



Resolving Environmental Nuisance Issues in Your Neighbourhood



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Introduction

The undertaking of a range of hobby, repair and maintenance activities are common place in our community and an important part of people's lives. Lawnmowers, power tools, flood lights and smoke all have potential to cause nuisance. Unfortunately, not all residents are aware that certain activities cause annoyance and nuisance to neighbours in contravention of the provisions of the *Environmental Protection Act 1994* (the Act).

This guide has been developed as a tool to:

- resolve nuisance related concerns between neighbours without immediate Gympie Regional Council intervention, and
- where neighbourly remedy is not practicable or fails, provide a process for escalating nuisance issues to a formal complaint process.

Managing nuisance issues by communication cooperatively within the community assists in maintaining harmonious relationships with your neighbours.

It is important to note that council compliance policies adopt an initial community resolution approach for managing nuisance complaints. Formal enforcement action under the Act is considered as a last resort to minimize the potential for breakdown of relationships resulting in ongoing neighbour disputes.

In this document:

'Customer' means the person making the complaint.

'Environmental Nuisance' is defined as unreasonable interference or likely interference with an environmental value caused by aerosols, fumes, light, noise, odour or particles of smoke.

'The Act' means the *Environmental Protection Act 1994*.



Types of nuisance

The Act contains provisions for controlling certain activities that cause nuisance in the community. Responsibility for managing these community nuisance provisions has been devolved to council. The types of nuisance include:

- noise nuisance from regulated devices, building work, air conditioning, amplifier devices (not party noise or vehicle noise)
- odour, fumes, smoke and aerosol nuisances
- light nuisance.

Fact sheets for these nuisances are attached to this nuisance pack and include details of permitted hours and limits for noise activities. It is important to note that the Act prescribes assessment criteria for activities that may cause nuisance and establishes restrictions on hours of operation or other limits but does not prohibit the activity where it can be conducted within the legislated constraints.

The Act defines Environmental Nuisance as:

Environmental nuisance is unreasonable interference or likely interference with an environmental value caused by:

- a) aerosols, fumes, light, noise, odour, particles or smoke; or
- b) an unhealthy, offensive or unsightly condition because of contamination; or
- c) another way prescribed by regulation.

In investigating complaints, council officers are required to consider the general emission and/or noise emission criteria under the Act which include:

