

Local Nuisance – Dust

What is a Dust Nuisance?

Dust generally consists of small or large particles of earth and/or other matter.

Dust can be created by:

- Land Clearing (exposed surface)
- Construction, building and or demolition works
- Roadworks
- Activities being carried out around a domestic premise (Landscaping)

What do Council consider when investigating a dust nuisance?

1. Is the dust creating a visible film on items (e.g. furnishings or vehicles)?
2. Does the dust affect the amenity of the area and reduce the ability of people to enjoy the indoor and outdoor environment?
3. Is the dust adversely affecting the health of the community? (e.g.- eye irritation or asthma attacks)

How can you reduce or mitigate dust whilst undertaking dust generating activities?

- Schedule activities when weather conditions are favourable (e.g.- little/no wind)
- Retain as much vegetation on a site as possible. (e.g. grass or small amounts of vegetation)
- Create physical barriers (e.g. solid fences or fencing covered in shade cloth)
- Spray water on the topsoil in dry conditions to reduce dust leaving from the site

What is the law?

Under the Local Nuisance and Litter Control Act 2016, dust may be a local nuisance where it has an *“adverse effect on an amenity value of an area...and unreasonably interferes with or is likely to unreasonably interfere with the enjoyment of the area by persons occupying a place within...the area”*.

How to report a Local Nuisance

Speak to Person

Initially you should try and discuss your concerns with the people (e.g. neighbours) from where the nuisance is coming from as they may not even be aware of the effect they are having on others. This is often the quickest way to find a solution.

Contact the Body Corporate

If the nuisance is coming from premises which is subject to the rules and regulations of a Body Corporate or Strata Group, you will need to contact the Body Corporate or Strata Group directly to seek a resolution as the nuisance is likely to be a breach of their rules and regulations.

Reporting a Nuisance during Business Hours

Between Monday to Friday 8.30am to 5pm. Please contact the Council on 8203 7203 or email city@cityofadelaide.com.au with as much information as possible.

Reporting a Nuisance After Hours

To report a nuisance outside of Monday to Friday 8.30am to 5pm, please contact SA Police on 131 444 if you require action at that time. Alternatively please contact Council during business hours to report the nuisance.

If the Nuisance is Serious

If the nuisance has the potential for serious or material environmental harm you should contact the Environment Protection Authority (EPA) directly on 8204 2004 24/7 or email: epainfo@epa.sa.gov.au.