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MAIN SHEET

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# SOLVED

WITH RED TAPE BUSTER SHANE BOWERING



## Yard full of junk tips the balance

### Neighbours

**A**RE you concerned with the unruly state of your neighbour's yard? Can you see car bodies, rubbish, old tyres, steel, bricks, etc strewn all over the yard, making it look like the local tip?

Is the yard regularly overgrown and possibly harbouring snakes and other vermin?

Cathy from Clontarf is tired of looking out of her window and seeing metal and building materials strewn over the front yard of her neighbour's house and wonders what can be done.

Cathy should make a formal complaint in writing to her local council, in this case Redcliffe, if she believes the yard is not acceptable and is a hazard to neighbours.

The council will investigate the complaint and determine if they can take action to force the property owner to clean up.

Certainly, if the yard posed a hazard to neighbours because snakes, rats and mice could be in the long grass, I am sure the council will take action.



**EYESORE:** Rubbish in a neighbour's property can be hazardous and the best course of action can be to write to your local council to complain



**DEAFENING:** Excessive noise from a neighbour's party is not acceptable

## Call police to keep peace

**C**LARE from Port Douglas is one of many readers who have asked for advice about noisy neighbours, particularly frequent parties and ear-splitting music.

She is tired of her neighbours partying until the early hours of the morning.

The environmental nuisance laws fall under the administration of the Environmental Protection Regulation 1998 but unfortunately do not cover music, parties and off-road vehicles. These are the responsibility of the police.

Clare should document the time and nature of noisy parties and keep detailed records. Tape or video recording also can help to prove a case.

If discussions with the neighbours do not help or she considers talking to them a waste of time or potentially dangerous, Clare should contact the police as soon as

### Noisy parties

the noise starts getting out of hand.

The Police Commissioner's office says it is up to officers to decide whether the noise is unreasonable. Failure to comply can lead to a fine.

If after they leave the noise re-starts, Clare should again contact police. Officers have the power to seize stereos if owners fail to comply with formal requests. They can come into the noisy neighbour's house without a warrant and take whatever is making the racket.

A common misconception is that it is OK to make noise up to a certain time, say 10pm, but the Police Commissioner's office says this is not the case.

Everyone has the right to have a party, but people don't have a right to make life unbearable for their neighbours.

## Watchdog will need proof

**T**HE Crime and Misconduct Commission seems to be regularly in the news as it is asked to investigate complaints about the public service and police.

Harold, from Chevron Island on the Gold Coast, is one of many readers who have asked how to complain to the CMC.

The CMC was created in January 2002 when the Criminal Justice Commission and the Queensland Crime Commission merged.

The CJC was put in place by the State Government as a direct response to the outcomes of the Fitzgerald corruption inquiry to restore the public's faith in government bodies by ensuring accountability and weeding out corruption.

### Public service

The CMC is now responsible for combating major crime, raising public-sector integrity and protecting witnesses.

Queenslanders can bring any serious concerns about the misconduct of public officials to the CMC for investigation.

You can complain by phone, fax, email, letter, in person (by appointment) or by using a complaints form available on [www.cmc.qld.gov.au](http://www.cmc.qld.gov.au)

Official misconduct is any conduct relating to the performance of an officer's duties that is dishonest or lacks impartiality, involves a breach of trust, or is a misuse of officially obtained information.

The conduct must be a criminal offence or serious enough to justify dismissal. Trying to influence a public official to act improperly is also classed as official misconduct.

Once a complaint has been made, the CMC will assess how it should be handled.

The CMC will not investigate every complaint itself - most times it will refer the complaint back to the agency about which the complaint was made.

I find this process peculiar and one that most Queenslanders would disagree with.

There is a perception that referring the complaint back to the agency for investigation cannot ensure transparency, impartiality and a commitment to ensuring accountability.

Once the matter is investigated, the CMC will contact you with its findings.

My advice to people such as Harold is that before making any complaint they have sound grounds, including evidence of wrongdoing.

False allegations can damage innocent parties so, in my view, complainants must be able to substantiate their claims.

If you are not completely satisfied with the outcome and think the matter has been whitewashed, ask the CMC for a review or look to the media to expose the situation. The media can be a very powerful tool.

Remember that evidence is the key - baseless allegations are a waste of time for all concerned.

## How did that happen?

**HAVE** you noticed strange redevelopments in your area and wondered how they ever got through the council?

Are you concerned that some councillors seem to be benefiting from their council's decisions?

We're looking into a few instances where council decisions seem odd, to say the least.

If you have any concerns also about other matters, give us a yell.

### GOT A PROBLEM?

Contact Red Tape Busters founder Shane Bowering at PO Box 93 Clontarf Beach Qld 4019 or [solved@redtapebusters.com.au](mailto:solved@redtapebusters.com.au)

Advice offered in this column is general in nature and readers should obtain specific qualified advice from experts in the appropriate field in all circumstances.

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