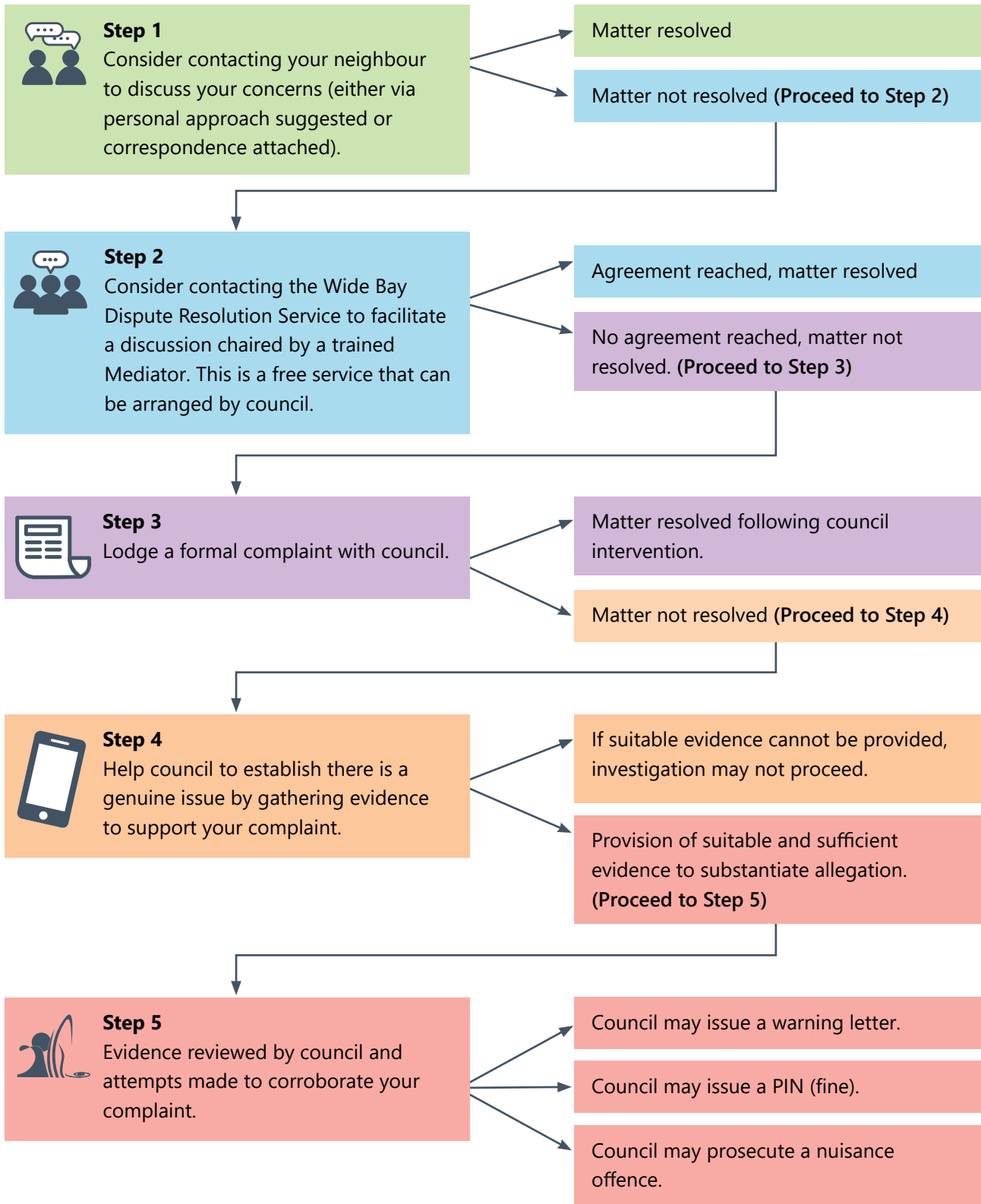
- the amount of aerosols, fumes, light, noise, odour, particles of smoke being emitted
- the duration and rate of emission
- the characteristics and qualities of the emission
- the sensitivity of the environment into which the emission may be impacting
- the views of any other neighbours.

For S440 (Offence of causing environmental nuisance) or S440Q (Offence of contravening a noise standard), investigations will be conducted to meet the evidence standards prescribed by S491 and 491A of the Act.



Resolution process

The flowchart below outlines the process to follow in the instance of a nuisance related dispute.



Step 1: Contact your neighbour



Don't assume that your neighbour is aware that an activity is causing annoyance or nuisance to you.

Contact your neighbour about the issue. Making contact in person is a good start to a good resolution. If you are not comfortable approaching your neighbour, you can drop a letter based on the example provided in this pack (page 10) into their mailbox.

Introduce yourself to your neighbour and discuss your concerns, particularly about how the activity is affecting you.

This may alleviate possible issues and make any conflict resolution easier.

Tips on managing conflict – Department of Justice and Attorney-General

- If there is no threat of physical violence, talking it out is the best solution. Face-to-face contact is better than letters and messages - and a good deal better than banging on walls, throwing things, or complaining about it to everyone else.
- Choose a good time to approach the other person so that neither of you is rushed.
- Think beforehand about what you want to say.
- Don't blame the other person for everything or begin with your opinion of what should be done
- Don't be tempted to interpret the other person's behaviour. Don't say 'You're blocking my driveway on purpose, just to make me angry'. Instead, say 'When your car blocks my driveway I get angry because it is difficult to get in or out'.
- Give the person a chance to tell you the other side of the story.
- Let the person know you are listening.
- Say that you're glad you're talking about the problem.

Work on what you can change and not what you can't.

Remain positive and respectful while dealing with your neighbour.



Step 2: Facilitated discussion



If you have attempted talking to your neighbour and this has not worked or the situation has deteriorated too far, mediation facilitated by the Queensland Government Wide Bay Dispute Resolution Centre (DRC) may help.

Mediation involves you attending a face-to-face meeting with your neighbour and one (1) or two (2) mediators. The mediators act as an impartial third party to guide you through a structured mediation process. They help you decide what you want to achieve and keep the discussion on track, ensuring both sides get a fair hearing.

The solution is one that you and your neighbour agree upon. It is not imposed on you by anyone else. When you reach an agreement, the mediators write it down and read it back to you so you're both clear about what you've agreed.

