

Noise Nuisance

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If you are experiencing noise nuisance try initially to resolve the issue by speaking to the person causing the noise in a polite and respectful manner as they may be unaware of the issue. If there is no success you may consider other options such as mediation or depending on the type of noise, discuss it with the City of Belmont or local Police for potential assistance.

In considering the investigation of noise issues the City's Environmental Health Officers or the Police will only investigate justified complaints and not other unrelated issues. If you are unsatisfied with the investigation of the matter, you may wish to seek legal advice or mediation (<http://www.legalaid.wa.gov.au>) to take your own action under the *Environmental Protection Act 1986* and *Environmental Protection (Noise) Regulations 1997* which can be viewed at <http://www.slp.wa.gov.au>.

The City reserves discretion on whether or not to investigate and act on a complaint having regard to the validity of the complaint, available resources and practical resolution.

- **Party noise**

You should consider whether a party is unreasonable in terms of time of the day, duration, prior notice and how often it occurs. If the party is unreasonable the Police can be contacted on 131 444.

If you are holding a party yourself you should consider the neighbours by notifying them and keeping the party noise levels, disturbance and times reasonable.

- **Stereo, home theatre or radio**

Stereo or home theatre noise that does not involve a party may be handled by City of Belmont Environmental Health Officers by contacting 9477 7222 during office hours.

Noise levels can generally be reduced from loud stereo, home theatre or radio systems by lowering the sound volume, playing it at reasonable times and indoors with windows and doors closed. In addition to closing windows and doors, further adjustment to the sound level may be necessary for low frequency bass cable loudspeaker and subwoofer systems that can transmit sound through building structures.

CITY OF BELMONT

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- **Construction and maintenance work**

Noise from construction work is permitted during the hours of 7am to 7pm Monday to Saturday and should be conducted in the quietest reasonable manner. Some construction activities are inherently noisy and no alternatives may exist, which can be acceptable under the noise legislation.

Construction or maintenance work outside the permitted hours may be approved by the City subject to valid reasons being given for doing the work, relevant approval conditions and a noise management plan. If you are involved in construction or maintenance work, the activities should be done according to *Australian Standard 2436 – 1981 “Guide to Noise Control on Construction, Maintenance and Demolition Sites.”* Equipment and methods used should be the quietest reasonably available or possible. All other associated noise such as loud stereo or radios, loud voices and shouting from workers and their vehicles are not permitted to exceed the required levels and must be managed to low levels.

Noise should also be managed from any vehicle safety reverse warning devices such as replacing existing devices with the quietest units available from suppliers with technology incorporating “automatic background adjusted” or “broadband noise” devices.

- **Barking dogs**

City Rangers may be contacted on 9477 7222 to enquire or lodge a complaint about noisy barking dogs.

- **Roosters and other birds**

Roosters are not permitted to be kept under the City of Belmont Health Local Laws 2002 due to the noise they cause in the early hours of the day. If you are disturbed by a rooster in a neighbouring property you should contact the owner to request removal of the rooster. If you are unsuccessful a City Environmental Health Officer may be contacted on 9477 7222 for assistance.

If other birds such as cockatoos and parrots are kept on a neighbouring property and are causing significant noise disturbance the owners should be made aware of the issue and requested to reduce the noise by better management of the bird or removal. The Local Laws also provide for the general management of caged birds including any excessive noise issues.

- **Musical instruments**

Musical instruments such as trumpets, guitars and drums may be used in a reasonable manner for not more than one hour each day between the hours of 7am to 7pm Monday to Saturday and 9am to 7pm Sundays or public holidays. When playing instruments, always consider the neighbours by keeping the activity indoors and closing windows and doors to keep sound inside the building.

- **Lawn mowers, power tools and other residential equipment**

Residential equipment may be used in a reasonable manner for not more than two hours cumulatively each day between the hours of 7am to 7pm Monday to Saturday and 9am to 7pm Sundays or public holidays.

- **Air-conditioners, pool pumps and spas**

Noise from such equipment is not permitted to exceed the relevant noise regulation assigned levels at any time. When operating such equipment it should be well maintained, used in a reasonable manner and at relevant times of the day such as generally between the hours of 7am to 7pm Monday to Saturday and 9am to 7pm Sundays or public holidays.

If purchasing and installing new equipment it should be the quietest reasonable available, positioned where the least annoyance occurs and does not exceed the required noise level for potentially affected neighbours. Incorrect positioning of air-conditioning systems, such as on the side of the house closest to the neighbour, is likely to cause a noise nuisance and positioning of equipment on the rear or front of the house is preferred.

Further information can be found at the following websites:

- Australian Institute of Refrigeration, Air-conditioning and Heating: <http://www.airah.org.au>
- Department of Environment and Conservation: <http://www.dec.wa.gov.au>

- **Burglar alarms, car alarms and other security devices**

If an alarm has been sounding for an unreasonable period of time and you are not able to contact the owner of the alarm to turn it off you may contact the Police on 131 444 for assistance.

The *Environmental Protection Act 1986* gives the 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, they may take whatever reasonable steps are necessary to stop the alarm. In these situations the Police will normally call out an alarm technician, working for a security company, who can disconnect the alarm.

- **Outdoor events, sporting activities, community gatherings and schools**

Noise from events and community gatherings in parks and private open spaces are permitted if the activity is approved by the City, well managed and notification of the event has occurred. Noise generally associated with sporting activities in parks or venues and schools is also permitted and does not require approval or notification.

- **Domestic Noise**

Domestic noise from loud voices, shouting and swearing should be brought to the attention of the neighbour or other person causing it. If you are initially unsuccessful and the situation is clearly unreasonable you may wish to call the Police on 131 444 or use a mediation service (<http://www.legalaid.wa.gov.au>).

- **Aircraft and road traffic noise**

Noise from the movement of aircraft, road and rail traffic is exempt from compliance with the *Environmental Protection (Noise) Regulations 1997* (normally used to deal with common forms of noise nuisance) and the City of Belmont is generally unable to deal with such issues.

Complaints and further information about aircraft noise can be made online to <http://www.airservicesaustralia.com>.

The Noise Enquiry Service can also be contacted on 1800 802 584 (freecall) or 1300 302 240 (local call) or write to:

Noise Enquiry Service
PO Box 211
Mascot NSW 1460

For road traffic noise issues call Main Roads Western Australia on 134 134 or visit their website at <http://www.mainroads.wa.gov.au>.