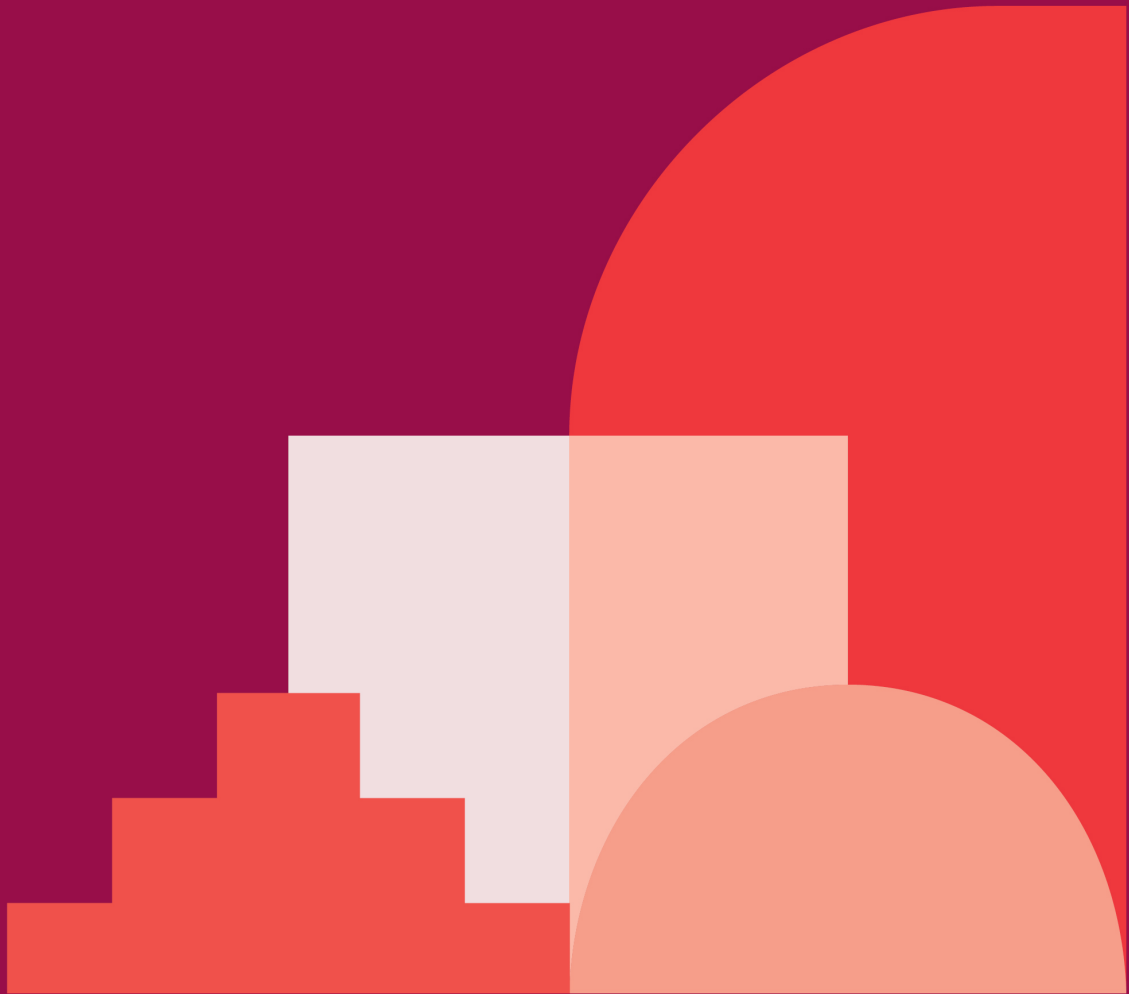


Good Neighbour Policy

V2



Title	Good Neighbour Policy
Summary	Council has implemented a Good Neighbour policy to enable Council to work with live music venues, licensed premises, creative spaces, sporting clubs, commercial businesses, and residents to manage sound and activity prior to taking formal regulatory action.
Document Type	Policy
Relevant Strategic Plan Objective	<ul style="list-style-type: none"> • Strategic Direction 2: Liveable, connected neighbourhoods and transport. • Strategic Direction 3: Creative communities and a strong economy • Strategic Direction 4: Healthy, resilient, and caring communities
Legislative Reference	<ul style="list-style-type: none"> • <i>Local Government Act 1993</i> • <i>Protection of the Environment Operations Act 1997</i> • <i>Environmental Planning and Assessment Act 1979</i> • <i>Companion Animals Act 1998</i> • <i>Food Act 2003</i> • <i>Public Health Act 2010</i> • <i>Liquor Act 2007</i>
Related Council Documents	<ul style="list-style-type: none"> • Code of Conduct • Compliance and Enforcement Policy • Service Charter
Version Control	See last page

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1 Purpose

The purpose of this policy is to support the community’s live music venues, licensed premises, creative spaces, sporting clubs and commercial businesses by providing them with assurance that the Council takes a balanced approach to the coexistence of residents and businesses and will seek to keep premises operating wherever possible.

The policy specifically excludes construction businesses and the Development Assessment process as these have their own legal mechanisms and requirements that sit outside this policy.

The policy identifies the role of all stakeholders, such as residents, businesses, Council, and the Police in managing sound and activity in an urban environment as well as outline Council’s approach to amicably resolving these matters prior to taking any formal regulatory action.

2 Scope

This policy applies to all Councillors, Council Officers and contractors working for Inner West Council regardless of whether they are permanent, temporary, full-time, part-time or casual. For the purposes of this policy, the term contractor includes on-hired temporary labour services (agency staff) and sub-contractors.

3 Definitions

In the Good Neighbour Policy, the following terms have the following meanings:

Councillor	Inner West Council elected representative