Mediation for neighbourhood disputes is free, completely confidential and independent of council. You can arrange for mediation yourself or alternatively council can arrange this on your behalf. The DRC will call or email you to confirm the application and clarify information provided. The DRC will then review the application and if approved, a letter will be sent to the other party inviting them to mediation. The other party may or may not agree to mediation.

The contact details for the Wide Bay Dispute Resolution Centre appear below.

Phone: (07) 4120 6708 or 1800 681 109 (toll free outside Hervey Bay)

Email: drc.wb@justice.qld.gov.au

Fax: (07) 4120 6714

Postal address: PO Box 3340, Hervey Bay DC QLD 4655

Address: Level 1, Brendan Hansen Building, 50-54 Main Street, Pialba QLD 4655

If you require assistance in arranging mediation, please contact council's Environmental Health Department on 1300 307 800.

NOTE: If circumstances suggest that Steps 1 and 2 are not viable options, as per Step 3, residents may lodge a formal complaint with council.



Step 3: Lodge a formal complaint with council



Where Steps 1 and 2 fail to achieve a satisfactory resolution or are not practicable, a formal complaint may be lodged with council by completing the complaint and diary forms provided in this pack. It is important to provide as much detail as possible about the nuisance and how it affects you to assist council to conduct an investigation. Council will investigate formal complaints as received.

Council officers may attend the premises to discuss strategies to address the concerns of affected residents.

Should you choose to lodge a complaint anonymously, please note that whilst the complaint will be recorded, your complaint may not be actioned depending upon the level of information provided.

Further, if a complaint has been recorded anonymously on council's database, due to privacy reasons council cannot provide information in respect of whether or not an investigation into the matter has been undertaken or any other updates, even if you were the original customer.

Usually, correspondence of a general nature advising of the concerns and suggested actions will be sent to the person identified as conducting the activity when a complaint has been received to provide them the opportunity to address the complaint. Correspondence is also usually issued to the customer advising that the concerns will be or have been investigated.

Please note that council is committed to the privacy principles of the *Information Privacy Act 2009*.

In protecting confidentiality, council will ensure that the details of the customer, the investigation and related decisions will be kept confidential. While every attempt to protect confidentiality will be made, there may be occasions when disclosure of details of a customer may be legally required.

Step 4: Gather evidence



If council's initial intervention does not achieve the desired outcome, you will be required to gather sufficient evidence of a suitable quality and submit same for council's consideration prior to any further action being taken. Please see the Evidence Gathering section on page 7.

Step 5: Action by council



If there is sufficient evidence of a suitable quality provided to council and council can corroborate your complaint, potential action that may be taken includes:

- issue of a warning letter or in more serious situations, issue a Direction Notice under the Act; and/or
- issue of Penalty Infringement Notice (fine); and/or
- prosecute the person conducting the activity causing the nuisance in Gympie Magistrates Court.

Please note that in respect of prosecuting environmental nuisance offences, this action is usually not undertaken and will be determined on a case-by-case basis. In respect of prosecuting offenders, council may decide not to spend public money on court action if it is not in the community's best interests.



Evidence gathering

Why evidence is required

Before council can take enforcement action in respect of environmental nuisance offences, council must be satisfied there is sufficient evidence to determine that:

- the nuisance is caused by an activity undertaken at a particular property; and
- the nature, frequency, duration and intensity of the emission coming from a particular property is such that a reasonable person would genuinely hold the view that the emission constitutes a nuisance.
- the activity is causing an emission that constitutes an environmental nuisance after considering the general emission and/or noise emission criteria under the [Section 363C of the Act](#) which includes:
 - the amount of aerosols, fumes, light, noise, odour, particles of smoke being emitted
 - the duration and rate of emission
 - the characteristics and qualities of the emission
 - the sensitivity of the environment into which the emission may be impacting
 - the views of any other neighbours
 - the order of occupancy between the person causing the emission and the affected person.

Emissions from an activity may be considered to be a nuisance if the emission is unreasonably interfering with the quality and enjoyment of a neighbour's property. For example, by disrupting or inhibiting activity normally ordinarily carried out on residential premises including:

- sleeping;
- holding a conversation;
- watching television;
- listening to the radio or other recorded material; or
- reading and other quiet recreation.

Before council makes a decision to commence action to remedy a devolved environmental nuisance, council must be satisfied that there is sufficient evidence to be confident that a magistrate will make a finding that the offence is proven beyond a reasonable doubt.

