



2 May 2017

Kuranda Region Planning Group
Recreation Centre
KURANDA QLD 4881

Dear Sir/Madam

MANAGEMENT OF CHEMICAL USE BY AGRICULTURAL LAND USES

Thank you for your email correspondence of 27 April 2017 in which you raise concerns regarding the use of chemicals in agricultural operations.

I provide the following responses to your questions:

- **How is Council going to deal with this conflict which both the MSC 2004 plan and the MSC 2016 plan clearly intended to avoid?**

The Mareeba Shire Council Planning Scheme - July 2016 is not retrospective and all lawfully established land uses are able to continue irrespective of any zoning changes.

Council will continue to receive and assess all applications for **assessable** rural land uses.

- **How is Council planning to protect residents from the impacts of dangerous spray drift?**

Please refer to the attached extract from the Queensland Government's Business Queensland website. This website provides extensive information on which government agencies are able to assist should chemical misuse occur.

Mareeba Shire Council is not the lead agency in such cases, however we will assist for chemical odour nuisance.

- **Does the MSC 2016 plan have the same provision for a 300 buffer zone between agricultural and non-agricultural use as the old 2004 plan? If not can that be fixed as farm chemicals are still just as dangerous?**

No, the Mareeba Shire Council Planning Scheme - July 2016 does not specify an acceptable minimum buffer width.

- **How is council going to regulate application of chemicals by plane in the Shire?**

Council will continue to receive and assess all applications for assessable rural land uses. Where relevant to the proposed development, Council will assess it against Performance Outcome PO10 of the Rural Activities Code which requires the applicant to provide an Environmental Management Plan (EMP). One of the aspects that the EMP would be required to address is the 'use and storage of chemicals and pesticides'.

Should you require any further information, please contact Council's Senior Planner, Brian Millard on the above telephone number.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'P. Franks', with a stylized flourish at the end.

PETER FRANKS
CHIEF EXECUTIVE OFFICER



Queensland Government

Business Queensland (<https://www.business.qld.gov.au>)

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Who to report chemical spray drift to

If you think that spray drift or chemical misuse has occurred, it's important that you report it to the right authority. There are different reporting requirements depending on the type of incident that has occurred.

Human health issues

Phone Workplace Health and Safety Queensland (WHSQ) on 1300 362 128 to report:

- on-farm chemical misuse incident involving human exposure to chemicals
- related concerns about risks to human health.

Agricultural chemical misuse incidents

Phone Biosecurity Queensland on 13 25 23 where agricultural chemicals have been applied contrary to label instructions. Examples relevant to spray drift include violating the spray drift constraints that appear on some herbicide labels, such as:

- spraying crops during prohibitive weather conditions
- using spray nozzles other than those specified for minimisation of spray drift risk.

Examples of agricultural chemical misuse associated with other types of risk include:

- harvesting crops too early outside of label withholding periods
- crops being sprayed with an agricultural chemical not registered for the purpose
- applying a chemical above label rate.

<https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/land-management/c...> 2/05/2017

Odour drift

Contact your nearest local government authority to report chemical odours.

Agricultural chemicals may emit strong odours that can drift over a considerable distance. However, the presence of an odour does not necessarily mean the chemical is present.

Read [Noise, odour or dust - making a complaint \(PDF, 103KB\)](#)
(<http://www.ehp.qld.gov.au/assets/documents/regulation/pr-is-noise-odour-dust-complaint.pdf>) for further information.

Environmental damage

Phone the Department of Environment and Heritage Protection's (EHP's) pollution hotline 1300 130 372 as soon as possible to report spray drift that you think has:

- affected waterways
- damaged vegetation or trees.

Discuss the nature of your spray drift concern with the consultant who takes your call. Your complaint will be referred to a specialist officer for attention.

Alleged damage to vegetation needs to be assessed to determine if it is significant enough to warrant investigation.

Environmental fish kill

Phone EHP's pollution hotline on 1300 130 372 as soon as possible to report an agricultural chemical misuse or spray drift incident causing an environmental fish kill (a large number of fish, other marine or freshwater animals, killed in a short period in a creek or river).

Contact the EHP hotline even if chemical misuse or spray drift is not suspected of having caused an environmental fish kill.

Learn more about [fish kill reporting](http://www.qld.gov.au/environment/pollution/reporting/) (<http://www.qld.gov.au/environment/pollution/reporting/>).

Aquaculture fish kill

Phone Biosecurity Queensland on 13 25 23 to report an agricultural chemical misuse incident causing an aquaculture fish kill (a large number of fish or crustacea, such as crayfish, killed within a short period in a hatchery).

If you are unsure whether the incident is aquaculture-related, phone EHP on 1300 130 372. EHP will refer the matter to Biosecurity Queensland if it is aquaculture-related.

An adverse experience

Phone the Australian Pesticides and Veterinary Medicines Authority (APVMA) on (02) 6210 4700 or [report any adverse experience from agricultural chemical use \(http://apvma.gov.au/node/310\)](http://apvma.gov.au/node/310).

An adverse experience is an unintended or unexpected effect of a product when used according to the label instructions. This includes:

- impacts on human beings, animals and crops
- damage to the environment
- lack of efficacy.

APVMA investigates all reports of adverse experiences with agricultural chemical products in Australia.

APVMA is an Australian Government agency that approves the registration and labels of agricultural and veterinary chemical products, prior to sale.

Overflying of aerial spraying aircraft over residential homes

Contact the Civil Aviation Safety Authority (CASA) on 13 17 57 to report overflying issues only - not spray drift matters.

Spray drift incident resulting in more than one impact

Occasionally, the nature of an incident may require more than one agency to be involved because of multiple impacts.

For example, if agricultural chemical misuse has allegedly caused both commercial crop damage and chemical run-off into a nearby stream, EHP would deal with the alleged run-off and Biosecurity Queensland with the alleged commercial crop damage.

Generally, you should contact the agency responsible for the issue that you consider has had the greater impact. That agency then consults with the other agency dealing with the lesser impact.

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