

Guidelines for Solving Neighbourhood Issues

in the Shire of Kalamunda

It is natural that in the course of day to day living that some activities may result in noise, dust, and other effects, that might affect those living with you or on other nearby properties. While it is acceptable for some activities to be undertaken that might create smoke, dust, fumes or odours, these effects must be within legal levels.

So when people engage in activities on their property, they should ensure that the noise, smoke, dust, fumes, odours, or accumulations of solid or liquid waste that might result does not adversely effect surrounding properties. Similarly, they should ensure that activities on their land do not result in the breeding or attraction of pests.

Neighbourhood Noise – Steps to Take



The first thing to do regarding any noise nuisance problem is to politely advise your neighbour of the problem and request that they take the necessary action to solve the problem, eg. politely ask them to stop or reduce the noise level.

If, following speaking to your neighbour, the problem persists, you might try mediation or use a Dispute Resolution Service (see the end of this pamphlet).

Animals, Smoke, Odours & Other Issues

There are regulations determining what noise is acceptable and on how noisy equipment like lawn mowers and musical instruments may be used. Council's leaflet titled Neighbourhood Noise (attached) has additional information on noise requirements.

With other issues, like dust or odour, there may be local or state laws to protect the health, safety and amenity of your neighbourhood. You may be able to lodge a formal complaint with Council's Health Service by completing a Health Investigation Request Form (HIRF) and returning it to us.

In some instances, such as with barking dogs, there is specific legislation that can be used to address the problem.

In other instances, such as with loud parties and music late at night, if the property owner has not addressed the noise level, you may choose to contact the police for assistance.



How Do I Approach My Neighbour? Tips on Negotiation

- **Use a Win/Win approach:** Identify each party's needs and focus on achieving an acceptable outcome for both sides. Sometimes focusing on what each party needs helps more than trying to immediately look for a solution. Keep the language "clean" & polite.
- **Aim to come to a consensus & build a solution together:** Consider your expectations; it may be unrealistic to expect the other person to immediately fix or respond to the problem. Resolution may require a compromise from both parties.

Summary

- Focus on the problem NOT attack the person.
- Identify each party's needs.
- Emphasise your common ground.
- Be inventive for solutions.
- Ensure details of the agreed solution are clearly understood and accepted by all parties.



Some Advice on Verbal Attacks

Sometimes people shout when they are angry or upset or if they feel they aren't being heard. In this situation it can be hard to resist the urge to either run away or shout back. It is important to try to stay calm and resist the urge to rise to the bait or retaliate.

It may help the other person to calm down if you acknowledge their viewpoint to let them know that you are listening to what they are saying. This doesn't mean you have to agree; you can respectfully acknowledge their viewpoint but can still disagree. *eg. "Mrs Smith, I hear what you're saying, however that's not my experience of the situation."*

If they are not showing any sign of calming down, you can politely suggest that you discuss the issue again at another time. *"Mrs. Smith, I'm uncomfortable with the way you're shouting. I'd prefer to continue discussing this at another time. Is Tuesday suitable?"*

Generally, however, stridently defending yourself or justifying your actions in this situation will only inflame the other person further.

Other Sources of Assistance

Western Australian Dispute Resolution Service - PH: 9321 3755 E: www.wadra.law.ec.ed.au

Citizens Advice Bureau, Head Office - 25 Barrack Street, Perth PH: 9221 5711
Midland Office: PH: 9274 3000

Conflict Resolution Network - Home Page - www.crnhq.org.

Further information can be obtained from the Shire of Kalamunda Health Service on 9257 9813.

