

Noise in Residential Areas

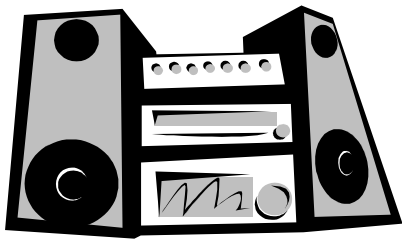
Issued: 12 September 2007

Sport, entertainment, commercial and domestic activities can generate levels of noise ranging from being a nuisance to actually damaging people's health. Neighbourhood noise (generated by air-conditioning units, stereos, maintenance work, hobbies, etc) is a common cause of noise related complaints.

The *Environment Protection Act 1997* (the Act) and the *Environment Protection Regulation 2005*, aim to protect people from undue noise whilst enabling them to carry out business and social activities.

This legislation does not apply to noise generated by aircraft (including hot air balloons), cars on public roads, animals and people (e.g. rowdy behaviour). For enquiries or complaints regarding these types of noise please ring:

| Source of Noise | Authority | Contact Number |
|---------------------------------------|---------------------------|----------------|
| People | Australian Federal Police | (02) 6256 7777 |
| Animal | Domestic Animal Services | 13 22 81 |
| Aircraft (including hot air balloons) | Air Services Australia | 1 300 802 584 |
| Cars (traffic) | Road User Services | 13 22 81 |



Noise emission standards established under the Act apply to any other noise generated within residential premises. Noise levels are measured in decibels dB(A). The following table gives an indication of noise levels:

| Activity/Object | dB(A) |
|------------------------------------------|-------|
| Quiet Bedroom | 20-30 |
| Daytime levels in quiet residential area | 35-45 |
| Busy central office | 50-60 |
| Lawn mower at 15 metres | 70 |
| Jack hammer at 1 metre | 100 |
| Jet aircraft taking off at 25 metres | 140 |



NOISE STANDARDS

(Note: The following covers the most common residential situations only. Further information is available from the Environment Protection Authority.) The ACT has been divided into noise zones based on land uses approved in the Territory Plan. Noise Standards have been set for each zone based on planning guidelines, Australian standards, interstate practice and noise monitoring data. The standards permit the highest noise levels in industrial areas and are most stringent in residential areas. The following noise standards must not be exceeded at the lease boundary of the land from which the noise is being emitted:

| Location | 7am–10pm (8am–10pm Sunday & Public Holidays) | 10pm–7am (10pm–8am Sunday & Public Holidays) |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------|
| Civic centre and other major town centres (Belconnen, Gungahlin, Woden and Tuggeranong) | 60 dB(A) | 50dB(A) |
| Group centres such as Dickson and Kingston | 55 dB(A) | 45dB(A) |
| Smaller local centres such as Griffith and Lyneham | 50dB(A) | 35dB(A) |
| Residential Areas | 45dB(A) | 35dB(A) |

Additionally, if the noise is being emitted from a unit (such as a flat or a townhouse) located within a multi-unit complex, the allowed noise decreases by 5dB(A) but must be met inside any other unit in the same complex. Any noise generated within the common use areas of such complexes is a matter for the body corporate to deal with. If a residence borders non-residential land (e.g. a residential block adjacent to local shops), or if it is located on non-residential land, different standards may apply.



Some activities that are acceptable to the community make noise above the permitted standards. These activities may be conducted in residential areas provided they comply with the following conditions.

| Activity | Conditions |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Garden maintenance or improvement*(use of lawnmowers and other garden equipment) | 7am-8pm Monday to Saturday 8am-8pm Sunday and Public Holidays |
| Maintenance or repair work*(use of power tools, etc) | 7 am–8 pm Monday to Saturday 8 am–8 pm Sunday and Public Holidays Noise exceeding the standard may only be emitted for up to 40 hours in any 8 week period. |
| New Year's Eve Parties | 6 pm 31 December–12.30 am 1 January Any noise emitted does not exceed 60dB(A) at the lease boundary. |
| Warming up of motor vehicle engines | May exceed the standard for no longer than 5 minutes except if the vehicle's operating manual specifies a longer period. |
| Building work in residential areas | Completed in less than 2 weeks 7 am–8 pm Monday to Saturday 8 am–8 pm Sunday and Public Holidays Completed in more than 2 weeks 7 am–6 pm Monday to Saturday No noise exceeding the standard permitted on Sundays and Public Holidays |
| Building work in industrial, city and town centre areas** | 6 am–8 pm Monday to Sunday and Public Holidays |
| Garbage collection in residential areas | 7 am–10 pm |
| Commercial garbage collection in**: Industrial areas City and Town Centres Manuka and Kingston Group Centres Other Group Centres | Anytime 2 am–10 pm 5 am–10 pm 6 am–10 pm |

*Any equipment used must be maintained and operated according to the manufacturer's specifications.

**Please note that if a residence borders non-residential land (e.g. a residential block adjacent to local shops), or if it is located on non-residential land, different noise standards may apply for certain activities

For more information regarding Noise Standards refer to Schedule 2 of the Environment Protection Regulation 2005.

EXCESSIVE NOISE—WHAT CAN BE DONE?

Initially, you should try to solve the problem by discussing it with whoever is causing the noise. Alternatively, you may wish to initiate mediation through the Conflict Resolution Service who can be contacted on 6162 4050. Where the noise problem cannot be resolved through these mechanisms, you may lodge a complaint with the Environment Protection Authority (EPA). A complaint regarding noise pollution will be considered by the EPA only if it is made by a person affected by the noise.

To register a complaint, you must identify the source of the noise before phoning the EPA. The first stage in investigating the complaint is for the EPA to send out a letter advising the alleged noise producer of their responsibilities under the Act and invite them to discuss the matter. In most cases the matter can be resolved at this stage.

Following this, if another noise complaint is received, the complaint needs to be validated by the EPA. This involves the EPA visiting the site and taking a valid noise measurement. If validated, a warning letter or on-

the-spot fine may be issued, or, depending on the circumstances, an Environment Protection Order (EPO) may be issued. A breach of an EPO is a serious offence. If the noise continues to be a problem, it could lead to prosecution in court.

AVOID PRODUCING EXCESSIVE NOISE

When purchasing and installing reverse cycle air conditioners, heat pumps, pool pumps, evaporative coolers, etc, ensure that you consider the location in relation to neighbours. Seek advice from the installer on whether the unit will comply with noise standards in the proposed location, or contact the EPA for further information.

For more information regarding the installation of air conditioning units, refer to the Australian Institute of Refrigeration, Air Conditioning and Heating Inc, Air Conditioning Residential Best Practice Guidelines for the ACT.

For more information contact the Environment Protection Authority by calling Canberra Connect on 13 22 81.

