



Australian Capital Territory Gazette

SPECIAL GAZETTE

No. S271, Friday 24 December 1993

PUBLIC NOTICE PURSUANT TO SECTION 45 OF THE *PESTICIDES ACT 1989*

Please take notice that I, Alan Hugh Crawley, the Registrar of Pesticides, give the following PUBLIC NOTICE pursuant to section 45 of the *Pesticides Act 1989*:

REQUIREMENT FOR PEST CONTROL VEHICLES WHEN DEALING WITH PESTICIDES IN THE AUSTRALIAN CAPITAL TERRITORY.

With effect from the date of publication of this Public Notice, the following instructions shall be observed by persons carrying on the business of pest control when dealing with pesticides in their possession. The classes of pesticides to which this Public Notice applies are herbicides, insecticides, rodenticides, fungicides, fumigants, repellents, nematocides, growth regulators, microbicides, baits, lures, algaecides and defoliants, particulars of which are listed in the **Pesticides Register** which may be inspected at the Office of the Registrar of Pesticides, Level 1, Homeworld Building, Anketell Street Tuggeranong, or the ACT Government Shopfront, Ground Floor, Homeworld Building, Anketell Street Tuggeranong.

1. All pest controllers must ensure that the following provisions are complied with in relation to the transport of a pesticide in the course of the pest controller's business:
 - (1) the container of pesticide must be kept securely sealed;
 - (2) the container must be securely fastened to the vehicle used to transport the pesticide;
 - (3) the pesticide must not be left in an unattended vehicle unless the vehicle has an enclosed storage facility that forms part of or is permanently fixed to the structure of the vehicle and the pesticide is kept securely locked in that storage facility;
 - (4) where a pesticide is transported in a spray tank the spray tank must:
 - (a) be securely sealed;
 - (b) form part of or be permanently fixed to the structure of the vehicle being used to transport the pesticide; and
 - (c) be prominently marked with the:
 - (i) words "WARNING" or "POISON" or any other warning in accordance with the *Dangerous Goods Act 1984* and, in addition, approved by the Registrar of Pesticides; and
 - (ii) name of the pesticide product.

- (5) the vehicle used for pest control must:
 - (a) be designed so that the transported pesticide is separated from the driver/operator by a barrier impervious to the pesticide;
 - (b) not be left on public land when not in use;
 - (c) be securely garaged in such a manner as to restrict public access when the vehicle is not in use;
 - (d) be washed down on a grassed area and under no circumstances should the wash water be allowed to enter the stormwater or sewage system;

2. (1) Any Pest Controller who observes any accident or spillage that involves a pesticide must report the accident spillage to the Registrar of Pesticides as soon as practicable after the accident or spillage occurs.
- (2) This is in addition to and does not limit or affect any other requirements to report an accident or spillage to the:
 - (a) ACT Fire Brigade; or
 - (b) ACT Police.

3. All empty pesticide containers and unwanted pesticides must be disposed of in accordance with product label instructions and, in addition, to those issued by the ACT Office of the Environment.

Subject to the *Administrative Appeals Tribunal Act 1989*, an application may be made to the Tribunal for a review of the decision to issue a notice or to include an instruction in that notice and except where subsection 26 (11) of that Act applies a person whose interests are affected by that decision may request a statement pursuant to section 26 of that Act.

Alan Hugh Crawley
Registrar of Pesticides

December 1993

PUBLIC NOTICE PURSUANT TO SECTION 45 OF THE PESTICIDES ACT 1989

Please take notice that I, Alan Hugh Crawley, the Registrar of Pesticides, give the following PUBLIC NOTICE pursuant to section 45 of the *Pesticides Act 1989* :

**REQUIREMENT FOR APPLYING A PESTICIDE FROM AN AIRCRAFT IN
THE AUSTRALIAN CAPITAL TERRITORY.**

With effect from the date of publication of this Public Notice, the following instructions shall be observed by persons carrying on the business of pest control when dealing with pesticides in their possession. The classes of pesticides to which this Public Notice applies are herbicides, insecticides, rodenticides, fungicides, fumigants, repellents, nematocides, growth regulators, microbicides and defoliants, particulars of which are listed in the **Pesticides Register** which may be inspected at the Office of the Registrar of Pesticides, Level 1, Homeworld Building, Anketell Street Tuggeranong, or the ACT Government Shopfront, Ground Floor, Homeworld Building, Anketell Street Tuggeranong.

