

## **Long weekends & noisy neighbours: the rules & remedies**

Neighbourhood noise is a growing legal issue as more homeowners build ever closer to their property boundaries.

The issue can be especially prevalent on long weekends when there are parties, power tools, and dogs left alone while their owners take a holiday.

### **So, when it comes to noisy neighbours - what are the laws and the solutions?**

Noisy machines such as lawnmowers and power tools are to be used only from **9 AM to 8 PM on Sundays and public holidays** and between 8 AM and 8 PM on Mondays to Saturdays.

If your neighbours disturb you with unreasonable amounts of noise, politely let them know about your concerns. Your neighbour might not have been aware their noise was bothering you – so adopt a friendly approach when raising the issue and try to be mindful of your neighbour's perspective.

### **Who can I call?**

- Noise complaints regarding parties, loud music and revving cars should be reported to police.
- Noise from barking dogs and other animals should be reported to your local council.

### **What can authorities do?**

- Police have the power to issue an *emergency environmental protection order* which applies for 72 hours. These are most commonly used by the police to shut down noisy parties. Police also have the power to confiscate the source of the noise (e.g. a stereo system).
- Under the terms of residential tenancy agreements in SA, tenants must not interfere with the reasonable peace and comfort of those living nearby. A tenancy tribunal can terminate a lease if that rule is breached.

### **What can households do?**

- Think about steps you can take on your own property to minimise the impact of noise.
- If a noise problem continues, you could try writing a letter to your neighbour explaining the effect the noise is having upon you. If this fails, consider going to a mediation service which helps people settle disagreements without legal action or court involvement.
- If mediation is unsuccessful, a court application to stop the noise is a further option. Before pursuing that, seek legal advice because court action should be considered only as a last resort. People should remember that they may have to live as neighbours for some time

**Remember:** no home is totally sound proof; everyone can expect some noise from neighbours.

This information is a general guide to the law. It is not a substitute for legal advice. For free and confidential legal advice in SA telephone the Legal Services Commission on **1300 366 424** or go to [www.lsc.sa.gov.au/](http://www.lsc.sa.gov.au/)

**Christopher Boundy is available for interview (Manager of Access Services at the LSC)**

**Contact:** Jeremy Boylen, LSC media advisor **M 0421 611 856**