

Sydney Olympic Park Authority Policy

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PESTICIDE USE NOTIFICATION POLICY

Policy

SOPA's Pesticide Notification Plan must be implemented by:

- staff responsible for commissioning or conducting pesticide applications at Sydney Olympic Park (including Newington Nature Reserve);
- staff responsible for entering into leases or licences of 'prescribed public places' at Sydney Olympic Park.

Penalties apply for non-compliance with regulatory requirements.

Purpose

To identify policy and legislative requirements applicable to pesticide application at Sydney Olympic Park.

Scope

This Plan applies to staff, contractors and volunteers commissioning or applying 'pesticides' at Sydney Olympic Park, and to persons entering into leases of 'prescribed public places'.

- 'Pesticides' means an 'agricultural chemical product' as defined in the *Pesticides Act 1999*, and includes herbicides, fungicides, algacides, insecticides, fumigants and rodenticides, but excludes pesticides used within a swimming pool or spa;
- 'Prescribed public places' where the *Pesticides Regulation 2009 (cl 18)* requires public authorities to provide public notification of pesticide use are:
 - (a) *any of the following to which the public is entitled to have access (whether or not on payment of a fee):*
 - (i) *A public garden, picnic area, playground, park, sporting field or oval;*
 - (ii) *Public land owned or controlled by a public authority (for example a road verge, rail easement or an easement for electricity purposes or for the purposes of other utilities);*
 - (iii) *Land reserved under the National Parks and Wildlife Act 1974 or any State forest or Crown land; or*
 - (b) *the grounds of any government school but does not include the inside of any building or structure located at such a place.*

Summary

This Plan has been developed in accordance with the requirements of the *Pesticides Regulation 2009*. The intention of the plan is to ensure the community is notified when pesticides are used on Sydney Olympic Park Authority lands, and are able to take action to avoid contact with pesticides if they so wish.

It also identifies other legislative requirements under the *Pesticides Act 1999* and *Pesticides Regulation 2009* applicable to the Authority's operations, with the objective of promoting legal compliance and best practice environmental management by the Authority, its contractors and lessees engaged in the application of pesticides.

Pest management policy

Pest management programs will generally focus on prevention followed by early control of new infestations. For established pest populations it may be necessary to aim to achieve a realistic level of control rather than eradication, use low environmental impact control techniques, operate at optimum treatment times and give greater weight to long term implications rather than short term convenience.

Matters to be considered in developing and conducting pest management programs are:

- maintaining landscape health and integrity to minimise pest, weed or disease outbreaks;
- use of hygiene practices to prevent the introduction of new pests and diseases to the Park, and/or their spread within the Park;
- the need to reduce the impacts of pest or disease outbreaks;
- selecting the lowest toxicity pesticide suited to the task; opportunities for integrated control methods, and availability of biological or non-chemical treatments;
- visitor amenity and visitor safety;
- occupational health and safety;
- welfare issues of pest animal control;
- environmental protection (particularly waterways), and ecological implications for co-occurring species and communities;
- long-term sustainable management strategies;
- legislative obligations for pest control and for pesticide use and management.

Pesticide Use at Sydney Olympic Park

Sydney Olympic Park Authority uses pesticides on its lands to treat pests, weeds and diseases. All work is conducted in accordance with safety and environmental standards. An integrated approach is applied to ensure pesticides are used only when necessary in an effort to protect the environment, to protect the Authority's assets and to minimise the potential exposure of the public to chemicals.

Pesticides typically used at Sydney Olympic Park are:

- Selective and non-selective herbicides used for weed control, commonly applied by backpack spot-spraying or cut and paint techniques, and occasionally by vehicle-mounted spray equipment, or sub-surface irrigation of playing fields;
 - Insecticides used in and around buildings and structures to control pests such as cockroaches, ants, wasps, bees and spiders, commonly applied by spray treatment, or solid baits or powders;
 - Insecticides used to treat outbreaks of plant pests;
 - Algaecides used in fountains and water art features;
 - Solid rodenticides used within buildings and locked structures such as barbeques and irrigation boxes;
 - Larvicide used to control mosquitoes applied by aerial and ground-based spraying;
 - Selective pesticides for pest control on sports fields and turf areas, typically applied by vehicle mounted equipment.
- Other types of pesticides may be used on occasion to address particular pest issues.

Implementation Strategy

Staff responsible for commissioning or conducting pesticide applications at Sydney Olympic Park (including Newington Nature Reserve) must:

1. Ensure pesticide application programs are developed and implemented consistent with corporate policy as identified above;
2. Ensure contractors, staff and volunteers undertaking pesticide application on behalf of the Authority:
 - comply with restrictions on pesticide use specified in the SOPA Biodiversity Management Plan, with particular regard to:
 - restrictions on use of herbicide in frog habitat areas, and
 - restrictions on use of insecticides and herbicides in and near Newington Armory buildings that may be inhabited by microbats
 - protect the environment and minimise impacts on waterways and all non-target species;
 - handle and apply pesticides in accordance with requirements of the *Pesticides Act 1999* and *Pesticides Regulation 2009*;
 - hold appropriate licences and qualifications as specified in clause 45 of the *Pesticides Act 1999* and clause 6 (aerial application) and clause 9 (ground-based application) of the *Pesticides Regulation 2009*;
 - make and provide records of pesticide application in accordance with clause 54 of the *Pesticides Act 1999* (aerial application) and clauses 7, 13-15 of the *Pesticides Regulation 2009* (ground application);
 - provide public notification consistent with this Plan whenever pesticides are applied in 'prescribed public places' as required by clause 19 of the *Pesticides Regulation 2009*.

