

Neighbourhood noise

The *Environmental Protection (Noise) Regulations 1997* specify assigned noise levels that should not be exceeded. Assigned noise levels vary dependant on the time of day and day of the week. The legislation has a number of exemptions for certain activities if they are done in accordance with set conditions. Noise which is emitted in excess of the assigned noise levels or not in accordance with set conditions is deemed to be unreasonable.

The Regulations do not apply to noise from children playing, loud voices, traffic, aircraft and vehicles on the road. Noise in relation to abusive language, antisocial behaviour and out of control parties are matters for attention of the Police, they can be contacted on 131 444.

If you are experiencing a noise concern the first step is to locate the noise source. If a neighbour is creating the noise, all that may be required to resolve the matter is a friendly approach towards your neighbour. If you cannot resolve the matter or feel uncomfortable approaching your neighbour, you can request the City's assistance by completing a Noise Investigation Request. The City also operates a Security patrol service that can provide assistance with noise outside of office hours and can be contacted on 1300 365 356 when the noise is occurring.

Construction sites

The assigned noise levels specified in the *Environmental Protection (Noise) Regulations* do not apply to construction work between 7.00am and 7.00pm from Monday to Saturday. Work on a construction site is not permitted on a Sunday or public holiday with the exception of quiet activities e.g. painting.

Radios and stereo systems on a construction site are not exempt and must comply at all times with the assigned noise levels. Quiet work may be undertaken on a construction site on a Sunday or public holiday provided that the noise does not exceed the assigned noise levels.

Parties

Music noise emitted from a party will generally exceed the assigned noise levels. Neighbours will in most cases tolerate 'one off parties' if they have been advised prior to the party of the following:

- The date and likely duration of the party (Neighbours may choose to make alternative arrangements to go out for the evening)
- The music will be switched off or turned down to a quiet level at midnight (This is generally accepted by the community but is not a legal requirement)
- A phone number to ring if the music gets too loud.

If you are planning to entertain outside, please consider these suggestions to avoid a strained relationship with your neighbours:

- Start your party earlier so that it can finish earlier
- Avoid using speakers outside the house
- Minimise music volume and especially the bass level
- If the party is likely to finish late at night, move your guests indoors and close all doors and windows.

Even if the above guidelines are followed neighbours can still complain to the Police about noisy parties. The Police have powers to turn music off, issue infringements and/or confiscate equipment.

Stereo music

Music with a dominant bass component can create a noise disturbance and should therefore be kept to a minimum. As a guide, music that is clearly audible at the boundary of a property is likely to exceed the assigned noise levels. Stereo music is required to comply with the assigned noise levels at all times.

Fixed equipment

Types of fixed equipment that often create unreasonable noise may include; air conditioning units, pool cleaners and pool / spa pumps. All fixed equipment must comply with the assigned noise levels whilst operating. If noise from the equipment can be heard inside a neighbouring dwelling after 10pm, the noise is likely to exceed the assigned noise levels.

With the reduction in average block sizes and close proximity of dwellings to each other it is imperative that property owners and installers locate air conditioners, pool pumps and other noisy machinery in the most suitable location. When installing fixed equipment it is always recommended to seek specialist advice. This should help in determining an appropriate location for the equipment and ensure compliance with the Regulations.

Specified equipment and musical instruments

"Specified equipment" is defined as any equipment which requires the constant presence of an operator for normal use. Examples of specified equipment include many common household items such as lawnmowers, power tools and musical instruments.

The assigned noise levels do not apply to noise emitted from residential premises from the use of specified equipment if:

- the equipment is used in a reasonable manner
- the equipment has not been used for more than 2 hours (or 1 hour for musical instruments) since the beginning of the relevant day
- the equipment is used:
 1. between 7.00am and 7.00pm on Monday to Saturday
 2. between 9.00am and 7.00pm on a Sunday and public holiday

For further information please refer to the City's Information Guide on Noise from Specified Equipment.

Security alarms

The Environmental Protection Act 1986 gives Police the power to silence audible alarms that have been sounding for more than 30 minutes and is causing unreasonable noise. The Police can be contacted on 131 444.

Do you need further information?

Should you require any further information regarding neighbourhood noise, please contact one of the City's Environmental Health Officers on (08) 9205 8555.

Please note this information sheet is intended as a guide only. Should you wish to view a copy of the relevant legislation you may visit the following web site:

State Law Publishers – <https://www.slp.wa.gov.au/legislation/statutes.nsf/default.html> and follow the links to the *Environmental Protection (Noise) Regulations 1997*.