

To assist in its compliance with this plan, where persons or organisations hold an existing lease or other tenure on Crown land that remains a public place, Lands will encourage a written commitment that they will use signs, letters, letterbox drops, etc. according to the notification requirements of this plan. Upon tenure renewal, Lands will require tenure holders and managers, as a condition of their contract, to comply with this plan.

e. Public places where no notice will be provided by the Department

Lands will not provide notification in any of the following public places:

- Public places managed by a Crown Land Manager, another Government agency or local council. For these places, Lands will not provide notification of pesticide use, but will encourage those organisations to carry out notification of pesticide use in a manner consistent with this plan, unless the public authority is considered to control a public place that is Crown land for the purposes of Part 5 of the Regulation, in which case notification will be in accordance with that authority's pesticide notification plan.
- Public places over which persons or organisations hold an existing lease or licence on Crown land. For these places, Lands will not provide notification of pesticide use, but will request the lessee to carry out notification of the lessee's pesticide use in a manner consistent with this plan. Where possible, Lands will require lessees, as a condition 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 pesticides being encountered by the public, eg. areas of no vehicular access and low public visitation.

In addition, Lands will not provide notification for the following pesticide use in any of the public places it controls or owns:

- Pesticides used in small quantities and readily available at retail outlets to the general public for the control of pests for which they are registered:
 - Example 1: small quantities (less than 20 litres of "ready-to-use" spray mix) of glyphosate and metsulfuron herbicides applied by a hand-held applicator, or by cut-and-paint or stem injection techniques.
 - Example 2: minor control of indoor and outdoor pests using baits or hand-held aerosols.

4. WHAT INFORMATION WILL BE PROVIDED

In accordance with clause 41(1)(h) of the Regulation, notice of pesticide use will include at least the following information and will be available from site signs/notices or by contacting the phone number listed on such signs/notices and from the local Lands office or site manager:

- 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,
- any warnings about limitations on the subsequent use of or entry onto the land if such warnings are specified on the approved label for the pesticide or in the permit for use of the pesticide,
- a contact telephone number or email address of the Lands officer or manager whom the affected people can contact to discuss the notice.

In all cases, the spray-operator will be able to provide this information.

5. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Lands will advise the general public of this plan and its contents by:

- placing a copy of the plan on its website www.industry.nsw.gov.au/lands
- placing a notice in *The Sydney Morning Herald* and *The Australian* newspapers
- placing a notice in the *NSW Government Gazette*

6. FUTURE REVIEWS OF THE PLAN

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

- a report on progress of implementing the plan;
- public consultation on the notification methods outlined in the plan; and
- recommendation for alterations (if applicable) to the plan.

7. CONTACT DETAILS

Anyone wishing to contact the DPIE – Crown Lands to discuss the notification plan should contact:

*C/o - Manager, Natural Resource Services
PO Box 2185
DANGAR NSW 2309*

Ph: 1300 886 235

Email: cl.enquiries@crowland.nsw.gov.au

or access the website www.industry.nsw.gov.au/lands