3. Provide Environment Branch with a copy of pesticide application records received from contractors and staff for retention on a centralised file that will be kept for three years as specified in clauses 8 and 15 of the *Pesticides Regulation 2009*.

Staff responsible for entering into leases of 'prescribed public places' at Sydney Olympic Park must ensure, where relevant, that lessees are required to:

1. comply with requirements of the *Pesticides Act 1999* and *Pesticides Regulation 2009*;
2. provide public notification consistent with SOPA's Pesticide Use Notification Plan whenever pesticides are applied to 'prescribed public places'.

3.

Tools available to assist in implementation of this Plan are:

- model contract clauses relating to pesticide application to be included in works contracts and licenses as appropriate;
- a template for pesticide application records; contractor use of this template is optional.

Definitions and Exemptions

'**Pesticides**' means an 'agricultural chemical product' as defined in the *Pesticides Act 1999*, and includes herbicides, fungicides, algacides, insecticides, fumigants and rodenticides. An 'agricultural chemical product' is defined in the Agvet Code to be a substance or a mixture of substances that is represented, imported, manufactured, supplied or used as a means of directly or indirectly:

- destroying, stupefying, repelling, inhibiting the feeding of, or preventing infestation by or attacks of, any pest in relation to a plant, a place or a thing; or
- destroying a plant; or
- modifying the physiology of a plant or pest so as to alter its natural development, productivity, quality or reproductive capacity; or
- modifying an effect of another agricultural chemical product; or
- attracting a pest for the purpose of destroying it.

Small-scale use exemptions from qualification and record-keeping requirements apply [*Pesticides Regulation 2009* clause 10(2); clause 13(2)] if the pesticide meets all of the following:

- is widely available to the general public at retail outlets; is ordinarily used for domestic purposes;
- is being applied by hand or hand-held applicator; and
- for outside use – no more than 20 litres or 20 kilograms of 'ready-to-use' product or 5 litres or 5 kilograms of concentrated product is being used; or
- for inside use – no more than 5 litres or 5 kilograms of 'ready-to-use' product or 1 litre or 1 kilogram of concentrated product is being used.

Use of pesticides in a swimming pool or spa is exempt from the requirements of this Plan [*Pesticides Regulation 2009* clause 10(2); clause 13(2); clause 19(4)].

Public Notification Arrangements

'Prescribed public places' are places where the *Pesticides Regulation 2009* (clause 18) requires the Sydney Olympic Park Authority to provide public notification of pesticide use. Prescribed public places are:

- (a) *any of the following to which the public is entitled to have access (whether or not on payment of a fee:*
- (i) *A public garden, picnic area, playground, park, sporting field or oval;*
 - (ii) *Public land owned or controlled by a public authority (for example a road verge, rail easement or an easement for electricity purposes or for the purposes of other utilities);*
 - (iii) *Land reserved under the National Parks and Wildlife Act 1974 or any State forest or Crown land; or*
- (b) *the grounds of any government school*

but does not include the inside of any building or structure located at such a place.

Places for which notification will be provided

Table 1 identifies the categories of places where the Sydney Olympic Park Authority will provide public notification of pesticide use, and circumstances where the Authority will not be providing notification. Notification arrangements detailed in this table are based on the Authority's assessment of:

- the level of usage of public places where 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 and elderly people) are likely to use these areas;
- 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); and
- type of pesticide used.

Content of Notification Signs

Signs notifying the public of pesticide use must include the following information (as per clause 20(1)(h) of the *Pesticides Regulation*):

- full product name of the pesticide to be used;
- purpose of the use, identifying the pest or pests being treated;
- dates or date range of pesticide use;
- places where the pesticide is to be used;
- any warnings regarding re-entry to or use of the place, if such warnings are specified on the product label or permit;
- contact telephone number or email address of a SOPA officer who can be contacted to discuss the notice.

Plan Availability and Review

This plan may be viewed on the website of the Sydney Olympic Park Authority at www.sydneyolympicpark.com.au, and at the Authority's business office.

The Plan will be reviewed every five years or when circumstances require a review. Public consultation processes as specified in the *Pesticides Regulation 2009* (cl 21, cl 22) will be implemented unless the substance of the plan is not significantly changed.

