

Property NSW – Pesticide Notification Plan

1. Introduction

1.1 Background to Property NSW

Property NSW is focused on excellence in property and places. We deliver continuous improvement and innovation. Our approach is to collaborate with stakeholders to deliver government objectives for the community. We manage the State's significant property portfolio and its places, which results in better visitor experiences and services for the people of NSW.

1.2 Purpose of this Plan

This Pesticide Use Notification Plan (the Plan) has been prepared in accordance with the requirements of the Pesticides Regulation 2009 (the Regulation).

The Plan sets out how members of the community will be notified of pesticide applications within the Property NSW portfolio.

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 Property NSW will provide the community with information about its pesticide application in public places
- how the community can access this Plan and get more information about Property NSW's notification arrangements
- how future reviews of the Plan will be conducted
- contact details for anyone wanting more information on the Plan.

It should be noted that “pesticides” is a broad overarching term under environmental legislation that includes bactericides, baits, fungicides, herbicides, insecticides, lures, rodenticides and repellents.

2. Public places covered by this plan

The Regulation defines “prescribed public places” that must be covered by the Plan, and excludes the insides of any buildings or structures from any mandatory notification requirements.

Pesticide use within buildings has been excluded from this Plan’s scope. A risk-based approach to stakeholder notification for indoor pesticide use will be managed outside of this Plan.

Property NSW applies pesticides in the following categories of outdoor public places and will provide notification of pesticide use as listed below:

Property Type	Regular User Groups	Level of access or use	Notification Type (Note *)
Operational sites that are frequently visited by the general public <i>The public may access the buildings, surrounding carparks, pathways, lawn or landscaped areas at these sites.</i> <i>Includes high-visitation areas where Property NSW manages head lease.</i>	General public	High	Signage only
	Client agency staff	High	Signage only
	Contractors and service providers	Low	Signage only
Operational sites with minimal public access or visitation <i>The public generally has <u>limited or no access</u> to the buildings, surrounding carparks, pathways, lawn or landscaped areas at these sites.</i> <i>Includes low-no visitation areas where Property NSW manages head lease.</i>	Client agency staff	High	Signage only
	Contractors and service providers	Low	Signage only
Ovals and other sports facilities	General public	High	Signage only
	Sporting groups that have formal arrangements with Property NSW to use areas of the site where pesticides will be applied	High	Signage + 5 working days’ notice to each group
	Ground staff	High	Signage + 5 working days’ notice to staff
	Contractors and other service providers	Low	Signage only
Public facilities such as: <ul style="list-style-type: none"> • Picnic/BBQ areas • Toilets 	General public	High	Signage only
	Contractors and other service providers	Low	Signage only

Property Type	Regular User Groups	Level of access or use	Notification Type (Note *)
<ul style="list-style-type: none"> • Playgrounds • Wharves • Boardwalks • Parks • Land affected by Easements 			
Multi-use heritage and cultural sites and precincts accessible to the public	General public	High	Signage only
	Students and teachers based on-site	High	Signage + 5 working days' notice to school administration
	Support staff	Medium	Signage only
	Contractors and service providers	Medium	Signage only
	Community groups that have formal arrangements with Property NSW to use areas of the site where pesticides will be applied	High	Signage + 5 working days' notice to each community group
Residential Housing	Residents	High	Signage + 5 working days' notice
	Visitors	Medium	Signage only
	Contractors and service providers	Low	Signage only

Note * - minor use exemptions apply, as outlined below.

3. Notification arrangements

This section of the Plan describes how and when Property NSW will provide notice of its pesticide use. These notification arrangements have been developed with consideration to:

- the level of use of public places where pesticides may be used
- the extent to which activities generally undertaken in these areas could lead to some direct contact with pesticides
- the extent to which members of the public who are most likely to be sensitive to pesticides (for example young children, sick, pregnant and elderly people) are likely to use these areas
- ensuring notification is well targeted.

