

**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, nematicides, 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