LOCAL NUISANCE AND LITTER CONTROL

Smoke

Airborne pollution such as dust, smoke and odours, are collectively known as aerosols. Aerosols (or a combination of aerosols) can cause a local nuisance to the community.

Furthermore, aerosols can do more than just interfere with normal daily activities. If severe enough, they have the potential to cause damage to property and impact negatively upon a person's health.

SMOKE

Smoke is a collection of tiny solid, liquid and gas particles and - depending upon the source - can contain hundreds of different chemicals and fumes. When complete combustion occurs, just water and the colourless, odourless gas carbon dioxide are produced as by-products. However, when there is incomplete combustion (i.e. when there is not enough oxygen to burn the fuel completely), smoke is produced. While smoke can be generated by several different sources and activities from within a community, the most common activities that lead to complaints are backyard burning, open wood fires and solid fuel (combustion) heaters.

How can smoke nuisance be reduced or mitigated?

Using wood-burning heaters incorrectly causes the emission of more pollutants and inefficiently uses up expensive fuel. There are some simple guidelines that will help you get the most efficient results from your heater.

- Use only dry, seasoned timber to maximise heat release during combustion (these logs normally 'crack' when you hit one against the other as opposed to the dull 'thud' you get from freshly cut logs.
- Make sure that combustion heaters are installed correctly and meet the Australian Standards for emissions (AS/NZS 4013:2014) and efficiency (AS/NZS4012:2014) and installation (AS/NZS 2918:2001) as per the Environment Protection (Air Quality) Policy 2016. Council is not the correct authority to inspect for correct combustion heater installation.
- Good wood storage – wood should be stacked loosely off the ground and stored under a roof in a ventilated area to keep it dry – ideally freshly cut wood should be stored for about 18 months before use so that it is properly seasoned.
- Use only kindling wood, paper or firelighters to start a fire and never use gasoline, kerosene, charcoal starters or propane torches.
- Add larger pieces of wood once a bed of red-hot coals has been established.
- Keep the wood heater air vents open for 20 mins after lighting the fire.
- Don't pack the fire and leave it on a low setting.

WHEN SHOULD A SMOKE NUISANCE BE REPORTED?

In the first instance a person should try and discuss concerns with the people (e.g. neighbours) from where the nuisance is emanating from, as they may not be aware that they are causing a nuisance. Concerns should be raised and discussed, and suggestions provided to resolve problems. Often simple solutions can be found to satisfy everyone. Generally, we only become involved if an issue within the community (e.g. between neighbours) cannot be resolved or if the nuisance is a broad-scale issue involving multiple parties.

HOW DO WE HANDLE SMOKE COMPLAINTS?

The City of PAE uses a gradated response to enforcement in line with our Enforcement Policy. The Enforcement Policy provides guidance to us as to how and when enforcement mechanisms should be applied under the Act and to inform the community about how decisions on enforcement matters are made. A copy of the Enforcement Policy can be found on Council's website.

WHAT PENALTIES CAN APPLY?

A person who carries on an activity intentionally or recklessly and with the knowledge that local nuisance will result is guilty of an offence.

- Body corporate - maximum penalty $60,000.
- Natural person - maximum penalty $30,000.

A person who carries on an activity that results in local nuisance is guilty of an offence.

- Body corporate - maximum penalty $20,000.
- Natural person - Maximum penalty: $10,000.
- Expiation fee: $500.

Penalties may also be applied in circumstances where a person refuses to comply with the direction of an authorised officer or provides a false report about a matter

MORE INFORMATION

This fact sheet is one of a range designed to increase your awareness and understanding of the requirements of the *Local Nuisance and Litter Control Act 2016*. Please see other fact sheets for further information about the Act. You can access more information on our website: cityofpae.sa.gov.au/live/public-and environmental-health/local-nuisance.