3.1 Situations where no notification will be provided

Notification will not be provided for outdoor places that have restricted access and which effectively do not function as public places. These include:

- areas that are fenced off to prevent unauthorised access or are otherwise not accessible by the public
- sites that are generally not accessed by the public (includes any surrounding carparks, pathways, lawn and landscaping that the public generally does not access)
- where another public authority is to notify the application of pesticides
- any pesticide applications that are not undertaken by or on behalf of Property NSW.

Notification will not be provided for minor pesticide uses, which are defined as follows:

- the pesticide is ordinarily used for domestic purposes; and
- is widely available for sale to the general public; and
- is being applied outdoors by hand (for example, by backpack sprayer); and
- involves no more than 20 litres or kilograms of “ready to use” product, or 5 litres/kilograms of concentrated product.

This minor pesticide use definition is consistent with small-scale record keeping and training exemptions under the Pesticides Regulation 2009.

Notification will not be provided for pesticide applications within buildings or structures, such as chemical treatment of cooling towers or periodic pesticide treatments within buildings.

The above exemptions do not apply to pesticide applications “Adjacent to Sensitive Places” (as defined later).

3.2 Notification by portable temporary signage

Portable temporary signage will be the primary means of pesticide notification and will be used to notify stakeholders as shown in the above table.

Portable signs will be displayed in highly-visible locations before the pesticide application commences. More than one sign will be displayed where feasible and checked periodically during the pesticide application to ensure they continue to be displayed while the spraying is in progress. The signs will be removed after the application finishes, unless the pesticide label or permit for use of the pesticide has warnings regarding use or entry onto the land following the pesticide application.

The signs will provide at least 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 dates, or range of dates, that the pesticide will 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
- Property NSW Service Centre contact telephone number to discuss any aspects of the notice.

Note that signs may be vandalised or removed by members of the public without authorisation. While Property NSW and its service providers will make every effort to replace signs removed or vandalised, Property NSW cannot guarantee that this will occur in all situations.

3.3 Definition of “Sensitive Places”

A “**sensitive place**” is defined in clause 18(b) of the Regulation to be any:

- school or pre-school
- kindergarten
- childcare centre
- hospital
- community health centre
- nursing home
- place declared to be a sensitive public place by the Environment Protection Authority by notice in the NSW Government Gazette.

Anywhere within 20 metres of a boundary shared with a sensitive place is considered to be “adjacent” to the sensitive place – as per the Regulation.

3.4 Additional pesticide management measures adjacent to “Sensitive Places”

Property NSW will endeavour to use mechanical or non-chemical means of pest control adjacent to sensitive places wherever feasible to do so. However, where pesticides need to be applied adjacent to Sensitive Places, the pesticides will be applied by hand held equipment, where cost effective and feasible to do so.

3.5 Formal advance notification with at least 5 working days’ notice

The Pesticides Regulation 2009 requires Pesticide Management Technicians to provide formal advance notification with a least 5 working days’ notice before any use of pesticides adjacent to a sensitive place. Minor use exemptions do not apply in these cases.

Notification will be given in person or by post, facsimile transmission, email, telephone or by placing notice in the contact person’s letter box. The notice will include at least the same information as defined above for portable signage.

Where requested, the Regulation also requires a copy of the pesticide’s safety data sheet to also be provided to the contact person as soon as practicable after the person requests that sheet.

Pesticide Management Technicians will also be required to provide formal advance notification with at least 5 working days' notice to other stakeholders, where specified within Section 2 above, unless minor use exemptions apply.

3.6 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, the following notifications will take place:

- temporary signage will be displayed, in accordance with Section 3.2 above
- Sensitive Places will be notified immediately before the use of the pesticide, in accordance with Sections 3.3 -3.5 above
- other groups who would normally be provided at least 5 working days' notice will be contacted where feasible.

4. How the community will be informed of this plan

The community will be advised of this plan and its contents by:

- notice in at least one newspaper circulating generally in the State
- making a copy of the finalised plan available at Property NSW's head office located at Level 4, 66 Harrington Street, Sydney NSW 2000
- placing the Notification Plan on our website, www.property.nsw.gov.au.

5. Future reviews of the plan

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

6. Contact details

Any queries regarding this Plan may be directed to the Property NSW Corporate Communications Team at: feedback@property.nsw.gov.au.