Council must further be able to corroborate your complaint and may do so by conducting a survey of other residents in the area. If council cannot corroborate your complaint by an independent neighbour or by a council officer undertaking surveillance of the area, council may not be in a position to take further action in respect of the complaint.



What evidence should I provide?

The best evidence that can be obtained is evidence from an affected person which provides details of the frequency, duration and intensity of the nuisance caused by an activity at a particular property. This evidence ideally will include the following.

1. Audio visual recordings

The key points to note are:

- it is not necessary to record hours of video but recordings must be of a length reasonable enough to establish that the emission is causing a nuisance. It is sufficient if the recording can establish, having regard to the location of the recording device and the activity causing the nuisance, that the emission is unreasonably interfering with the quality and enjoyment of your premises;
- recordings taken from inside of your house are likely to be of more importance than recordings made from your garden;
- audio visual recordings should be accompanied by details of the time that the recording was made and a diagram or plan showing the location of the source of the environmental nuisance in relation to your residence, including distances as accurately as possible.



2. Completing a Nuisance Diary

A nuisance diary is included with the complaint form included in this nuisance pack. This is a document in which you record information about the time and frequency of nuisance. The key points to note are:

- the more detailed the information, the better
- the log should be maintained for a minimum period of two (2) weeks and up to a maximum period of one month
- the log should be detailed enough to be presentable as supporting documentation to other verifiable evidence such as audio, visual recordings and statements of evidence.



3. Providing a witness statement

Environmental nuisances are considered to be offences against a person and the success of remedial action relies on the affected person providing evidence and a witness statement. A witness statement is an extremely important piece of evidence. It is an opportunity for you to set out clearly how the environmental nuisance affects your life and how it interferes with your daily activities. Council is unlikely to proceed with enforcement action in the absence of a witness statement that details the impact of the nuisance on you.



The provision of a witness statement from you will generally mean that council has stronger prospects of successfully taking enforcement action against the person undertaking the activity that causes the nuisance.



The statement will need to include such information as:

- a description of the nuisance such as mowing lawns before 6.30am or operating a security light at night that shines into a bedroom disrupting sleep;
- the approximate distance from where the nuisance source to your residence, including the rooms affected in particular;
- times of the day or night the activity is being undertaken and the frequency of the activity at those times;
- details of how the nuisance is unreasonably disrupting or inhibiting the activities you ordinarily carry out in your residence and on your land;
- identifying the times and locations of the audio and/or video recordings taken and details of the audio and/or video equipment used; and
- any other matters you consider relevant to your complaint.

A council officer will obtain this statement from you as part of the investigation.

Important Note: Severe penalties (including imprisonment) apply for making false or misleading statements.

In addition, it will be easier for council to be satisfied that an activity is causing a nuisance if evidence from other adjoining or neighbouring residents is also provided to council. This will corroborate and strengthen the evidence overall.

Please note that in the event that your complaint is not corroborated by an independent party residing in the neighbourhood or by a council officer, council may not be in a position to take further action in relation to the matter.

Council's role

Council has certain legal responsibilities to uphold its local laws and devolved state government legislation. Prosecution of offences may be undertaken in appropriate circumstances where council is satisfied on the evidence that:

- i) an unlawful environmental nuisance is occurring, and
- ii) it will likely be successful in prosecuting the person undertaking the activity causing the nuisance; and
- iii) it is in the interest of the community to spend public money on the action.

Council will undertake certain investigations to verify and corroborate complaints where it is able to do so.

If a complaint is made, but the person making the complaint is unwilling to assist in providing the evidence discussed above, then council is unlikely to be in a position where it is able to progress the matter further.

Resolution of complaints will be dependent on the quality of the evidence obtained during the investigation and the availability of corroborating evidence validating the environmental nuisance complaint.



Example letter to neighbour

Dear Resident

You may not be aware, but [INSERT ACTIVITY e.g. mowing your lawn early in the morning or turning on your security light late at night] is causing a nuisance.

I am sending you this letter in the hope that you will be able to [example – mow your lawn later in the morning after 7.00am or modify the security light by installing a shield or changing the direction/angle of the light].

I will wait a while to see if the nuisance impact is reduced before I consider further action. I would prefer not to make a complaint to council as I am trying to be a good neighbour, however it has genuinely become a problem for us that is disrupting our daily lives.

Thank you in advance for trying to find a solution to this problem.

