

What to do with a noise complaint?

If noise is disruptive and does not fit into one of the mentioned examples or is unreasonable, the first thing needed is to actually locate the noise source.

If a neighbour is creating noise, the best approach is to try and resolve it by discussing the matter directly with them.

If the situation does not change, contact the City's Health Services on 9397 3000. Written complaints should include the dates, times, nature and duration of the noise.

To assist the Environmental Health Officer in dealing with your noise complaint, please keep a diary for approximately two weeks, detailing the above information.



What can happen if a noise complaint is lodged?

An Environmental Health Officer may visit the owner/occupier of the property where the noise is occurring and advise them of the complaint.

In most cases, the first meeting will solve the noise problem. If not, a verbal or written warning may be issued or sound level readings may be taken.

If readings are higher than the prescribed noise level, the owner/occupier of the premises will be notified and given a period of time to reduce the noise to prescribed levels.

If further readings are taken and the noise is still above prescribed levels, the City may take further action, which could result in the following:

1. Issue of an infringement notice – \$250 for a first offence and \$500 for subsequent offences.
2. Seizure for up to 12 months of equipment contributing to unreasonable noise.
3. Service of an Environmental Protection Notice (EPN) or a Noise Abatement Direction (NAD).

The maximum penalty for non-compliance with the requirements of a NAD or an EPN is \$25,000 for an individual and \$62,000 for a body corporate.

In addition, if a breach of the Environmental Protection Act is intentional or criminally negligent, the maximum penalty rises to \$250,000 for an individual and \$500,000 for a body corporate.

Legal action is never the preferred option. Resolving a noise issue through consensus and cooperation is the most desirable outcome.

For more information contact the City's Health Services on 9397 3000.

City of Gosnells
PO Box 662
Gosnells WA 6990

9397 3000

council@gosnells.wa.gov.au
www.gosnells.wa.gov.au

Printed on unbleached 100% recycled and recyclable paper.

This document is available in alternative formats.



CITY OF GOSNELLS

Neighbourhood noise



Neighbourhood and noise

At some time, most people have been disturbed by neighbourhood noise and there are probably occasions when they have also been responsible for causing disturbance.

Current trends towards smaller lot sizes in residential areas have increased the likelihood of making noise that might affect others.

What is noise?

Noise is best described as any unwanted or unpleasant sound. Noise can disrupt lives, cause loss of sleep or emotional stress and interfere with activities.

Assigned noise levels are set out in the Environmental Protection (Noise) Regulations 1997 (the Regulations) to ensure that noise from a premises is kept to acceptable levels for other neighbouring properties.

When is noise unreasonable?

The Regulations set different levels for the type of premises receiving noise at various times of the day. As a guide, noise which is clearly audible at the boundary of a property may cause a disturbance and exceed prescribed noise levels.

Any noise emitted from a premises must comply with the prescribed noise levels. However, under strict conditions, legislation does allow certain noisy activities to occur.

Equipment used on residential premises

Specified equipment is defined as 'any equipment that requires the constant presence of an operator – for example, a lawn mower or power tools.'

Specified equipment should not be used for more than two hours a day. The only exception to this is musical instruments which are not to be used for more than one hour a day.

Specified equipment may only be used:

- Monday to Saturday, 7am – 7pm
- Sundays and public holidays, 9am – 7pm

The equipment must be used in a reasonable manner and not interfere with the health, welfare, convenience or amenity of an occupier of a premises receiving noise.

Air conditioners

Noise from air conditioners can disturb neighbours, sleep, interfere with normal daily activities and can have a significant effect on people's health.

The Regulations may prevent your air conditioner from being used if inappropriately selected, installed or located.

The location of the air conditioner is the most important factor. Air conditioners should be located as far away as possible from neighbours' bedrooms and outdoor recreation areas.

Relocation or adjustment of a noisy air conditioner can be very expensive and inconvenient. A guide for estimating potential noise levels from air conditioners is available from the City's website.

Construction site noise

Construction work on building sites can be carried out on any day, between 7am and 7pm except on Sundays and public holidays. Work at other times is only permitted under an approved Noise Management Plan.

Noise made during parties

Music noise emitted from a party will generally exceed the prescribed noise level. Neighbours may tolerate 'one-off parties' if they have been advised in advance of the following:

1. The date of the party – neighbours may wish to make alternative arrangements and go out for the evening.
2. The time music will be switched off or turned down – intentions not to disturb neighbours after midnight is generally accepted by the community but it is not law.
3. A phone number – so neighbours can ring if the music gets too loud.

Even if the above guidelines are followed, neighbours can still lodge a complaint with the Police and/or the City about noisy parties.

City Authorised Noise Officers and the Police have the power to ensure music is turned down or to confiscate equipment.



What about barking dogs?

Owning a dog is a responsibility. Dog owners need to ensure that their dog/s do not become neighbourhood nuisances by barking.

Barking is very subjective, with many interpretations as to what constitutes a nuisance.

If you are concerned about noise from barking dogs, please call the City's Ranger Service on 9397 3000.