

## INFORMATION SHEET

# NOISE NUISANCE GUIDE

Noise is something that we hear every day. Certain types of unwanted noise can increase stress levels, cause detrimental mental-health effects, sleep deprivation, cardiovascular disease and other ill health effects.

To set a standard for what is and isn't acceptable the Environmental Protection (Noise) Regulations 1997 were developed. Under the Environmental Protection Act 1986 (WA). A person who emits or causes or allows noise to be emitted, which unreasonably interferes with the health, welfare, convenience, comfort or amenity of any person, commits an offence.

Environmental Health Officers will assess each case individually and determine what is reasonable or unreasonable. You may also wish to pursue your own action as a civil matter through a court of law.

**Certain noise complaints cannot be addressed by the Shire Officers such as; domestic disturbances, traffic noise, security alarms and party noise. Please see the information under these headings for the relevant authority in this instance.**

<b>AGRICULTURAL MACHINERY</b>	<b>MOTORCYCLES/ATV ON PRIVATE PROPERTY</b>
<p>Most activities on agricultural premises, that occur for the purposes of farming, are exempt from the Noise Regulations. While there are exemptions for these certain conditions apply that are stated in the Noise Regulations.</p>	<p>On private property off road motorcycles and ATV's can cause a nuisance to surrounding residents. These are considered a type of specified equipment and are addressed in the section 'Residential Equipment Usage'.</p>
<b>AIR-CONDITIONERS, POOL PUMPS AND SPAS</b>	<b>ROOSTERS</b>
<p>Noise from such equipment is not permitted to exceed the relevant noise regulation assigned levels.</p>	<p>Roosters are not permitted in townsites without written council approval. Even then they should not be causing a nuisance. If you are being woken early by a rooster crowing, please identify the property that the rooster is on before lodging a health complaint, as an address of the alleged offender is required before an investigation can be started.</p>
<b>BARKING DOGS</b>	<b>REVERSE BEEPERS</b>
<p>Dog barking complaints are not investigated by Health Services and should be referred to the Shire Rangers, as it falls under the Dog Act 1976.</p>	<p>Reverse beepers are required on vehicles in certain situations such as work sites. When vehicle safety reverse warning devices are causing a nuisance, noise should be managed such as replacing existing devices with technology incorporating "broadband noise" or "automatic background adjusted" devices.</p>
<b>COMMUNITY EVENTS</b>	<b>SECURITY ALARMS</b>
<p>In most cases noise emitted from community events, such as spectators at a sporting event or fairs, are exempt from complying with the Noise Regulations. Exemptions are often granted to permit concerts, live bands and fireworks, where the event would lose its character if the noise wasn't allowed to exceed permitted decibel levels. In these cases the event is advertised to surrounding residents, and conditions are set to ensure the noise finishes at a reasonable time and does not exceed a maximum level.</p>	<p>The Environmental Protection Act 1986 gives WA Police the power to silence audible alarms. If a Police officer is satisfied that the alarm has been causing unreasonable noise for at least 30 minutes, he or she may take whatever reasonable steps are necessary to stop the alarm.</p>
<b>DOMESTIC DISTURBANCES</b>	<b>TRAFFIC</b>
<p>The Shire's Health Services cannot investigate noises associated with antisocial behaviour such as vehicle burn outs, swearing, domestic disturbances, loud voices, smashing bottles, etc. These noise matters should be referred to the Police.</p>	<p>Road, rail and air traffic noise is exempt from complying with the Environmental Protection (Noise) Regulations 1997. Transport services fall under a different noise regulation which is specific to that industry; for road noise contact Main Roads, for rail contact the Public Transport Authority and for air contact Airservices Australia.</p>

