



## **Seized Stereo or Equipment**

This page provides information about seized stereos or equipment.

### ***Why was my stereo seized?***

Council or a Council-warranted Noise Control Officer under the authority of the Resource Management Act 1991 seizes stereos or noise-generating equipment. Under this law, Council may seize equipment if there has been a breach of an Excessive Noise Direction or an Abatement Notice.

The Excessive Noise Direction need not be handed to the occupier or the owner of the stereo. It can be handed to any person who appears to be responsible for causing the noise.

Seized stereos or noise equipment are held at a secure storage site until Council authorises their release. Any property seized under section 323 or section 328 of the Resource Management Act 1991 not claimed within 6 months of its seizure may be disposed of by the Council or the police.

### ***Cost of getting seized equipment back***

Council will not automatically release seized equipment. Council must be satisfied that the return of the seized equipment will not lead to further excessive noise.

A release fee is required for the release of the seized stereo or equipment. This fee covers the seizure costs of the equipment, its transportation and storage costs, and the costs of staff time in researching the noise history of the property, interview time and administration. To find out the current release fee, please contact us.

How to get seized equipment back

To arrange the release of your stereo or equipment, you need to make an appointment for an interview with a Monitoring Officer or appointed representative. Please contact us to arrange an appointment.

- You will need to produce the seizure notice that was given to you by the Noise Control Officer when your stereo or equipment was taken.
- A member of the Field Services team will explain Council's approach to noise control, and make you aware of the next steps, including legal measures that may be taken should further noise offences occur at your address.
- You will be required to satisfy Council that returning your equipment will not lead to further excessive noise. Council may decide not to release the equipment immediately. This could be (for example) if there have been a lot of complaints about noise from your address, or if your attitude to creating excessive noise is considered unreasonable.

- You will be required to sign a written undertaking that returning the equipment to you will not lead to further excessive noise.
- You will need to pay the release fee.

After the interview you will need to contact one of the Monitoring Officers to arrange an appointment for the release of your stereo or equipment. To have the equipment returned you will need to provide the copy of the written undertaking (referred to above) and the release fee receipt from Council.

### ***Auction of Seized or Confiscated equipment***

Council can seize, with the assistance of the police, equipment as a result of a persistent noise nuisance, as required under Sections 327 and 328 of the Resource Management Act 1991, and may also involve the confiscation of the equipment, in specific cases.

If seized equipment is not recovered by the rightful owner, and all associated fees paid, Council may auction the equipment to recover all costs incurred in the process.