Regards

A Concerned Resident



Nuisance Allegation Complaint Form and Diary

Environmental Protection Act 1994

PURPOSE OF FORM:

This form will be used to assess the extent of the problem and guide council's investigation. Please add a separate statement if there is insufficient space on this form.

Complaint Reference No. (provided to you by Customer Service): CRM # _____

Section 1: Provide relevant contact information

Complainant's Details	
Full Name: _____	
Residential Address: _____	
_____ Postcode: _____	
Phone No.: _____ (Home)	_____ (Work)
Best contact time: _____	
Email: _____	
Do you give permission for your details to be released to the alleged source – if required? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Have you previously raised this matter with council? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, provide details (including any complaint reference numbers, if available):	

Section 2: Provide a brief description of the problem (e.g. noise from an air-conditioner at my neighbour's property located at)

Section 3: Provide specific details of the problem.

When are you impacted by the problem? (times and days)	
How long does it last for?	
How often does it occur? (i.e. multiple times a day, weekly etc.)	
When did you first notice the problem?	

Section 4: Describe when the problem is most annoying to you and why?



Where in your property are you affected by the concern?

Have you kept a diary? (i.e. a log of the dates and times the problem has occurred and how it affected you)

- Yes (If yes, please enclose a copy of this diary)
- No (If no, please complete the enclosed diary forms over the next fourteen (14) days (or another timeframe as specified by an authorised officer). Please also submit any supporting documentation, photographic and/or video graphic evidence, where available, that may assist council with our investigation.

OTHER DETAILS and ADDITIONAL COMMENTS:

By lodging this formal complaint with Gympie Regional Council I acknowledge:

- i) I may be requested to submit audio, visual evidence to Gympie Regional Council to substantiate any complaint for this matter to be progressed further;
- ii) without the submission of audio, visual evidence of a suitable quality to substantiate my complaint, council may not be in a position to take action against the owner of the subject nuisance;
- iii) council may conduct a survey of other residents in the neighbourhood to corroborate my complaint. In the event that my complaint is not corroborated by an independent party residing in the neighbourhood or by a council officer by conducting surveillance of the area, council may not be in a position to take further action in relation to the matter;
- iv) I am prepared to act as a witness in any legal action instigated by council against the person conducting the activity causing the environmental nuisance. I am prepared to attend a magistrates court to do so.



Section 5: Declaration for Complaint Form

I acknowledge by virtue of s110A(6C)(c) of the *Justices Act 1886* that:

1. this written statement by me dated ____/____/____ is true to the best of my knowledge and belief; and
2. I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in this statement anything that I knew to be false.

Name in Full (printed): _____

Signature: _____

Contact Email: _____

Once we receive this completed nuisance allegation complaint form and a diary of events, we will contact you to discuss our next course of action. Please note that any ensuing investigation will require your further assistance and may require you to appear in court to provide evidence of the offence.

Privacy Notice: In using this form you are providing personal information such as name and contact details. This information will be used only for the purpose stated above and will only be accessed by persons who have been authorised to do so. Your personal information is handled in accordance with the Information Privacy Act 2009.



Noise nuisance information

Acceptable noise levels and complaints

Noise can disrupt sleep and interfere with daily activities. If loud enough, it can also have a negative impact on people's health. The prescribed noise standards generally include noise limits at different times of the day and/or prohibit audible noise late at night to 7.00am in the morning.

[Audible noise](#) is noise that can be clearly heard by an individual who is an occupier of an affected building.

Note: an individual is taken to be able to clearly hear a noise if he or she can hear the noise from the part of the building occupied by the individual that is most exposed to the noise.

Complaints not investigated by council

Council shares responsibility for noise complaints with other authorities. Council does not investigate the following:

- music, loud stereos, parties, rowdy behaviour and burglar alarms - contact [Police Link](#) on 131 444
- premises with a liquor licence (e.g. pub or club) - contact the [Office of Liquor and Gaming Regulation](#) on 13 QGOV (13 74 68)
- State government properties or activities that are regulated by the state government. Contact the [Department of Environment and Science](#) or on 13 QGOV (13 74 68)
- aircraft noise - contact [Airservices Australia](#), Noise Complaints and Information Service (NCIS) on 1800 802 584
- on-road vehicle noise - contact the [Department of Transport and Main Roads](#) on 13 23 80
- off-road noisy vehicles and trail bikes - contact [Police Link](#) on 131 444
- an environmentally relevant activity regulated by the [Department of Agriculture and Fisheries](#) (e.g. poultry farming)
- an environmentally relevant activity regulated by the [Department of Environment and Science](#) (e.g. chemical manufacturing)
- a state or local government premises or activity (e.g. state school) - contact [Department of Environment and Science](#).



