

Local Nuisance – Smoke

What is a ‘Smoke Nuisance’?

Smoke generally consists of coarse and fine particles in the air that can affect the quality of both indoor and outdoor air.

Smoke may be created by:

- Backyard burning
- Open wood fires
- Solid fuel (combustion) heaters
- Extractor units

What do Council consider when investigating a smoke nuisance?

1. Is there a visible plume of smoke that extends into the air above neighbouring premises from the source of the smoke?
2. Does the smoke affect the amenity of the area and reduce the ability of people to enjoy the indoor and outdoor environment?
3. Is the smoke adversely affecting the health of the community? (e.g.- eye irritation or asthma attacks)

How can you reduce or mitigate smoke whilst undertaking the activity?

- Check the flue outside after 20 minutes; if smoke is visible adjust the vents to improve the fire.
- Don't burn garbage/painted timber/treated timber (such as permapine) or particle board, as these can release toxic fumes when burnt.
- When backyard burning only use charcoal and only for warmth or cooking

What is the law?

Under the *Local Nuisance and Litter Control Act 2016*, smoke 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.