

## **Dispute Resolution**

Disputes between neighbours and adjoining developments can occur from a number of various reasons.

Common neighbourly disputes can arise from:

- Trees protruding over boundary fences.
- Dividing Fences.
- Maintenance of rights of carriageways and accesses
- Noise associated with household functions (ie music, vehicles, people, parties)
- Maintenance of yards, including vermin and fire hazards.
- Dust / Spray drift and Light Pollution associated with rural productivity.
- Parking of vehicles
- Drainage of Stormwater / Effluent
- Dumping of waste.
- Erection of buildings without consent.

Council provides a medium for investigating disputes which fall within its jurisdiction. Usually once a complaint has been received Council will within 48 hours, conduct a site inspection and determine whether the complaint has substance or whether the grievance is merely vexatious. In order for Council to process a dispute, the complainants name will be required to be given along with a contact number and address. Council will under its privacy policy keep complainant details confidential to any third party where possible. The complainant will be notified in writing (or in some instances by phone) of the outcome.

Council encourages mediation where necessary in order to facilitate a desired outcome. Most complaints can usually be solved through talking with a neighbour and allowing an understanding of the issue at hand. If the complaint cannot be solved by talking with the neighbour, or if a breach of the law has been conducted, Council will usually investigate the matter.

Matters which fall outside Council jurisdiction, for instance neighbouring fences, the community justice centre (CJC) provides a free formal mediatory service for dispute resolution. Council can refer you to a CJC centre to resolve a grievance and the centre has trained staff to enable communication between parties.

The Community Justice Centre is a State Government Initiative, aimed at resolving disputes and preventing matters from proceeding to Court hearings.

The Community Justice Centre may be contacted via the following methods;

Web	<a href="http://www.cjc.nsw.gov.au">www.cjc.nsw.gov.au</a>
Free Call	1800990777
Email	<a href="mailto:cjc_northern@agd.nsw.gov.au">cjc_northern@agd.nsw.gov.au</a>
Mail	Community Justice Centre Reply Paid 61824 Newcastle NSW 2000

**Note:** Disputes that remain unresolved regarding developments within the development assessment process and also disputes that may arise through the issue of an undesirable determination outcome for both a proponent and also an objector, may only be resolved through either a review of the determination or through a court process.

Any person that makes a submission by way of objection and is dissatisfied with the determination of the consent authority to grant development consent, may appeal the decision to the New South Wales Land and Environment Court within 28 days after the date on which notice of determination was given in accordance with the *Environmental Planning and Assessment Regulation 2000*.

If you require further information regarding challenging a development consent or seeking a review (only applies to a proponent), please contact Council's Senior Strategic Planner, within the Environmental Services department on (02) 67996855 or alternatively in person at Council's administrative centre 46 - 48 Maitland Street, Narrabri.