

# Ground Applicator Licence Fact Sheet

**If you use pesticides as part of your work you should be aware there have been some changes to training and licensing requirements in NSW.**

**From 1 July 2018 individuals who spray weeds for fee or reward must hold a ground applicator licence.**

**If you engage or contract a ground applicator it is your responsibility to ensure they hold the required licence.**

## Exemptions

Some exemptions apply to the requirement to hold a ground applicator licence. Examples of these can be found in Table 1.

The full list of exemptions is detailed in the Pesticides Regulation 2017 (the Regulation), available online at:

[www.legislation.nsw.gov.au/regulations/2017-448.pdf](http://www.legislation.nsw.gov.au/regulations/2017-448.pdf)

A conditional exemption relating to NSW Public Authority employees has also been gazetted by the NSW Environment Protection Authority (EPA).

Where a licence is not required, pesticide users must still meet mandatory training, record keeping and notification requirements.

### Q1. Why have these new licensing requirements been introduced?

A nationally endorsed, harmonised model for the safe supply and use of all agricultural chemicals and veterinary medicines across Australia has resulted in changes to the NSW Pesticides Regulation 2017.

Occupational pesticide users are now required to have appropriate accreditation and licencing for fee-for-service weed spraying.

### Q2. I work for a council. Do I need a licence?

Employees of any NSW Public Authority (including councils, county councils, local control authorities) are exempt from holding a ground applicator licence when they are carrying out ground applicator work on public land or on private land under enforcement action authorised by the Biosecurity Act.

If you are an employee of a NSW Public Authority undertaking ground applicator work on private land, where a fee is being paid for the work (i.e. as a contract service), then you will need a licence to do that work.

### Q3. Why are council employees only exempt on public lands?

NSW Public Authority employees have been granted an exemption from ground applicator work on public lands as it is recognised they are carrying out a function of that Public Authority. In these cases, employees must still meet mandatory training requirements.

The requirement to hold a licence when carrying out private (contract) spraying ensures a level playing field between private and public authority contractors competing for ground applicator work.

### Q4. I am a contractor spraying weeds on a golf course. Do I need a licence?

No. The Regulation provides an exemption for activities relating to '*amenity horticulture*'. Amenity horticulture includes pesticide application relating to ground or garden maintenance, landscaping, floriculture, arboriculture or the operations of a nursery. As long as your work only relates to these activities then you do not need a licence.

Grounds and garden maintenance includes: golf courses, bowling greens, sports fields and race track maintenance as well as general garden and lawn maintenance (e.g. bindii spraying).

### Q5. I am a contractor carrying out bush regeneration work. Do I need a licence?

No. The Regulation provides an exemption for activities relating to bush care. Anyone using pesticides as part of work to maintain or restore native vegetation communities, including bush regeneration activities, does not require a licence.

### Q6. Can I get a single licence for my business?

No. The requirement for ground applicator licences applies to individuals. If you employ staff who carry out ground applicator work, you should ensure that each employee holds a current licence.

### Q7. What do I need to do to apply?

To apply for a ground applicator licence you need to have completed the specified chemical user training accreditation requirements. These training requirements, including the approved units of competency, can be found on the EPA website.

The licence period is five years; in order to reapply you must hold a current ground applicator licence.

### Q8. Do I need to do my chemical training refresher?

Once you have obtained your ground applicator licence you will not be required to complete the chemical user five-yearly retraining as long as you hold a current licence. However, it is always a good idea to ensure you keep your work skills up to date.

### Q9. How do I apply?

You can apply for your ground applicator licence online through the EPA website at:

<https://apps.epa.nsw.gov.au/epabusinessportal/pest-login>

### Q10. Grace period for newly qualified people.

If you have completed the prerequisite training, you have 60 days during which you can carry out ground applicator work without a licence, as long as you have applied for the licence within that 60 day period.

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## Table 1: Do I need a ground applicator licence?

| I am a...                                 | Activity   | Do I need a ground applicator licence?  | More detail  |
|---|--|---|--|
| A public authority employee               | Spraying weeds on public land  | No  | The EPA has granted an exemption order for public authority employees.   |
| A public authority employee               | Spraying weeds on private lands under contract   | Yes   | When working on a contract basis, public authority employees must be licensed.   |
| A public authority employee               | Spraying weeds on public or private land under enforcement action authorized by the <i>Biosecurity Act</i> | No  | Where acting under biosecurity requirements, a licence is not required. This is also the case where cost recovery is sought from land holders.   |
| A contractor                              | Spraying weeds for a fee on private or public lands  | Yes (but some exemptions apply)   | You are required to hold a licence but <b>some exemptions apply (below)</b> .  |
| A contractor                              | Carrying out weed spraying as a part of bush regeneration (or bush care) activities                        | No  | <b>Exemption</b><br>You are not required to hold a licence because of the bush care exemption provision.<br>Regulation reference clause 6(2)(c)  |
| A contractor                              | Carrying out weed spraying for golf courses, bowling greens, sports ground, race track or turf maintenance | No  | <b>Exemption</b><br>You are not required to hold a licence because of the amenity horticulture provision.<br>Regulation reference clause 6(2)(b) |
| A contractor                              | Running a garden/lawn maintenance business   | No  | <b>Exemption</b><br>You are not required to hold a licence because of the amenity horticulture provision.<br>Regulation reference clause 6(2)(b) |
| An agricultural employee (e.g. farm hand) | Carrying out weed spraying as a part of your employment, related to the farm's agricultural activities     | No  | <b>Exemption</b><br>You are not required to hold a licence because of the 'on-land' provision.<br>Regulation reference clause 6(2)(a)            |
| A landholder                              | Carrying out weed spraying on my own property, related to the farm's agricultural activities               | No  | <b>Exemption</b><br>You are not required to hold a licence because of the 'on-land' provision.<br>Regulation reference clause 6(2)(a)            |
| A contractor                              | Using off-the-shelf products (e.g. Roundup) to treat small areas of weeds by hand                          | No – however you should check the conditions relating to allowable quantities in clause 4 of the Regulation | <b>Exemption</b><br>You may not be required to hold a licence because of the 'domestic like use' provision.<br>Regulation reference clause 4     |