

Odour Emission

Odour can cause an environmental nuisance to neighbours and interfere with their normal daily activities. If severe enough, it can impact on people's health. In a residential situation, odour can come from numerous sources, including compost heaps, rotting vegetation, fertilisers and rubbish.

Most odours are a mixture of many chemicals that interact to produce what we detect as an odour. Odour-free air contains no odorous chemicals. Fresh air is usually perceived as being air that contains no chemicals or contaminants that could cause harm, or air that smells 'clean'. Fresh air may contain some odour, but these odours will usually be pleasant in character or below the human detection limit.

Different life experiences and natural variation in the population can result in different sensations and emotional responses by individuals to the same odorous compounds. Because the response to odour is synthesised in our brains, other senses such as sight and taste, and even our upbringing, can influence our perception of odour and whether we find it acceptable or objectionable and offensive

Be a Good Neighbor

Take the time to talk to neighbours. Find out what concerns they may have and ask for suggestions about solving any problems. In many cases, an agreement can be reached that satisfy everyone's needs

The Law

The *Environmental Protection Act 1994* and *Environmental Protection (Air) Policy 2008* introduced by the State Government include controls for odour. An environmental nuisance is also defined as an odour creating unreasonable interference or likely interference with an environmental value

Section 443 of the *EP Act 1994* state that a person must not cause or allow a contaminant (refer section 11 for definition) to be placed in a position where it could reasonably be expected to cause a serious or material environmental harm or environmental nuisance (refer section 440). Council is therefore legally required to enforce these controls when odour problems occur from residential properties. If issues between neighbours cannot be resolved and further complaints are made, Council will have to investigate. If the odour is found to be a nuisance, Council may issue the residence causing the odour with a 'Direction Notice' for contravening a prescribed provision under *the Act* (Refer section 363A).

A Direction Notice will detail what offence has taken place and the time frame that the offender has, to rectify the problem. It is an offence not to comply with the provisions of the Direction Notice (refer section 363E) and if the Direction Notice is not complied with, Council may then issue an on-the-spot



fine. It is important to note that government departments other than Council may be responsible for odour from commercial sites and activities

The Criteria

When investigating a smoke complaint, Council will consider:

- the amount of spray, contaminant or pollutant being emitted.
- the duration and rate of emission and the emission's characteristics and qualities
- the sensitivity of the environment into which the odour is being emitted and the impact that it has had or may have, and
- the views of any other neighbors or complainants.

Reducing smoke emissions

- Good housekeeping
Keep your property tidy and do not allow vegetation or rubbish to accumulate. This will prevent material from rotting and creating an odour. Take the time to bag or wrap all rubbish and dispose of it properly. Minimize rubbish by composting and mulching organic waste and garden clippings and recycling plastic, glass, paper and cans.
- Observing weather conditions
If possible, consider the weather conditions before starting work that will create odour. For example, when working with fertilisers, try to schedule work when the weather is fine rather than in gusty or strong winds. Odour complaints are more frequent in summer as people are outdoors more often and houses are left open for ventilation. Remember, do not fertilise gardens in wet weather, as run-off to stormwater drains is harmful to creeks and rivers.
- Physical Barriers
Where possible, enclose or cover compost bins or piles of vegetation. Compost also requires regular turning and aerating. This may help to reduce odour problems.
- Water use
Spraying of water onto fertiliser may help it break down quicker and absorb into the topsoil more rapidly. It is important that enough water is used to keep the topsoil layer damp and that spraying is completed before strong breezes develop.

For further information please contact:

Environmental Health Services at Mount Isa City Council on 4747 3200