



Environmental Nuisance - Spray Drift

Spray drift from activities such as spray painting and chemical spraying can cause a nuisance to neighbours and interfere with their day-to-day activities. If severe enough, it can also damage property and impact on people's health.

This fact sheet includes information that may assist residents to reduce spray drift and meet legal requirements.

What is the law regarding spray drift?

The State Government's Environmental Protection Act 1994 and Environmental Protection Regulation 2019 include controls for spray drift. Council is legally required to enforce these controls when spray drift problems occur from residential premises. If issues between neighbours cannot be resolved and further complaints are made, Council will have to investigate. If the spray drift is determined by Council officers to be a nuisance, Council may issue the residence causing the nuisance with a direction notice. A direction notice will detail what offence has taken place and the time frame within which the offender has to rectify the problem. If the direction notice is not complied with, Council may issue an on-the-spot fine.

It is important to note that government departments other than Council may be responsible for regulating spray drift emissions from commercial sites and agricultural activities.

What if there's an environmental nuisance in my neighbourhood?

In most cases, the best way to resolve an environmental nuisance issue is through polite and productive communication between yourself and the person causing the nuisance. If you haven't already spoken with the person about the nuisance, we strongly recommend you try this approach first. Another option is to print out the Environmental Nuisance Neighbourhood Handout available on Council's website at www.gladstone.qld.gov.au, fill in your details (this is optional) and place it in the resident's letterbox. If you have concerns about approaching or entering communication with the

resident, or these measures have proven ineffective, you can report the problem to Council along with the address or the location of the property.

How Council deals with an Environmental Nuisance

The Environmental Protection Regulation 2019 and Environmental Protection Act 1994 include controls for environmental nuisances caused by spray drift.

Council officers will investigate 'environmental nuisance' complaints upon receipt, and are delegated to enforce the requirements of the Environmental Protection Act 1994 and Environmental Protection Regulation 2019 accordingly.

When investigating an environmental nuisance complaint relating to spray drift, Council will consider:

- The amount of spray, contaminant or pollutant being emitted;
- The duration and rate of emission and its characteristics and qualities;
- The sensitivity of the environment into which the drift is being emitted and the impact that it has had or may have; and
- Views of neighbours or complainants.

If the spray drift is deemed to be a nuisance Council may issue an on-the-spot fine or a direction notice detailing the offence and giving a timeframe for the problem to be rectified. Non-compliance may result in an on-the-spot fine.

It is important to note that achieving compliance under this process sometimes takes in excess of six weeks.

Government departments other than Council may also be responsible for regulation of spray drift.

How can I reduce spray drift emissions?

Council does not allow continuous spray painting of large pieces of equipment (including car bodies and parts) in residential areas, or excessive spray painting in the open. When spray painting small pieces of equipment, Council recommends that you take into consideration the following matters:

1. Is the job too big or unsuitable for a residential area? - Spray painting or priming a whole car is a job considered too large for a residential area. Touch-ups to minor damaged areas may be suitable if conducted in a controlled environment. Larger jobs will need to be relocated to a facility that houses a spray booth or to a commercial location.
2. Work indoors - Where possible, all spray painting should be done in an enclosed area. Choose a site that is contained within a defined area, such as a garage, where you can control the amount of overspray and odour. Windows and doors should be kept shut to prevent any spray drift. Ensure the area is adequately ventilated and fumes are removed without adversely affecting neighbouring properties.
3. Observe weather conditions - Consider the weather conditions before starting work. Try to schedule work when the weather is fine rather than in gusty or strong winds. Spray drift complaints are more frequent in summer as people are outdoors more often and houses are left open for ventilation.
4. Physical barriers - If spraying must be done outdoors, consider erecting physical barriers such as sheets or hessian. It is important to consider the location, height and width of the barrier prior to construction. Most importantly, check the wind direction.

5. Considerations - Always use paints, chemicals and equipment in accordance with manufacturer's guidelines. This will help reduce spray drift and also be more economical. If you only require a small area of coverage, it may be more practical, efficient and economical to brush on the product rather than spray.

For more information on this topic phone Council on (07) 4970 0700.

How can you contact us?



(07) 4970 0700

STD CALLS: 1300 733 343

For those residents who currently incur STD call rates when contacting their local customer service centre



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