Exemptions

The *Environmental Protection Act 1994* provides exemptions for noise created from:

- road maintenance
- road noise
- traffic signals
- railway or railway signals
- public transport infrastructure
- maintaining public infrastructure, including
 - water and sewage services
 - facilities for telecommunications or electricity
- preventing or removing public health risks.

Guide to decibel levels

Some noise regulations include a maximum loudness in decibels. Some common decibel levels for everyday activities are:

Source	Volume (Decibels)
Quiet room in a house	20 to 30 decibels
Daytime in a quiet residential street	35 to 45 decibels
Person talking normally at 1m	60 to 65 decibels
Washing machine	50 to 75 decibels
Freeway Traffic	70 decibels
Lawn mower from 15 metres away	70 decibels
Heavy Traffic, Noisy Restaurant	85 decibels
Soloists/duos	85 to 105 decibels
Other small bands	95 to 105 decibels
Small rock band	105 to 120 decibels

Please note that mobile phone apps that measure noise are not considered suitable for assessment of environmental noise nuisance as detailed in the Department of Environment and Science Noise Measurement Manual (Version 4.01). These apps may provide guidance about noise levels generally.

Residential premises

Council can issue an on-the-spot fine or a direction notice for environmental nuisance originating from a residence. A direction notice will detail the offence and the timeframe the offender has to fix the problem. Failure to comply with a direction notice is an offence for which council may take further action in the magistrates court. The Act prescribes noise limits for different types of equipment and activities (refer Noise Fact Sheets in fact sheet section in this pack below).



Commercial and industrial premises

Noise nuisance from activities conducted at commercial and industrial properties may be:

- a result of failure to comply with a development approval or condition. Council is able to investigate and take action under the *Planning Act 2016*.
- a contravention of the prescribed noise standards. Noise nuisance from commercial premises not controlled by a development approval are investigated in a similar manner to environmental nuisance originating from a residence.

Noise investigation process

Noise investigations will be undertaken by council environmental health officers (authorised persons) in accordance with adopted work instructions. Generally authorised persons will undertake an initial review of the allegations and initiate contact with the persons identified as causing the noise to inform them of their obligations under the Act. Should the noise nuisance continue, the investigation may escalate to on-site assessment where two authorized persons will visit the affected property. The assessment will generally include:

- for contravention of noise limits prescribed by a noise standard, officers may undertake noise measurement using their own senses and undertake measurements with a calibrated scientific noise meter to determine if the noise emission exceeds prescribed limits.
- where a noise causes an environmental nuisance or a noise standard prescribes that noise is not permitted to be audible at the sensitive receptor, officers will make an assessment based on whether they can clearly hear the noise as prescribed by S491A (2) of the EP Act, without undertaking noise measurement. This includes assessments for:
 - building work
 - regulated devices
 - pumps from 10.00pm to 7.00am
 - indoor venues from 10.00pm to 7.00am
 - open air events from midnight to 7.00am
 - amplifier devices from 10.00pm to 7.00am on business days and from 6.00pm to 8.00am any other day
 - power boat sports in waterway on a business day or Saturday from 7.00pm to 7.00am or any other day from 6.30pm to 8.00am
 - operating boat engines at premises on a business day or Saturday from 7.00pm to 7.00am or any other day from 6.30pm to 8.00am.

Where noise assessment is necessary, council officers will contact you to make arrangements for a site visit and obtain consent to enter your residence (*note: the assessment must be undertaken in the part of the house where the impact is occurring*). Officers are not permitted to discuss findings or possible outcomes at the time of assessment.



Managing light nuisance

Council, residents and businesses all have a role to play in managing light pollution. Council encourages residents to discuss issues to find practical solutions to manage light pollution in our community.

Light pollution is artificial light that illuminates or pollutes outside areas that are not intended to be lit. Light pollution can come from a range of sources, including security lights, floodlights and advertising signs. Obtrusive lighting can affect the health and wellbeing of residents in your neighbourhood, particularly when it disturbs sleep.

