LOCAL NUISANCE AND LITTER CONTROL

Unsightly conditions

WHAT IS LOCAL NUISANCE?

Local nuisance is described as being any adverse impact on the amenity value of an area, which unreasonably interferes with, or is likely to unreasonably interfere with, the enjoyment of that area by the community.

WHAT IS AMENITY?

Amenity value is defined in the Act as including any quality or condition of an area that is conducive to its enjoyment. This can refer to a wide range of qualities, characteristics and attributes about a place or area that people value and which contributes to their experience of a good quality of life. While the amenity values that individuals seek to appreciate vary according to each person's own principles, there is a wide range of common ideals that are generally accepted as being key elements relative to the amenity value of a community.

UNSIGHTLY CONDITIONS

Common examples of unsightly conditions are:

- excessive or loose rubbish, waste or vegetation
- stockpiled, excessive or unconstrained disused or derelict items or material that a reasonable person would consider to be rubbish or waste
- graffiti (other than authorised graffiti) that has been left on the premises for more than 28 days
- conditions involving a building on the premises having been left partially demolished or in a state of disrepair, dilapidation or damage
- where, in the opinion of an authorised officer, the conditions have had an adverse effect on the amenity value of the area or caused the premises to be significantly out of conformity with the general appearance of neighbouring premises.

WHAT ARE THE IMPACTS OF UNSIGHTLY CONDITIONS?

Unsightly conditions can adversely affect the amenity value of an area particularly those qualities, characteristics and attributes about a place or area that people value and which contributes to their enjoyment of a place and their experience of a good quality of life within their own community.

WHEN SHOULD UNSIGHTLY CONDITIONS BE REPORTED?

In the first instance a person should try and discuss concerns with the people (e.g. neighbours) from where the nuisance is emanating from, as they may not be aware that they are causing a nuisance. Concerns should be raised and discussed, and suggestions provided to resolve problems. Often simple solutions can be found to satisfy everyone. Generally, we only become involved if an issue within the community (e.g. between neighbours) cannot be resolved or if the nuisance is a broad-scale issue involving multiple parties.

HOW DO WE DETERMINE IF PREMISES HAVE UNSIGHTLY CONDITIONS?

The City of PAE uses a gradated response to enforcement in line with our Enforcement Policy. The Enforcement Policy provides guidance to us as to how and when enforcement mechanisms should be applied under the Act and to inform the community about how decisions on enforcement matters are made. A copy of the Enforcement Policy can be found on Council's website.

MORE INFORMATION

This fact sheet is one of a range designed to increase your awareness and understanding of the requirements of the *Local Nuisance and Litter Control Act 2016*. Please see other fact sheets for further information about the Act. You can access more information on our website: cityofpae.sa.gov.au/live/public-and environmental-health/local-nuisance.