

Fact sheet - air pollution - dirt and dust

Construction, excavation, landscaping and driving on unsealed roads can all cause dust and dirt. 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.

How to reduce dust and dirt

You can reduce dust and dirt emissions by:

- checking weather conditions when planning work
- watering down roadways or dusty areas
- 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 property access points away from neighbours
- limiting vehicle speeds and consider reducing the time vehicles use unsealed roads.

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
 - source address
 - date and time it starts
 - the duration each time it happens.

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.

How Council handles complaints

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 Act 2016*.

When investigating dust and dirt complaints, Council considers:

- whether the site has a development approval with a condition specific to dust or dirt emissions
- 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
- any measures that have been taken or could reasonably have been taken by the person causing the emission.

If a dust and dirt emission is unlawful, Council may:

- issue an on-the-spot fine of 15 penalty units (individual) or 75 penalty units (corporation)
- issue a notice. This will detail the offence and the timeframe the responsible person has to rectify the problem. If the person does not comply with the notice, an on-the-spot fine of 15 penalty units (individual) or 75 penalty units (corporation) may also be issued
- prosecute.

If there is a development approval for the site, with a condition about dust and dirt emissions, Council may issue a notice to ensure compliance with the condition. If the person does not comply, a fine of 20 penalty units (individual) or 100 penalty units (corporation) may be issued.

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 Science (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 Science.

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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 Science
<https://environment.des.qld.gov.au/>
- Department of Agriculture and Fisheries
<https://www.daf.qld.gov.au/>
- Standards Australia
<http://www.standards.org.au/>