

Air Pollution

Dust and Dirt General Nuisance

Many activities can cause dust and dirt nuisances such as construction, excavation, landscaping and driving on unsealed roads. Sometimes dust and dirt can affect neighbours and interfere with their normal activities. If severe enough, it can damage property and impact on people's health.

Complaints

If you are affected by unreasonable dust or dirt emissions, talk to the person responsible and try to achieve a solution. Give them time to do something about it.

If you can't reach a solution, you can lodge a complaint with Council. Alternatively, you can contact the Dispute Resolution Centre.

How to lodge a complaint with Council

To lodge a complaint with Council, you will need to provide:

- your name, address and phone number – this is kept confidential
- details of the emissions including:
 - possible source
 - source address
 - date and time it starts
 - the duration each time it happens
 - how it effects your property

To help you keep track of the details of the emissions, it is a good idea to fill out a daily log that you can submit with your complaint. Officers may request this prior to undertaking further investigations.

The Law

Council investigates most dust and dirt emissions using the *Environmental Protection Act 1994*. Some sites have a development approval with conditions.

Council investigates complaints about these sites using the Planning legislation

When investigating dust and dirt complaints, Council considers:

- the amount being emitted
- the duration and rate of emission and the characteristics and qualities
- the sensitivity of the environment into which the dust or dirt is being emitted and the impact that it has or may have
- views of any other neighbours or complainants
- providing opportunity to the person to reduce, eliminate or manage dust
- evidence of dust impacts to the complainant including photos, samples and site inspections
- other relevant criteria

If a dust and dirt emission is unlawful, Council may undertake enforcement as per the relevant legislation.

Complaints not investigated by Council

Council shares responsibility for dust and dirt complaints with other authorities. Council does not investigate the following:

- An environmentally relevant activity regulated by the Department of Environment and Heritage Protection e.g. chemical manufacturing.
- An environmentally relevant activity regulated by the Department of Agriculture and Fisheries e.g. poultry farming.
- A state or local government premises or activity. This is the responsibility of the Department of Environment and Heritage Protection.

How to reduce dust and dirt

You can reduce dust and dirt emissions by:

- ✓ checking weather conditions before undertaking a dusty activity
- ✓ watering down roadways or dusty areas prior
- ✓ retaining as many plants and grass as possible
- ✓ using on-site waste as a dust barrier, e.g. green waste could be mulched and spread on the ground
- ✓ erecting a dust fence or tree rows
- ✓ using hydro mulch for large areas
- ✓ using sediment catchment bunds
- ✓ using property access points away from neighbours
- ✓ limiting vehicle speeds and consider reducing the time vehicles use unsealed roads or tracks
- ✓ discussing with you neighbours prior to undertaking an activity that may cause a dust nuisance

Useful websites

- Dispute Resolution Centre
<https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/setting-disputes-out-of-court/dispute-resolution-centres/>
- Department of Environment and Heritage Protection
<https://www.ehp.qld.gov.au/>
- Department of Agriculture and Fisheries
<https://www.daf.qld.gov.au/>
- Standards Australia
<http://www.standards.org.au/>