



PROBLEMS WITH NEIGHBOURS

WHAT SHOULD I DO WHEN I HAVE A PROBLEM WITH MY NEIGHBOUR?

In general you should attempt to resolve any dispute with a neighbour by talking and trying to reach a satisfactory solution. After all you may be living alongside each other for years to come and it is in both your interests to be on reasonable terms.

Taking disputes with neighbours to court can be expensive and the outcome may leave you bitter and hostile to each other. In your own interest, do not take any action over a problem before talking the matter over, or if necessary lodge a complaint with the City's Health and Compliance Service.

As an alternative to a complaint or going to court, you may refer the dispute to a community mediation or arbitration service (contact details follow).

What is Mediation?

Mediation is where a neutral third party assists two or more people in dispute to identify concerns and investigate options with the aim of reaching an agreement. The mediator will not take sides or make decisions for you.

What are the Benefits of Mediation as Opposed to Litigation?

Mediation is less time consuming and less expensive than litigation. The people in the dispute control the outcomes so there is only agreement reached when you are satisfied with an outcome. Mediation also assists in future communication between the people involved, so it is helpful in improving future relations.

NOISE

The first thing to do is ask your neighbour to stop or reduce the noise or to make it only at certain times of the day. If this approach fails, depending on the cause of the noise there are various steps you can take. There are also regulations that controls "unreasonable" noise and restricts the use of certain noisy tools and machinery. You should contact the City's Health Service if you are troubled by noise from such items.

If you are being disturbed by parties, stereos or car noise, you may also complain to the police (after hours). Police Service Officers are authorised persons (noise) and have powers in relation to excessive noise.

KEEPING OF ANIMALS

There are local laws that place restrictions on the keeping of animals such as poultry, pigeons, horses and livestock within the City.

If your neighbour keeps animals that are affecting you, whether it is noise, odour, dust and flies, you should contact the City's Compliance Service who can confirm if they have the necessary approvals. Officers will then take the appropriate action in relation to any nuisance being created.



NUISANCE

If your neighbour engages in any activity on their property, they must do it in a manner that does not cause or permit the emission of dust, fumes, odours, light, noise, liquid waste or smoke so as to create a nuisance. There may be local laws that deal with nuisances and protect you from a substantial and unreasonable interference with your health, comfort and amenity.

If your neighbour is causing you substantial or unreasonable interference by way of nuisance, ask your neighbour to stop or reduce the nuisance. If this approach fails, you should contact the City's Compliance Service for assistance.

SMOKE

There are local laws which govern what, when and where you can burn, it is illegal to burn some substances because of the fumes they produce. The City's local laws prohibit persons from burning on any residential land. Written approval is also required from the City before anyone burns rubbish, refuse or other materials on all other properties.

If your neighbours' smoke emissions either from backyard burning or wood heaters is affecting you, contact the City's Health and Compliance Service who can generally take action to alleviate the problem.

MEDIATION SERVICES:

Gosnells Community Legal Centre
Gosnells Community Lotteries House
Suite 1, 2232 Albany Highway
GOSNELLS WA 6110
Opening Hours: Mon-Fri 9:30am – 4:00pm
Enquiries: (08) 9398 1455 Fax: (08) 9490 1265
Email: admin@gosclc.com.au

Citizens Advice Bureau
25 Barrack Street
PERTH WA 6000
Enquiries: 9221 5711 Admin: 9325 4217
Fax: 9221 5356 Email: cab@inet.net.au

Alternatively, you may decide to contact a mediator listed in the Yellow Pages.

Should you have any further enquiries relating to the above matter please contact the City's Health and Compliance Service on 9397 3000.

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