If a friendly conversation with your neighbour fails to resolve the issue, a formal complaint to council may be investigated and light levels assessed in accordance with S363C and S491 of the Act or against Australian/ New Zealand Standard Control of the obtrusive effects of outdoor lighting (AS/NZS 4282:2019). The Standards prescribe maximum illuminance levels in zones based on expected ambient levels (population density and time of day).

Extract - Table 3.2 Maximum Values - Light Technical Parameters				
Zone	Illumination Levels (lux)			
	Non-curfew 6.00am to 11.00pm	Example	Non-curfew 11.00pm to 6.00am	Example
A0	Close to zero	Starlight	0	Overcast night
A1	2		0.1	Quarter moon
A2	5		1	Deep twilight
A3	10	Twilight	2	
A4	25		5	

AS/NZS 4282:2019 provides guidance on lighting effects on residents generally as a perceived reduction in amenity arising from light entering habitable rooms at a level that exceeds ambient levels. Table 3.2 above provides maximum light levels for daytime and nighttime within zones as listed in Table 3.1 below:

Extract table 3.1 Environmental Zones (AS/NZS 4282:2019)		
Zones	Description	Examples
A0	Intrinsically dark	Major optical observatories, no road lighting
A1	Dark	Relatively uninhabited rural areas, no road lighting
A2	Low district brightness	Sparsely inhabited rural and semi-rural areas
A3	Medium District brightness	Suburban areas in Towns and cities
A4	High district brightness	Town and city centres, commercial areas and residential areas abutting commercial areas



Common outdoor light levels for reference

Common outdoor light levels at day and night	
Light Condition	Light level (lux)
Sunlight	107,527
Full Daylight	10,752
Overcast day	1,075
Very dark day	107
Twilight	10.8
Deep twilight	1.08
Full Moon	0.108
Quarter moon	0.011
Starlight	0.0011
Overcast night	0.0001

Being a good neighbour - tips for reducing light and glare

- When buying external lights, consider their brightness. The lower the brightness, the less likely they will impact on neighbours. Warm white, lower lumen, light-emitting diode (LED) light globes should have less impact on neighbours.
- Install timer or sensor lights and ensure lights are turned off when not required for safety or security reasons.
- Locate the light source as far as possible from neighbours and away from sensitive areas making sure they do not shine into the bedrooms or living areas of neighbouring properties.
- Wherever possible, direct light downwards, not upwards, to illuminate the target area. If there is no alternative to up-lighting, use shields to prevent light affecting your neighbours.
- Ensure the light beam from elevated lights is kept below 70 degrees from the horizontal and use light shields.
- Don't over-light. Less is more for your neighbours and your electricity bill.
- Ensure that the main beam angle of all lights directed towards any sensitive place is kept below 70 degrees. You can also use light shields to help minimise glare and the impact on neighbouring properties.



Smoke nuisance information

Smoke and particles from fires can detrimentally affect others living in the area and impact people's health.

The control of fires is managed under council local laws which provide:

- urban properties (under 4000m²)
 - incinerators and open fires are prohibited
 - fires are permitted for the purposes of cooking or heating only. Permitted fires must be contained in a cooking or heating appliance (e.g. BBQ or brazier)
- non-urban or rural properties
 - small open fires less than two metres in any direction are permitted provided that no smoke nuisance is created
 - a Queensland Fire and Emergency Services (QFES) Fire Permit is required for fires that are greater than two metres in any direction
 - fires lit under a fire permit are regulated under QFES. Please contact your local fire warden or call 000 in an emergency, if you are being impacted by a lit fire greater than 2m in any direction.

Smoke nuisance from permitted fires (BBQs and braziers in urban areas and small fires in non-urban areas) is investigated under the Act.

Smoke nuisance from prohibited fires are investigated under council local laws.



Nuisance fact sheets

Light nuisance

- [Light nuisance fact sheet](#)

Noise nuisance

- [Air-conditioning equipment](#)
- [Amplifier devices](#)
- [Building work](#)
- [Power boat engines](#)
- [Pumps](#)
- [Refrigeration equipment](#)
- [Regulated devices](#)
- QLD Government Fact Sheet – [Noise Regulation under the *Environmental Protection Act 1994*](#)

Air pollution

- [Air pollution information](#)
- [Smoke nuisance fact sheet](#)

Queensland Dispute Resolution Service

- [Neighbourhood Mediation Kit](#)