Contact Officer

Any enquiries relating to this Policy should be addressed to:

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Table 1 – Public notification arrangements for pesticide application in public places at Sydney Olympic Park

Public place category	Regular user groups	Level of use of public place	Type of pesticide typically used	Notification arrangements / controls
When notification will not be provided	<p>Public notification will not be provided in any category of public place (including sensitive areas) where:</p> <ul style="list-style-type: none"> pesticides are used in small quantities and readily available from retail outlets to the general public for the control of pests for which they are registered, for example, small quantities (less than 20 litres of 'ready-to-use' spray mix) pesticide applied by a hand-held applicator, or by cut-and-paint or stem injection techniques, and the minor control of indoor and outdoor pests using baits or hand-held aerosols. public access is excluded by fencing, or that are remote from public pathways and facilities eg bushland and estuarine areas more than 20m from public pathways. application of pesticides is via sub-surface irrigation systems, for example at Wilson Park playing field application of pesticides into water features for the purposes of algal and bacterial control persons or organisations hold a lease on Sydney Olympic Park Authority land that remains a public place such as ANZ Stadium, Sydney Showground, Allphones Arena, AFL Field and Tennis Centre. In these circumstances, the lessees will be provided with the Authority's Plan and requested to carry out public notification consistent with this Plan. 			
Parklands and Township public domain - all areas; Aquatic Centre gardens	<ul style="list-style-type: none"> Recreational park users Event crowds School groups Tourists 	High	<ul style="list-style-type: none"> Herbicides Insecticides Algaecides (<i>in fountains and water art</i>) Mosquito larvicide (<i>aerial and hand-held application</i>) 	<p>Where feasible, areas will be closed to public access during pesticide application or treatments will be scheduled to avoid peak visitation times.</p> <p>Clearly visible signs (containing the information specified at section 6.2) will be placed in the immediate vicinity of the area being treated just prior to pesticide application and remain until the following day.</p>
- Playgrounds	<ul style="list-style-type: none"> Recreational park users Young children 	High	<ul style="list-style-type: none"> Herbicides Insecticides <p><i>(note all playground areas have "softfall" and sand bases; pesticides are rarely used)</i></p>	<p>In the case of aerial mosquito treatment, signage containing the information specified at section 6.2 will be installed on all pathways adjacent to Newington Nature Reserve wetland over the months that treatments may occur, typically November to March. Additional advisory signage will be placed at each end of the River Walk during aerial treatments. Email advice will be provided to any members of the public wishing to receive prior notification 24 hours in advance of treatments. A fact sheet providing details of the mosquito control program will be available on the Authority's website.</p>
- Picnic shelters and barbecues	<ul style="list-style-type: none"> Recreational park users 	High	<ul style="list-style-type: none"> Spot herbicides Spot insecticides Bait rodenticides (<i>within locked BBQ housings and not accessible to public</i>) 	
- Road verges and median strips.	<ul style="list-style-type: none"> Recreational park users 	Medium	<ul style="list-style-type: none"> Herbicides Insecticides 	

Table 1 – Public notification arrangements for pesticide application in public places at Sydney Olympic Park

Public place category	Regular user groups	Level of use of public place	Type of pesticide typically used	Notification arrangements / controls
- Pathways and cycleways.	<ul style="list-style-type: none"> Recreational park users 	High	<ul style="list-style-type: none"> Herbicides Insecticides 	
Public Sporting Fields at Parklands and sports venues;	<ul style="list-style-type: none"> Sporting groups Recreational Park Users Event crowds School Groups Elite Athletes 	High	<ul style="list-style-type: none"> Herbicides Insecticides 	<p>Notification signs will be displayed during pesticide applications that are conducted when facilities are open to the public, and remain in place to the end of the following day.</p> <p>The licensee for groups booked to use affected facilities within 24 hours after pesticide application will be advised by email or fax.</p>
Newington Nature Reserve	<ul style="list-style-type: none"> Escorted special interest groups 	Very Low	<ul style="list-style-type: none"> Mosquito larvicide (<i>aerial and hand-held application</i>) Herbicides Insecticides 	Public access will be excluded to the Reserve and adjacent pathways during aerial mosquito treatments.
<p>Special measures in sensitive areas <i>(within 20m of the common boundary with Newington Public School; within 20m of parklands education and field studies centre buildings; and within 20m of any new schools, childcare centres or hospital built subsequent to this Plan)</i></p>	<ul style="list-style-type: none"> Students and infants Recreational park users 	Medium/High	<ul style="list-style-type: none"> Herbicides Insecticides 	<p>Details of pesticides to be used by the Authority or its agents within 20m of 'sensitive places' will be provided in writing to facility operators 48 hours in advance of intended treatments. Notification signs will be displayed during pesticide applications as set out above.</p> <p>Where feasible, pesticides will only be applied at times when children are not present (eg school holidays).</p>
Emergency application – all areas	<ul style="list-style-type: none"> variable 	Variable	<ul style="list-style-type: none"> As 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) 	<p>Where possible the public will be excluded from the area to be treated for the duration of any specified exclusion period or until treatment is completed.</p> <p>Where the public are not excluded, members of the public within the treatment area will be verbally notified and notification signs will be displayed during pesticide applications as set out above.</p>