1. Any person applying, from an aircraft, a pesticide of a class to which this Notice applies, shall not release, discharge or apply such pesticide:
 - (a) without written authorisation from the Registrar of Pesticides; and
 - (b) within a distance of 150 metres horizontally from the boundary of any dwelling, school premises, factory premises, rural lease, or any public place without the owner of the property on which the pesticide is applied or his/her nominee having obtained prior consent in writing from the occupier of the dwelling, school, factory, rural lease or public place, or person in charge, as the case may be.

For the purpose of this Public Notice the following definitions shall apply :

Dwelling means any premises usually used for human habitation as a home including any land, garden, garage or outhouse ; and

Public place includes any public park or garden, playing fields, or any place to which the public have or are permitted to have access.

2. A person shall not, before releasing, discharge or applying a pesticide from an aircraft, fail to read, or have read to him/her, information specified in this Public Notice.

Subject to the *Administrative Appeals Tribunal Act 1989*, an application may be made to the Tribunal for a review of the decision to issue a notice or to include an instruction in that notice and except where subsection 26 (11) of that Act applies a person whose interests are affected by that decision may request a statement pursuant to section 26 of that Act.

Alan Hugh Crawley
Registrar of Pesticides

December 1993

PUBLIC NOTICE PURSUANT TO SECTION 45 OF THE PESTICIDES ACT 1989

Please take notice that I, Alan Hugh Crawley, the Registrar of Pesticides, give the following PUBLIC NOTICE pursuant to section 45 of the *Pesticides Act 1989*:

REQUIREMENT FOR STORAGE FACILITIES WHEN DEALING WITH PESTICIDES IN THE AUSTRALIAN CAPITAL TERRITORY.

With effect from the date of publication of this Public Notice, the following instructions shall be observed by persons carrying on the business of pest control when dealing with pesticides in their possession. The classes of pesticides to which this Public Notice applies are herbicides, insecticides, rodenticides, fungicides, fumigants, repellents, nematocides, growth regulators, microbicides, baits, lures, algaecides and defoliant, particulars of which are listed in the Pesticides Register which may be inspected at the Office of the Registrar of Pesticides, Level 1, Homeworld Building, Anketell Street Tuggeranong, or the ACT Government Shopfront, Ground Floor, Homeworld Building, Anketell Street Tuggeranong.

1. The storage area must be:
 - (a) A covered installation having walls, roof sheeting and main structural members constructed from materials which are non combustible and impervious to the pesticides stored, or;
 - (b) With the written approval of the Registrar;
 - (i) an enclosed room or compartment that complies with Instruction 1(a) and located within a non residential building that may be used for another purpose, or
 - (ii) an indoor storage cabinet, securely locked, located within a non residential building that may be used for another purpose, or
 - (iii) an open storage installation that is enclosed by a security fence, capped with two strands of barbed wire.
2. The storage area must be secured against unauthorised entry and locked when unattended.
3. The storage area must be separate and isolated from a private dwelling.
4. The storage area must be constructed in such a manner that the floor is impervious to pesticides and banded to contain (in the event of a spill):
 - (a) at least 25% of the total liquid stored, or
 - (b) 110% of the largest container stored, which ever is the greater volume.
5. The storage area must be provided with either adequate natural ventilation or forced draught ventilation.

6. The storage area must be illuminated to at least 200 lux (unit of illumination) when in use.
7. The storage area must be constructed in such a manner to allow for the segregation of different classes of pesticides with appropriate shelving.
8. The storage area must be provided with NO SMOKING, POISON and where appropriate FLAMMABLE LIQUIDS warning signs prominently displayed at all entrances to the storage installation. The exact size and positioning of these signs

must comply with Australian Standard 1216, Part 1 - Classification and Class Labels for Dangerous Goods.

9. The storage area must have fire fighting equipment installed in such quantities and of such type as advised by the ACT Fire Brigade. This equipment must be regularly maintained and inspected, and kept accessible at all times.
10. The storage area must conform with all relevant sections of the *Dangerous Goods Act 1984* and the *Poisons and Dangerous Drugs Act 1933*.
11. Pesticide containers must be kept securely sealed when not in use.
12. Empty pesticide containers, and unused pesticides, must be disposed of in accordance with product label instructions and, in addition, those given by the Hazardous Chemicals and Wastes Section of the Office of the Environment.
13. Under no circumstances should pesticides be allowed to enter a drain, watercourse, or water supply.

Subject to the *Administrative Appeals Tribunal Act 1989*, an application may be made to the Tribunal for a review of the decision to issue a notice or to include an instruction in that notice and except where subsection 26 (11) of that Act applies a person whose interests are affected by that decision may request a statement pursuant to section 26 of that Act.

Alan Hugh Crawley
Registrar of Pesticides

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