

Smoke from chimneys

Smoke from wood fired heaters can affect neighbours and interfere with their normal activities. If severe enough, it can impact people's health.

How to reduce smoke emissions from chimneys

Before you install a wood fired heater consider the impact on your neighbours, the size needed to heat your home and consider heating alternatives, e.g. a gas heater. All wood fire heaters need to comply with [Australian Standard AS4012 and AS4013](#).

You can reduce smoke and particles from wood heaters by:

- not burning chipboard or painted or treated timber
- choosing dry firewood – it should be air dried for at least 8 months (wet or green wood causes more smoke)
- storing firewood under cover, stacked in a criss-cross pattern to allow air to circulate
- burning the fire brightly by starting with dry kindling and gradually add larger wood pieces – an efficient fire should have red glowing embers and bright swirling flames
- keeping air controls open at night – avoid shutting down the air controls (damper) overnight
- check your chimney to see if it is smoking too much
- cleaning and maintaining your chimney and wood heater regularly (e.g. check the glass door for cracks and seals for deterioration, check the firebox for rust and lubricate the air-slide control with high temperature grease).

Complaints

If you are affected by smoke 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 emission, 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 smoke 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 smoke complaints, Council considers:

- whether the site has a development approval with a condition specific to smoke emissions
- the amount being emitted
- the duration and rate of emission and the characteristics and qualities
- the sensitivity of the environment 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 the smoke 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 smoke 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.

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>
- Standards Australia
<http://www.standards.org.au/>