

# Local Nuisance and Litter Control Act 2016

## Responsible Agencies

There are agencies and authorities that also regulate and monitor activities that impact the environment. Further information can be found below for such activities and responsible organisations.

Query / Complaint	Circumstances	Responsibility
<b>Residential Premises</b>		
Enquiry relating to Residential Premises arising from a neighbour operating a fixed machine, eg. pool pump/filter, air conditioner, alarms, or similar.	If the noise has travelled from a domestic premises to another domestic premises and is causing an unreasonable interference with the enjoyment of the neighbouring premises. <sup>1</sup>	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
Enquiry relating to Residential Premises arising from a neighbour operating a non-fixed machine eg. power tools, lawnmowers, leaf blowers, or similar.	If the noise has travelled from a domestic premises to another domestic premises and is causing an unreasonable interference with the enjoyment of the neighbouring premises, <u>outside</u> the following timeframes: - 8am to 8pm Monday to Saturday - 9am to 8pm Sunday. <sup>1</sup>	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
Enquiry relating to odour, dust, smoke, vibration and light.	If the odour, dust, smoke vibration or light nuisance has travelled to neighbouring premises and is causing an unreasonable interference with the enjoyment of the neighbouring premises. <sup>2</sup>	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
I would like to make a complaint about people generated noise, eg. loud parties, loud music, band practice, loud voices.	Noise that principally consists of music or voices or from both a domestic premises are addressed by SAPOL.	SAPOL - 131 444
Residential Strata Titled Premises	Noise or other such nuisances from strata managed properties are exempt under this Act and Council has no legal authority to assist.	Relevant Strata Management  More info: <a href="http://lawhandbook.sa.gov.au">lawhandbook.sa.gov.au</a>
Residential Community Title Premises	Noise or other such nuisances from community title properties are exempt under this Act and Council has no legal authority to assist.	Relevant Community Corporation  More info: <a href="http://lawhandbook.sa.gov.au">lawhandbook.sa.gov.au</a>
<b>Commercial Premises</b>		
Business – Commercial & Industrial Premises	Issue related to business activities? <ul style="list-style-type: none"> <li>EPA Licensed activity – EPA</li> <li>Non-licensed activity – Council</li> </ul> Access EPA public register to see if a business is licensed. If uncertain, contact the EPA.	EPA 8204 2004 <a href="http://www.epa.sa.gov.au">www.epa.sa.gov.au</a>  City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>

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A nuisance activity from a premises or venue, to which the Liquor Licensing Commission has issued a licence.	A noise nuisance has from a band, crowd noise or similar, where the venue (for example, a hotel, restaurant, club, or concert location) is subject to a licence issued by the Liquor Licensing Commission.	Liquor Licensing Commission 131 882  <a href="http://www.cbs.sa.gov.au/liquor-gambling-lotteries">www.cbs.sa.gov.au/liquor-gambling-lotteries</a>
Litter/rubbish from businesses	Overflowing bins from commercial businesses.	City of Holdfast Bay 8229 9999  <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>

### Vehicles and Transport

I would like to make a complaint about noise from the equipment on a vehicle.  Eg. Refrigeration equipment or generator.	Noise from the operation of refrigeration equipment fitted on or in a vehicle that is parked (and the vehicle is not being operated) but the noise has travelled from where the vehicle is parked to neighbouring domestic premises <u>outside</u> the following timeframes – - 8am to 8pm Monday to Saturday - 9am to 8pm Sunday. <sup>1</sup>	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
I would like to make a complaint about road traffic, and vehicle noise.	Noise from an individual vehicle being used by a neighbour on a road or street or similar.  If noise is from the general traffic flowing along the road or from heavy vehicles using the road contact Department of Infrastructure and Transport.	SAPOL - 131 444  Department of Infrastructure and Transport 1 300 872 677
Noise from vehicles in driveways or on domestic premises.	If the site is operating under an EPA licence, refer to the EPA.  If the site is not operating under an EPA licence, refer to Council.	EPA - 8204 2004  City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
Noise from vehicles entering and exiting a business or moving around on a business premises.	Noise from vehicles operating within or entering or leaving a business premise. <sup>1</sup>	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>

### Construction

A construction site is really noisy or dusty, there is a lot of mud or litter on the road/street, who can I advise?	Building and construction activities must comply with the conditions applied to the Building or Planning approval – these conditions can relate to the management of noise, dust and litter on the site.	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
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### Sporting Facilities

Noise or other nuisance from sporting or associated activities at sporting venues.	Noise or other nuisances from sporting facilities do not constitute a local nuisance under the Local Nuisance and Litter Control Act Contact SAPOL for unruly behaviour or noisy patrons.	SAPOL - 131 444
Litter from sporting facilities.	Litter from sporting facilities can be managed under the Local Nuisance and Litter Control Act.	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>

### Community Service Facilities

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Noise from the school, kindergarten, childcare centre or place of worship.	Amplified music occurring at a regular frequency.	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
For all other noise related complaints from a school, kindergarten, childcare centre	For other noise complaints the Education Department requests that you discuss the matter with the school principal in the first instance. If this is not successful, you may contact the Department for Education.	Department for Education 8226 1000
<b>Stormwater Pollution</b>		
The washing of cars and water is flowing into the street / stormwater drains.	Unless the run-off water is contained, this is prohibited and may attract a fine. Chemicals in the detergents are considered hazardous to the receiving waters and should be contained. Environmentally friendly chemicals and detergents, concrete wash down and other liquid waste are also not permitted to enter the stormwater system.  If you are washing your car, it is recommended that all run-off water be contained on your own property. Ideally, cars should be washed on a surface that will allow the water to soak in, such as a grassed or graveled area.  Swimming pool backwash water is prohibited from being disposed of in the stormwater system. Pool backwash water may be disposed of in the sewerage system.  Under the Local Nuisance and Litter Control Act, liquid waste discharges are deemed a litter and can attract a fine of up to a \$1000 if over 50L is discharged or \$210 if less than 50L is discharged.	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
The emptying of swimming pool water into the street / stormwater drains.		
Concrete wash down or other liquid waste being disposed of in the street / stormwater drain.		
A business is disposing of their liquid waste in the street / stormwater drain.		
Someone is littering in marine waters.		
<b>Miscellaneous</b>		
I would like to complain about pigeons (or other animals) causing a nuisance in my area.	Native and feral animals congregating in their natural habitat are not considered a nuisance under the Act. However, pigeons and other animals that are causing a nuisance and are being encouraged to congregate by feeding <u>is</u> considered a local nuisance and Council can address this matter.	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>
The property next to me is derelict, unsightly, poorly maintained – what can I do?	Unsightly and insanitary conditions can be addressed using the Local Nuisance and Litter Control Act 2016.	City of Holdfast Bay 8229 9999 <a href="http://www.holdfast.sa.gov.au">www.holdfast.sa.gov.au</a>

- Factors taken into consideration also include: the level, nature or extent of the noise (including its volume, pitch, vibrational frequency, prevalence or frequency of occurrence) is such as to constitute an unreasonable interference with the enjoyment of the neighbouring premises.
- Factors taken into consideration also include: the nature, intensity or extent of the odour; the nature, extent, smell, density or texture of the dust; the nature, extent, colour, smell or density of the smoke is such as to constitute an unreasonable interference with the enjoyment of the neighbouring premises.