16 REPORT OF THE DIRECTOR INFRASTRUCTURE AND OPERATIONS

16.1 Endorse for public exhibition: Pesticides Notification Policy

CSP Objective: Outcome 2.1: We protect our people, place and biodiversity through thoughtful planning and actions, preserving the natural environment that defines our spectacular landscapes.

CSP Strategy: 2.1.1 Review, plan and deliver strategies that conserve our natural environment, including coastlines, waterways, biodiversity and areas of environmental significance.

Delivery Program: 2.1.1.1 Ensure compliance with and effectively manage and respond to complaints/incidents in accordance with the following: - Local Government Act 1993 - Relevant environmental and planning regulations - Companion Animals Act 1998 and associated regulations - Protection of the Environment Operations Act 1997 - Environmental Planning and Assessment Act 1979 - Relevant Council policies As well as delivering associated education and preventions initiatives where relevant.

Summary

The purpose of this report is to seek Council's endorsement to place on public exhibition the revised '*Pesticides Notification Policy*' (the "Policy") for 28 days. During that time the Council will seek submissions and undertake community consultation on the revised Policy.

The revised Policy informs the public about Council's use of pesticides in public places. The Policy was last adopted in 2022 and has been reviewed and updated in accordance with the NSW Pesticides Regulation 2017.

Financial implication

There is no financial implication to placing the revised Policy on public exhibition.

Risk implication

There is no risk to placing the revised Policy on public exhibition.

This Policy addresses Council's environmental, public safety and work health & safety requirements by providing a risk-driven basis to inform the public of pesticide usage by Council and for reasonable steps to be taken to avoid exposure.

Policy

Pesticides Regulation 2017.

Consultation (internal)

Director Infrastructure and Operations.

Governance Specialist.

Landscape Coordinator (Property & Recreation)

Communication/Community engagement

The revised Policy has been developed in consultation with Shellharbour and Wollongong Councils, who are fellow-members of the Illawarra District Weeds Authority, who are currently revising their similar policies. It is proposed that the revised Policy will go out on public exhibition, for a period of 28 days, seeking feedback.

Attachments
Nil

Enclosures

1 Draft Pesticides Notification Policy⇨

RECOMMENDATION

That Council:

1. Endorse the revised Pesticides Notification Policy to be placed on public exhibition for 28 days calling for submissions.
2. Following conclusion of the exhibition period:
   (a) receive a further report for consideration, if any relevant submissions are received or if any substantial changes are proposed for any other reason, detailing the public exhibition outcomes and proposed changes with recommendations regarding adoption of the above documents, or
   (b) adopt the revised Pesticides Notification Policy if there are no relevant submissions received and there are no substantial changes proposed for any other reasons

Background

This Policy sets out how Council will notify members of the community of any pesticide applications made by Council to public places. Council ensures that pesticides are applied to public places in a safe, responsible manner, without harm to the community or the environment. It does not mean that the community is at any greater risk or harm from pesticides but allows members of the community to make informed decisions about managing their contact with pesticides if they wish.

Pesticides refers to herbicides, fungicides, insecticides, fumigants, bactericides, rodenticides, baits, lures, repellents and pesticides used on animals to control external parasites. This Policy does not cover the types of pesticides used.

The objectives of the Pesticides Notification Policy are:

- to ensure that pesticides are applied to public places in a safe, responsible manner, without harm to the community or the environment.
- to inform the community of the notification arrangements that Council will enact before applying pesticides in public places.

In accordance with the NSW Pesticides Regulation 2017, Council's Pesticides Notification Policy must be reviewed every three to five years. Staff have reviewed the previously endorsed 2022 Pesticide Notification Plan taking into consideration any subsequent legislative or regulatory changes and internal feedback on the application of the existing Plan.

Based on there being no changes in legislative or external requirements, the revised Policy is substantially unchanged in content from the 2022 version, with the exception of formatting changes and decreasing the review period to three years. This review period will ensure Council's Policy is in line with the review timings of the Illawarra District Weeds Authority partners, ie Wollongong and Shellharbour Councils, who are concurrently reviewing their Pesticides Notification Policies at this time.

The revised Policy will be placed on public exhibition for 28 days.