Council Officer	Inner West Council members of staff (including full-time, part-time, casual and contracted staff)
Government Agencies	Include Environmental Protection Agency, Liquor & Gaming NSW and NSW Police
Policy	Refers to the Good Neighbour Policy
Premises	Includes live music venues, licensed premises, creative spaces, sporting clubs and commercial businesses
Stakeholders	Include licensees, businesses, residents, industry, community groups and Council

4 Statement

This Policy recognises Council's commitment in ensuring that good neighbourhood amenity is maintained for residents by applying a consistent regulatory response to managing sound and activity.

Council commits to liaise with other government agencies and stakeholders to seek their assistance in decision-making, mediation, and resolutions.

5 Objectives

Objective 1 – Neighbourhood Amenity

The neighbourhoods surrounding live music venues, licensed premises, creative spaces, sporting clubs and commercial businesses is afforded with reasonable amenity.

Objective 2 – Roles of Stakeholders

The roles of stakeholders including, businesses, residents, industry, Council, Police and Liquor & Gaming are clear and committed to managing amenity expectations.

Objective 3 – Compliance

Implement a consistent and adaptable regulatory response to manage amenity expectations.

6 Compliance Procedures

6.1 Steps to take before lodging a formal customer request

Residents are encouraged to take the following steps prior to lodging a formal sound and activity request with Council.

1. Identify the location and source

In urban environments it can be difficult to determine the location and source of sound and activity. Accurately identifying the location and source of the activity will assist when approaching the premises to discuss how to alleviate the impacts

2. Approach the premises

Council's experience shows that when neighbours approach one another with reasonable grievances, they tend to be resolved quickly. In the first instance, Council encourages you to contact the premises by phone, email, or by approaching them in person.

If a premises is an ongoing problem, requesting the number of a key representative will enable you to contact them directly to assist with sound and activity management.

This is particularly helpful with afterhours concerns so matters can be addressed as they are occurring.

Resolutions may involve minor changes to the premises operation such as closing certain windows and doors, lowering volume or advising a resident of when the entertainment is due to cease.

It's also expected in these discussions that certain concessions may need to be made by residents, including closing their windows or doors, and accepting occasional higher noise levels.

3. Re-evaluate sound and activity management

If you are dissatisfied with the response from the premises, or if the sound and/or activity remains at an unreasonable level, feedback or a request should be lodged with Council and/or the Police.

6.2 Council customer request handling procedure

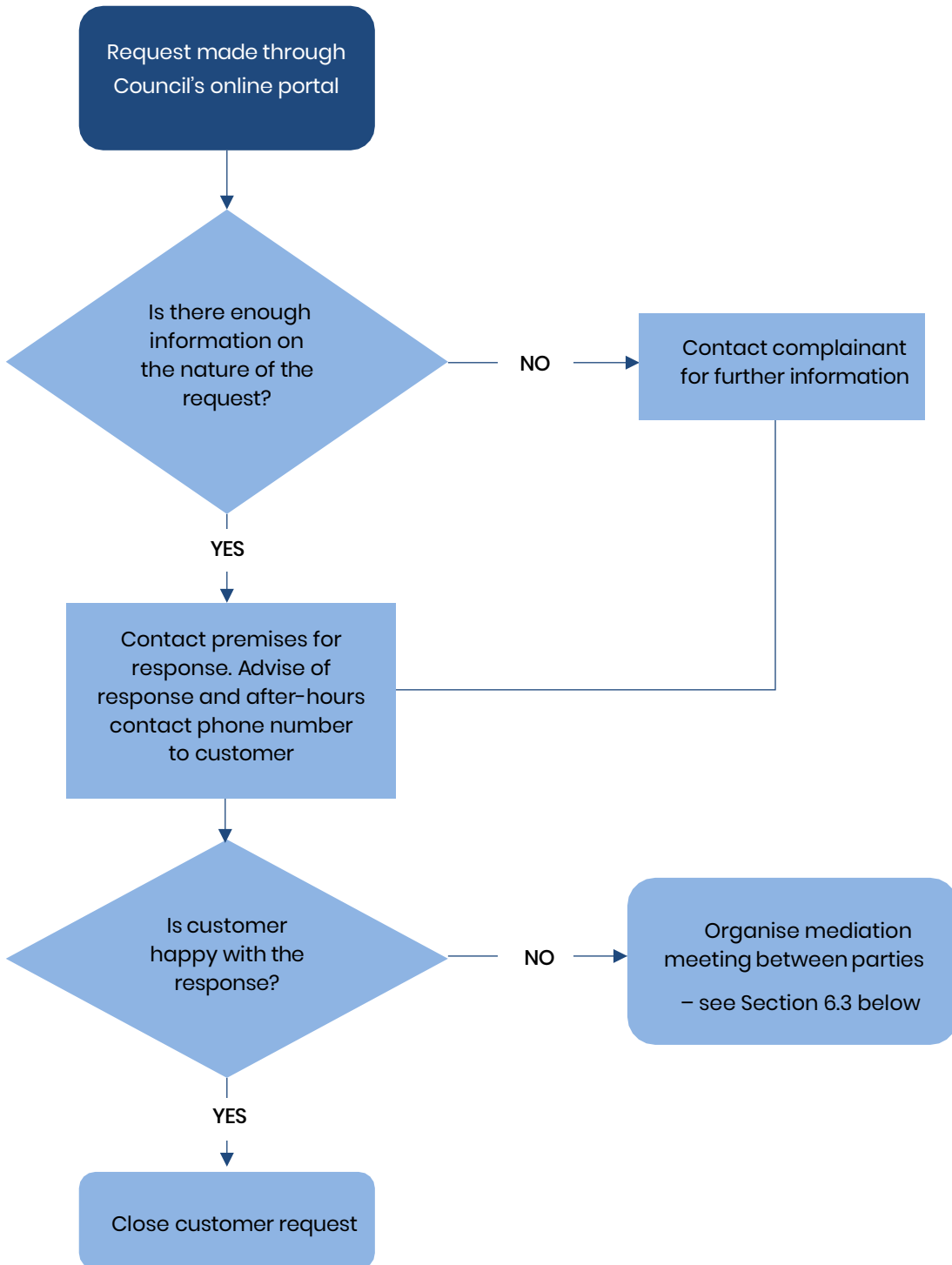
Any customer requests associated with live music venues, licensed premises, creative spaces, sporting clubs and commercial businesses should first be made to Inner West Council via the online portal.

Regardless of when it is made, customer requests will be handled by Council in accordance with this Policy. Serious breaches that require immediate attention may be expedited or require involvement from multiple stakeholders.

If in the course of resolving a sound and activity management matter, Council officers become aware of other compliance issues the premises should be supported to keep operating as normal with a view to a coordinated approach in resolving all matters.

Note: See 6.5 where immediate attention is required outside normal working hours, the police are the appropriate contact point.

This flowchart illustrates the typical customer request handling process.



6.3 Managing sound and activity through mediation

Sound and activity concerns reported to Council are expected to be resolved once Council has feedback from the premises for the customer. Responses from premises should include a commitment to lessening any future sound and activity impacts on the neighbourhood.

Should sound and activity management be an ongoing issue that has been unable to be resolved through previous attempts, a meeting will be facilitated by Council, bringing together the customer/s and key representatives of the premises to discuss, understand and resolve the issues.

These meetings will be attended by Council staff from the relevant departments, such as Environmental Health, Development Compliance, Economic Development and/or Planning.

An agenda will be prepared by Council with minutes of action items recorded and provided to all attendees in a timely manner.

Such meetings will ideally be held face to face on site, either in the premises or on the street outside the premises. There may be circumstances with scheduling conflicts or public health concerns where an online meeting or neutral ground is preferred.

6.4 Substantiating Council customer requests

Ongoing sound and activity management that cannot be resolved through the processes outlined above will need to be assessed against the *Protection of the Environment Operations Act 1997*, *Environmental Planning and Assessment Act 1979* or any other relevant legislation. This may involve the customer completing a noise diary or the deployment of Council staff or a consultant to conduct noise monitoring at the premises at an undisclosed time and date.

Should a breach be identified, a formal notice may be given to the premises to take specific action to comply with the relevant legislation.

6.5 Police handling of reports

Police play a crucial role in compliance as they are a 24/7 operation and are granted powers under the *Protection of the Environment Operations Act 1997* to conduct offensive noise assessments.

At times when Council is unavailable and immediate attention is required due to a sound and activity concerns, reports will need to be made directly to the local Police Station. When making a report to Police, it is requested that a customer request is similarly lodged through Council's online portal. This will assist Council in understanding the location of nature of sound and/or activity being undertaken.

6.6 Liquor & Gaming handling of complaints

Licensees of licensed premises i.e., pubs and clubs have certain obligations to ensure any negative impacts on residents is minimised. It is reasonable to expect some level of sound from activities associated with licensed venues due to people arriving, leaving or general operation.

Liquor and Gaming can provide assistance in limited circumstances, however, fundamentally support and replicate the compliance procedures detailed above in their own investigations.

7 Breaches of this policy

Breaches of this policy may result in an investigation of the alleged breach in line with relevant Council policies including the Code of Conduct.

Any alleged criminal offence or allegation of corrupt conduct will be referred to the relevant external agency.

8 Administrative Changes

From time-to-time circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made including branding, Council Officer titles or department changes and legislative name or title changes which are considered minor in nature and not required to be formally endorsed.

9 Version Control – Policy History

This policy will be formally reviewed every three years from the date of adoption or as required.

Governance use only:

Document	Good Neighbour Policy	<i>Uncontrolled Copy When Printed</i>	
Custodian	Director Planning	Version #	Version 2
Approved By	Council	ECM Document	39136028
Next Review Date	April 2027		

Amended by	Changes made	Date
Planning	New Policy	28 May 2019
Planning	Policy Review	9 April 2024