

# ODOUR NUISANCES AND GOOD HOUSEKEEPING



Odour can cause a nuisance to neighbours and interfere with their normal day-to-day activities. If severe enough, it can impact on people's health. In a residential situation, odour can come from numerous sources, including rotting vegetation, compost heaps, rubbish bins, fertilisers, and unkept swimming pools. In many instances, issues about odour can be resolved by speaking to the person creating the odour as they may not be aware of the issue.

## Your obligations under the law

Under the Queensland Government's *Environmental Protection Act 1994* (the EP Act), at all times you must meet your obligations under the EP Act, this includes your general environmental duty.

A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. This is a person's general environmental duty.

Environmental harm includes environmental nuisance. Environmental nuisance includes unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It's your responsibility to minimise your environmental impact, this includes odour nuisances.

## Council's responsibilities and the law

The Queensland Government's *Environmental Protection Act 1994* regulates air and odour nuisance from both domestic and commercial properties. Council is responsible for investigating these

controls when odour problems occur from residential properties. If issues between neighbours cannot be resolved and further complaints are made, Council will commence a formal investigation.

If the odour is found to be a nuisance, Council may issue the person, resident or tenant causing the odour with a 'direction notice'. A direction notice will detail what offence has taken place and the time frame that the offender must rectify the problem.

If the direction notice is not complied with, Council may then issue an on-the-spot fine and take further action.

## DID YOU KNOW?

Odour emitted from cooking is exempt from the nuisance of legislation.

Smoke nuisances emanating from Umu/ Hangi/Kup Murri (traditional cooking) is also exempt, depending on the severity and risk elements.

**FOR MORE INFORMATION:**  
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## How Council Investigates

When investigating an odour complaint, Council will consider:

- The amount of odour, contaminant or pollutant being emitted.
- The duration and rate of emission and the emissions 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 any other neighbours or complainants.
- Any measures that have been taken or could reasonably have been taken by the person causing the emission.

## THE HEALTHY ODOUR HABIT CHECKLIST

- Waste bins are put out for collection regularly
- Waste bins are cleaned regularly
- Bins are lined with a waste bin liner
- Meat and seafood scraps placed in the freezer until collection day
- Rubbish is kept to a minimum by composting and mulching
- Property is tidy with no vegetation or rubbish accumulating
- Organic waste and garden clippings are recycled
- Compost bins are covered and turned regularly
- Fertilisers are applied during ideal weather conditions

## How healthy are your odour habits?

**1 or 2 boxes = Poor!** Try incorporating new healthy odour habits to increase your score!

**3 to 5 boxes = Good!** Your healthy odour habits are good, try some new habits to get a better score!

**6 to 8 boxes = Great!** You've got really good healthy odour habits!

Avoiding an odour nuisance can be done by maintaining healthy odour habits and by regularly checking septic and water tanks for existing odours.

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