

factsheets&forms

Keeping you current with all the latest information.



Neighbours Disputes

What Will ACHL Do To Resolve My Dispute?

What Can ACHL Do?

As Landlord of the property, ACHL is responsible for ensuring that:

- All tenants meet the conditions of their tenancy agreements; and
- Where there is a breach, appropriate action is taken.

This does not require ACHL to:

- Take action where there is no alleged breach of the tenancy agreement;
- Mediate or conciliate neighbourhood disputes.

When Has a Tenant Breached Their Agreement?

How Do I Make a Complaint?

Before you make a complaint to ACHL, you must remember that: ACHL will first expect that you have taken reasonable steps to resolve the dispute yourself. See "How can I resolve my dispute?" below. ACHL will not pursue vengeful or trivial complaints.

ACHL will only act in the case of an alleged breach of the tenancy agreement

To make a complaint:

1. You must put your complaint in writing.
2. If you are unable to do this due to poor English language skills or a disability etc..., a verbal complaint will be accepted.
3. The complaint should state who it is you have a complaint about, why you are complaining and details of any evidence to support your complaint.
4. ACHL will then investigate the matter.
5. ACHL may take such action as writing to or interviewing the tenant.
6. At no point will your name be made known to the tenant without your express consent.
7. You will be provided with written acknowledgement of your complaint within fourteen days of the complaint being made.
8. Unfortunately, due to privacy laws, ACHL is not able to tell you about any specific action we may take.

Neighbours Disputes

What Can I Do To Resolve My Dispute?

Talk to Your Neighbour

The best and the easiest way to resolve your dispute is to talk face to face with your neighbour, unless there is a threat of being physically hurt. You may be living along side your neighbour for many years to come so it is important to try and resolve your disputes peacefully. Talking is often more successful than writing letters or complaining to someone else.

Mediation Community Justice Centre's (CJC) provides mediation and conflict management services to assist people to resolve their own disputes.

The service is FREE, confidential, voluntary and easy to use. Brochures with more information about the CJC are available at ACHL reception. Contact Local Authorities

Many of the issues at the centre of neighbour disputes are regulated by local authorities.

These include the body corporate, local council and the Environmental Protection Agency (EPA). Your local authority may be able to issue the offender with an infringement notice or a fine for conduct that breaches their regulations.

Legal Action a solicitor or community legal centre can provide you with more information about your rights in a dispute. Remember, going to court can take years and be expensive.

WHAT CAN I DO IF...

My Neighbour's Vehicle Is Incorrectly Parked?

If the vehicle is parked on private property and has been authorised to come onto the property, it is essentially a private matter. You may ask your neighbour to move their vehicle. If this is not successful, then contact our office.

My Neighbour is Noisy?

Often your neighbour may not realise that they are being noisy. The first thing to do is ask your neighbour to stop or reduce the noise or to make it only at certain times of day. If this approach fails there are various steps you can take. If the noise is a "one off" problem, for example, if you are being disturbed by a party late at night, you may complain to the police. The local council also has authority to issue infringement notices for a wide range of excessive noises, for example air conditioner units, radios, power tools, lawn mowers and burglar alarms. If your neighbour is being continually noisy, you should contact our office. You will need to provide us with the specific details of who was making the noise, what the noise was and when it occurred.

Branches from My Neighbours Tree Overhang into My Property?

Cutting back the branches and roots of your neighbour's tree that protrude on to your property would usually require the consent of your local council under its Tree Preservation Order.

We strongly recommend that you contact our office before proceeding with any cutting back; as if you breach a council order you could be fined.

Neighbours Disputes

My Neighbour's Dog Comes into My Garden?

If you don't give permission, or you give permission and later withdraw it, a dog on your property may be considered a trespasser. You can contact your local council to have the dog removed. However, if no damage has been done, it is probably best to return the animal to your neighbour or ask the neighbour to retrieve it.

My Neighbour Peers over the Fence?

Legally there is no right to privacy and there is nothing you can do about a neighbour who looks into your property or listens to what is going on there. Apart from asking your neighbour to stop looking, you could consider planting screening trees or shrubs, or hanging lace curtains.

My Neighbour Comes on to My Property?

You can allow any person to come on to your property for a particular purpose and you can withdraw the permission at any time. Once you have withdrawn permission, the person must leave immediately; if the person does not, he or she becomes a trespasser. Anyone who comes on to your property without your permission is a trespasser and you can contact the police to have them removed. An exception is if your neighbour has a right of way on your land eg. A shared drive way

Useful Contact Numbers

Auburn Local Council

Civic Place, 1 Susan Street, Auburn.
Tel: 9735 1222

Bankstown Local Council

Civic Tower 66-72 Rickard Rd,
Bankstown. Tel: 9707 9999

Canterbury Local Council

137 Beamish St, Campsie.
Tel: 9789 9300

Community Justice Centre

Ground Floor, Civic Tower, 66-72
Rickard Road, Bankstown.
Tel: 9790 0656

Consumer, Trader and Tenancy Tribunal

An independent decision making body. It is a quick, inexpensive way of resolving disputes.

Tenants' Advice and Advocacy Service

An independent community based organisation that provides tenants with information, advice and advocacy.

Southern Sydney area Tel: 9787 4679

Law Society of NSW

Can assist you to locate a registered solicitor.

Tel: 9926 0333

Macquarie Legal Centre

Provides free legal advice to Western Sydney residents.

Tel: 9760 0111

South West Sydney Legal Centre

Provides free legal advice to residents in Liverpool, Bankstown or Fairfield local government areas.

Tel: 9601 7777