

Pesticides notification for owners, strata managers and property managers

This fact sheet is for owners, strata managers and property managers (such as real estate agents and managing agents). It provides guidance on how to comply with the notification requirements of the Pesticides Regulation 2017 when pest management technicians apply pesticides to multiple-occupancy residential complexes.

For what kinds of pest treatments must I provide notice to residents?

Under the Pesticides Regulation 2017 (the Regulation), you need to provide residents with **at least five working days' notice** when you organise a pest management technician to treat the common areas of multiple-occupancy residential complexes. Common areas include pathways, gardens, lawns, foyers, hallways, share laundries, car parks, roof cavities and sub-floor areas.

Multiple-occupancy residential complexes include units, flats, townhouses and villas with three or more residences. They include caravan parks with long-term residents.

These rules **do not** apply to dual occupancies, duplexes or to single residences.

No notice is required for minor domestic-style pesticide use that does not require a pest management technician.

What kind of notice must I provide to residents?

The person who organises pesticide treatments to a property must ensure each resident is given at least five working days' notice:

- in person, or by fax, phone, email or post, or
- by placing a notice under each resident's door, or in each resident's letterbox, or
- by posting a notice on the main notice board (if one exists) and at all exit and entry points to the common areas being treated.

The pesticide application cannot go ahead unless you give five working days' notice to residents.

You must also ensure that the notice announcing the pesticide treatment gives residents information about the pesticide treatment. The notice must include:

- the full product name of the pesticide to be used, and
- the reason why the pesticide is being used (for example, what pest is being treated), and
- the proposed date or dates of use, or expected duration if it is a baiting program, and
- where the pesticide will be used, and
- any re-entry requirements to the pesticide label or permit, and
- the contact details of the pest management technician who will apply the pesticide, or the contact details of their office.

The person organising the pesticide treatment should also inform the pest management technician (preferably in writing) that notice has been given to residents and that five working days must pass before the planned pesticide use can take place.

The pest management technician will provide you with the necessary information that must be included in the notice. The pest management technician must also provide a copy of the safety

data sheet for the relevant pesticide, if requested by any of the residents.

Example

A strata manager arranges for a pest management technician to treat an ant infestation in the foyer, stairwell and hallways of a block of flats.

The pest management technician provides the strata manager with information about the planned pesticide application (see sample notice of intended pesticide application). The strata manager then informs residents about the treatment by placing a written notice in residents' letter boxes five working days before the treatment is scheduled. Information about the treatment is also posted on the building notice board and near the main doorways, so it is easily seen as residents enter and exit the building.

After taking this step, the strata manager gives the pest management technician written confirmation by email (a fax or letter could also be used) that the required period of notification has been given to residents. Once the pest management technician receives this advice, the pest treatment can begin.

What if the pesticides treatment is postponed?

A common-sense approach should be taken if a pesticide treatment is rescheduled. If a planned pesticide treatment is delayed by only a matter of days and if it still falls within the date range indicated in the notice, there is no need to reissue the notification to residents.

However, if it is delayed by a substantial period (for example, by weeks or months), then an updated notice must be provided and residents must again be given at least five working days' notice before the pesticide application can take place. Confirmation that the appropriate notification has been given to residents and that the pest treatment can

commence should then be given to the pest management technician.

As shown in the sample notice provided, it is acceptable to put a date range in the notice to cover short-term postponements.

What if there is an emergency situation?

You are not required to give residents five working days' notification for pesticide treatments made in emergency situations. Emergencies are infestations of biting or dangerous pests, such as wasps, bees, venomous spiders, rodents or bird mites that may pose immediate health or safety risks to residents.

The pest management technician will need to give notice to residents immediately prior to applying the pesticide, and record the specific circumstances of the emergency in their records. A record of the notice given to residents should be kept.

What notice is required for baiting programs?

Where a baiting program is to commence (for example, for termites or rodents) the pest management technician should provide you with information about the duration of the program and where baits may be installed. This information must be included when you give prior notice to residents.

What happens if I do not comply?

Strict penalties may apply if you are unable to show evidence that notification was provided prior to applying pesticides, as required by the Regulation.

On-the-spot fines of \$1000 for corporations or \$500 for individuals may apply. Court-imposed fines of up to \$44,000 may also apply for more serious offences.

Sample notice of intended pesticide application

Notice to residents of 'Bangalow', 54 Severn Hills Road, Severn Hills, NSW 2999

A pesticide application will take place on 28 October 2017 / between 28 and 31 October 2017*

Full name of pesticide product:	Cislin WG Residual Insecticide
This pesticide is being used to treat:	Ants
This pesticide will be applied to:	Foyer, stairwells and hallways
Re-entry periods:	The Cislin label directions require the treated area to be thoroughly ventilated and any treated carpets or flooring to be dry before resuming activity on them.
The pesticide is being applied by:	Rob Jones, Responsible Pest Services, contactable on telephone: (02) 8626 6556 or mobile 0444 222 111

Information about this notice

Under the Pesticides Regulation 2017, residents in multiple-occupancy residential complexes must be given at least five working days' notice before pesticides are used to treat any common areas of the property. This notice has been posted on notice boards and placed in all letterboxes on 20 October 2017.

Date of notice: 20 October 2017

*Include a specific date, or a range of dates to cover short-term postponements.

Where can I get more information?

For more information about notification, including a notification template:

- visit the [NSW Environment Protection Authority \(EPA\) website](http://www.epa.nsw.gov.au)
- call the Environment Line on 131 555 (cost of a local call anywhere in NSW).

See the Regulation for full details on notification requirements. You can view a copy of the *Pesticides Act 1999* and the Regulation on the [NSW Government legislation website](http://www.epa.nsw.gov.au).

NSW Environment Protection Authority
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