<p><b>CONSTRUCTION NOISE</b></p> <p>Noise from construction work is permitted during the hours of <b>7am to 7pm Monday to Saturday</b> and subject to specific conditions. Noise from building sites does not have to meet the permitted decibel levels during those times, provided they are conducted in the quietest reasonable manner. No works creating noise are permitted on Sundays or public holidays.</p> <p>Stereos used on construction sites are not permitted if they are causing a nuisance. These are not exempt from the permitted decibel levels.</p> <p>Construction or maintenance work such as roadworks outside the permitted hours, may be approved by the Shire subject to valid reasons for the work needing to be done out of hours.</p> <p>Complaints can often be resolved by contacting the builder or company. Their contact details are usually displayed on a sign in front of the property.</p>	<p><b>MUSICAL INSTRUMENTS</b></p> <p>Musical instruments must only be used under the following conditions;</p> <ul style="list-style-type: none"> <li>• For no more than 1 hour per day (continuous 1 hour block, rather than short bursts throughout the day totalling 1 hour).</li> <li>• Between the hours of 7am and 7pm Monday to Saturday, and 9am and 7pm Sundays and public holidays.</li> </ul> <p>Always play the instrument inside and keep all windows and doors closed. A band with several different musical instruments should be practiced and played in a music studio as the noise outputs can be excessive.</p>
<p><b>INDUSTRIAL AND COMMERCIAL NOISE</b></p> <p>The Noise Regulations have influencing factors for residential houses living near industrial or commercial zones, so the permitted noise levels are a bit higher.</p> <p>Complaints for industrial or commercial noise will need to be assessed using a noise measuring device. The Environmental Health Officer will need to calculate the permitted noise levels depending on the house location and determine if the noise is exceeding the limit.</p>	<p><b>STEREOS</b></p> <p>Stereos are not considered as specified equipment. The best way to see if your stereo is too loud is to go outside and listen for it at the dividing fence line; if the lyrics or beat can be heard at the property boundary then it will not meet the permitted levels. It is likely to be causing a nuisance to neighbours and a complaint can be lodged.</p> <p>Subwoofers are often what cause the greatest disturbance to your neighbours due to the repetition of the beat. The bass cannot be blocked by closing windows or doors and can travel longer distance often disturbing people several houses away.</p>
<p><b>PARTY NOISE</b></p> <p>To limit unreasonable party noise:</p> <ul style="list-style-type: none"> <li>• Minimise use of outdoor speakers</li> <li>• Face speakers away from neighbouring houses</li> <li>• Lower the bass volume of the music</li> <li>• Move the party indoors with windows and doors closed as it gets late.</li> </ul> <p>The Shire's Officers are not equipped or trained to deal with rowdy party noise such as shouting and will not attend in this instance as it falls under anti-social behaviour. If noise coming from a party is unreasonable the Police should be contacted.</p>	<p><b>RESIDENTIAL EQUIPMENT USAGE</b></p> <p>There are many types of equipment commonly used on residential properties for maintenance, gardening and hobbies that can create excessive noise. The noise laws permit the use of specified equipment; meaning any piece of equipment that requires the constant presence of an operator for normal use. Types of specified equipment include lawnmowers, power tools, blower vacs and hammers, etc. The use of this equipment is allowed under the following conditions;</p> <ul style="list-style-type: none"> <li>• For no more than 2 hours per day (intended to be in a 2 hour block, rather than short bursts throughout the day totalling 2 hours)</li> <li>• Between the hours of 7am and 7pm Monday to Saturday, and 9am and 7pm Sundays and public holidays.</li> </ul> <p>The equipment must be used in a reasonable manner eg for the purpose and as intended by the manufacturer or in the case of musical instruments inside the main residence with the windows and doors closed.</p> <p>It should be noted that specified equipment or activities normally associated with a commercial operation would not be deemed a reasonable use at a residential property and would need to comply with the noise limits at all times.</p>

## PENALTIES

If it has been determined that a person has failed to comply with the Noise Regulations, enforcement action may occur. Enforcement can take the form of warnings, fines, abatement notices, seizure of equipment and prosecution in a court of law. The shire recommends you attempt to resolve the issue by talking to the persons making the noise. Should this be unsuccessful or you feel uncomfortable doing this, the shire can assist further.

You may be requested to complete a log sheet (record) of the noise. Officers may also need to access to your property to take noise measurement work.