



Environmental Defenders Office

Reporting Chemical Spray Drift in lutruwita/Tasmania

Disclaimer: This factsheet is a guide only and is designed to give readers a plain English overview of the law. It does not replace the need for professional legal advice in individual cases. To request free initial legal advice on a public interest environmental or planning law issue, please visit our [website](#).

While every effort has been made to ensure the information is accurate, the EDO does not accept any responsibility for any loss or damage resulting from any error in this factsheet or use of this work.

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What is this factsheet about?

Chemicals are widely used to control weeds and pests on farms and in forestry operations throughout Tasmania. Concerns are increasing about adverse effects and environmental consequences of chemical spraying.

This factsheet provides information about how chemical spraying is regulated in lutruwita/Tasmania, how to make a report if you have been impacted by spray drift, and who to report it to.

Outline

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- [How is chemical spraying regulated?](#)
- [What to do if you are affected by spray drift](#)

Read: See also our more general [Factsheet - Reporting Pollution in lutruwita/Tasmania](#)

How is chemical spraying regulated?

Chemical spraying is primarily regulated in lutruwita/Tasmania by the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995 (Act)*. The Act establishes the Agricultural, Silvicultural and Veterinary Chemicals (**ASCHEM**) Council. The ASCHEM Council has developed a number of compulsory and enforceable codes of practices for chemical users.

The key codes of practice for chemical spraying activities are:

- Code of Practice for Aerial Spraying
- Code of Practice for Ground Spraying

These Codes of Practice provide that:

- Aerial spraying and agricultural chemicals must not be discharged within 100 metres of a dwelling or over a watercourse or water body (other than in accordance with the chemical label or a permit).
- Before a property manager or owner commences spraying on their property, they must advise occupiers of properties within 100 metres of the target crop of the intended spraying program and safety precautions being taken to avoid spray drift.
- Spraying must not adversely affect any people, plants, stock, produce, water bodies, groundwater or soil outside the target area.
- Chemicals must not be sprayed into waterways or water-logged areas unless the product is approved for such application.

Visit: Department of Natural Resources and Environment Tasmania [Agvet Chemicals Program](#) website to access copies of the Codes of Practice and other information

What to do if you are affected by spray drift

Lodging a Complaint

If you believe you have been affected by chemical spray drift you can make a complaint to the Department of National Resources and Environment's Agvet Chemicals Program team by either calling (03) 6777 2133 or sending an email to agvetchemicals@nre.tas.gov.au.

It is recommended that you provide as much detail as possible in any spray drift report. The type of information you should provide with your report includes:

Date, time and location of incident	Name and contact details of chemical user	Name of the chemical
Method of application	Weather conditions at time of incident	Health, environmental or property impacts
Your name and contact details	Names and contact details of witnesses	Supporting evidence (e.g., photos, etc)

You should request that your complaint be investigated and that you be notified of the outcome. After assessing your complaint, the Department may take the following actions:

- Undertake no further action if the complaint could not be substantiated.
- Facilitate a meeting with relevant parties to encourage communication between neighbours.
- Send an advisory or warning letter to the chemical user.
- Undertake regulatory action such as issuing an infringement notice to the chemical user.
- Refer the complaint to another agency for further action.

Tips for Lodging Complaint

- Try and speak to the chemical user, or the owner of the property to which the chemicals are being applied and tell them your concerns. Make notes of these conversations, including dates, times, and the name(s) of any person that you speak with. Wherever possible, ask the person to provide written confirmation of advice that they give you.
- If possible, take samples of water and soil affected by the spraying.
- Take photographs or video of the incident and/or the contamination. Label the photo with the date and time it was taken, the location and the name of the person who took the photograph.
- If you are concerned about your health, seek medical advice. Ask your doctor for a written report identifying any health concerns and whether they are satisfied that your condition is a consequence of the spraying.

Evaluate this resource

EDO welcomes feedback on this factsheet. Your feedback will help us ensure we are providing useful information.

If you have any concerns or suggestions regarding this factsheet, please fill out the Legal Resources evaluation form by clicking [here](#) or scanning the QR code below:

