

Lifestyle Life & relationships [Home](#)

Love thy neighbour? What to do when you can't stand who's next door



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When Sabrina Damiano bought her first home – a one-bedroom apartment in Sydney's eastern suburbs – the possibility of not getting along with her neighbours didn't cross her mind.

"I've rented for the last 10 years and never had any issues," she says. "When I moved in, I even went around and introduced myself with cupcakes and cookies."

But just over a month later, Damiano received a breach notice saying her dog, Rufus – a 15-year-old pug-cross-maltese with dementia – was disturbing the peace by occasionally barking.



Sabrina Damiano says neighbours made her life difficult with a string of noise complaints about her dog.
BEN SYMONS

Damiano says she took every measure to improve the situation. She got Rufus new medication, worked from home more frequently, and hired a dog-sitter when she had to leave the house. But the breach notices kept coming. Now, the case may go to the NSW Civil and Administrative Tribunal.

“Things got really nasty,” she says. “They stuck the rude finger up at me. They threatened to call the RSPCA ... They took my washing off the [communal] line.”

After less than a year Damiano’s situation became so toxic that she decided to sell her apartment.

A common problem

Whether faced with seemingly unreasonable complaints, or suffering at the hands of someone who blasts music at 4am every weeknight, neighbour disputes have arguably become part and parcel of community living.

According to a [Relationships Australia survey](#) conducted in 2019, over 60 per cent of women and 68 per cent of men said they had experienced conflict with neighbours.

“I’m seeing a rise in noise complaints in strata [including apartments],” says strata lawyer Amanda Farmer.

“More people are living in strata, many different types of people, like families with kids, multi-generational families, those with pets, people who are adding value by renovating ... But then you also have more people working from home, so it’s the perfect storm.”

Talk it out

Let's say your neighbour blasts the trombone at 2am every Wednesday. If this interferes with your household's sleep (and you feel safe enough to do so), etiquette expert Amanda King recommends calmly and respectfully approaching them to communicate how the issue affects you.

"If you begin with an aggressive reaction, you may only be met with more aggression, and the issue escalates," Sydney-based King says. "Make sure to treat your neighbour with courtesy and respect and listen to what they have to say. Keep a record of all contact you have regarding the problem."



Try to calmly solve the issue directly with your noisy neighbour first. ISTOCK

Face-to-face is always preferable as it comes across as more sincere, King says. However, if this isn't possible, a carefully worded letter would suffice.

It's possible to get ahead of any issues by establishing a positive dynamic with your neighbours from the beginning, says Sydney-based social etiquette expert Anna Musson.

"Getting along with neighbours is a thermostat for your life. We should get to know who lives near us and build a community, whether for our own loneliness, neighbourhood security or to build that sense of belonging. When we know who's crying, whose dog is barking, who's building a deck, it reduces how annoying we find that sound."

Mediate

If tension persists, it's often possible to resolve the dispute by inviting a knowledgeable and impartial third party to the conversation, says strata and community titles lawyer Allison

Benson.

However, official mediation is the next step. “Owning a property in a strata or community title scheme is like a marriage, a long-term relationship with the other lot owners. It’s generally to everyone’s benefit to try to resolve the matter before it gets to the litigation stage.”

Most mediation services are free, such as via [NSW Fair Trading](#) and [Community Justice Centres](#). Elsewhere, the [Dispute Settlement Centre of Victoria](#) also offers free mediation; however, matters referred by VCAT are generally prioritised due to high demand.

Tribunal: a worst-case scenario?

Legal action is generally considered a last resort, Benson says, as it’s time-consuming, expensive and stressful. If your case does end up before a tribunal or court, she strongly recommends seeking legal advice.

“You need to understand not just your legal rights and obligations but what’s required during the litigation process. I’ve seen many people with good claims fail because they didn’t understand what they needed to prove or the time limits that may apply to their claim.”

During a tribunal, it will be up to the complainant to prove their peace was unfairly disturbed, Farmer says. This is a rather subjective process, which largely depends on the amount of verifiable evidence each neighbour recorded throughout the dispute.

Rules around noise in NSW and Victoria

NSW

The [Protection of the Environment Operations \(Noise Control\) Regulation](#) will govern most neighbourhood noise, including the use of air conditioners and musical instruments. It sets out timeframes for noisy activities and their duration.

Victoria

In Victoria, the [Environmental Protection Authority](#) governs noise regulations. Most noise is acceptable between 7am and 8pm; however, this can differ depending on the type of noise and time of week. You can report unreasonable noise to your local council, [the Dispute Settlement Centre of Victoria](#), or the police.

Defining “unreasonable noise”

This will depend on its volume and intensity, what type of noise it is, time and place, its duration and its frequency.

When to let it go

Not every grievance is worth the battle. As the [Australian population grows](#) and [apartment living booms](#), noise and other minor annoyances are almost inevitable.

“People are all around you,” Farmer says. “You have to come to terms with this if you’re going to live in these spaces. Noise also travels in older buildings in Australia. So, you must temper expectations.”

If something is only mildly annoying and relatively infrequent, such as a Saturday night party or someone leaving their bin in the parking bay, Benson says it's probably best to ignore it and preserve the relationship.

President of the Australian Psychological Society, Dr Catriona Davis-McCabe, says though you can't control how you feel about something, you can control your response.

“Not letting go and moving on from small things that annoy you compounds over time, making your life harder and less enjoyable than it needs to be. Remember that you only have a finite amount of mental capacity to deal with stress each day, so it's better to save it for the most important issues you're facing.”

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