

Who Handles Noise Complaints?

The Department is frequently asked by industry and the community about a number of noise related activities and/or sources, some of which are not covered by the noise regulations. The more common of these are as follows -

Air-Conditioning Noise

Noise emissions from air conditioners must comply with the *Environmental Protection (Noise) Regulations 1997*. The regulations stipulate the assigned levels which air conditioners are required to meet at all times. The *Environmental Protection Act 1986* sets penalties for non-compliance with the regulations and places responsibility for causing unreasonable noise.

Many purchasers of air conditioners find that, after a unit is installed, the noise from it annoys their neighbours and does not meet the requirements of the *Environmental Protection (Noise) Regulations 1997*. There are a number of factors, which should be considered to prevent unreasonable noise. Firstly, the location of the air conditioner will have a great bearing on how intrusive the noise will be. All types of air conditioners should be placed as far away as practicable from neighbours, particularly away from noise sensitive areas such as bedrooms, living areas and outdoor entertainment areas. Getting the position right will save a costly relocation and/or prosecution if noise complaints are lodged and found justified.

When selecting the air conditioner it is recommended that you check the sound power level, which can be found either on the unit or in the case of an evaporative cooler, in the manufacturer's specifications. The smaller the number of decibels [dB(A)] on the label, the quieter the air conditioner. Comparing labels on units of the same capacity allows you to choose a quieter unit. It is advisable that you ensure that your air conditioner complies with the assigned levels at night, that is from 10pm to the following morning, when the assigned levels are the most stringent. In most suburban areas this noise level is 35dB(A).

A solid fence or barrier will also help to reduce the noise. In some cases an acoustic enclosure may be required to reduce the noise to an allowable level. This method should only be sought when all other practicable alternatives have been explored. Acoustic enclosures are custom built and must incorporate correctly designed ventilation. They need to be built and fitted in conjunction with the manufacturer of the air conditioner in order to maintain the warranty of the unit. Enclosures can be expensive and you would be wise to seek a guarantee from the installer on the expected noise level before taking this option.

Given the selected location of the air conditioner, from which you can measure the distance to the nearest noise sensitive area on the neighbouring property, the sound power level of the desired air conditioning unit and the type of fence or barrier erected in between, the expected noise level can be calculated for comparison with the assigned noise levels stipulated in the regulations. A publication produced by this department called "An Installers Guide to Air Conditioner Noise" provides the formula and know how of calculating this noise level.

Finally, it should be considered that over time, air conditioners, like any machines, deteriorate in their performance. This is accompanied by an increase in noise from worn bearings, cabinet rattles, dirty or rusty fan blades, worn rubber mountings and compressor wear. Some of this increased noise can be reduced by regular maintenance. However, consideration should be made at installation for a slight increase in noise over time.

If on the other hand you are the recipient of unwanted noise further advice can be sought by contacting an Environmental Health Officer at your Local Council.

Transportation Noise

An exceptional variety of mechanical transport is within earshot every day – large & small fast & slow, passengers & freight. In many cases these are not subject to the noise regulations but they are often regulated by other means. These are organised for ease of access to further information. Sometimes these are not included in the noise regulations because their adverse affects are not related to the individual source but, if there are many, to their combined effect such as motor vehicle traffic.

Aircraft Noise

Aircraft noise is exempt from the *Environmental Protection (Noise) Regulations 1997*. If your concern relates to a regional airport or any heliport then the first point of contact should be with the Local Council or the operator, who will be able to explain whom the operations are managed by, as well as who to contact and how to lodge a complaint.

Helicopters

Complaints should be directed to the Local Authority which has jurisdiction over the helipad it is using.

Light Aircraft and Commercial Aviation

Noise from Aircraft is exempt from the Noise Regulations. Any noise from major airports, whether it is as a result of ground operations or whilst in flight, is covered under federal legislation and managed by an Aircraft Noise Strategy. Many airports are developing Noise Management Plans aimed at reducing the impact on neighbouring residential areas. All concerns relating to Perth Airport (international, domestic & charter) and Jandakot Airports should be forwarded to Air Services Australia, who can be contacted on 1300 302 240 or Jandakot Airport Holdings (08) 9414 9400.

If you have any queries concerning noise from aircraft using a regional airport you should contact the airport direct

Military Aircraft

Such aircraft cannot be subject to formal state government controls due to the requirement for defence readiness. Nonetheless RAAF - Bullsbrook is aware of all aircraft movements and can provide helpful information in many cases.

Boat Noise

The problem of noise from water craft is generally managed by allocating suitable areas of water bodies for certain activities. This allocation of waterways is managed by the Department for Planning and Infrastructure (DPI), Marine Safety Division. Any concerns relating to noise can be forwarded to the DPI on 9216 8999.

Noise from shipping and associated activities such as loading and unloading at major ports is the concern of each port. Contact ports of Fremantle, Bunbury, Geraldton, Albany, Esperance or Dampier directly.

Vehicle Noise

Cars and Trucks

Traffic noise from roads is exempt from the *Environmental Protection (Noise) Regulations 1997*. Instead, the *Road Traffic (Vehicle Standards) Rules 2002* address community concern about noisy trucks, cars and motorbikes. They provide uniform allowable limits and standard procedures to verify noise emissions from vehicles. Any problems with individual noisy vehicles on public roads can be directed to your local police station. It is helpful if you provide the police with the make, model, registration number and approximate location of where the vehicle was of a noise concern. Where a vehicle is creating a noise nuisance on private property your concerns should be referred to the Local Council for advice and further assessment. Where cumulative noise of traffic along major roads is an issue, or you wish to comment on road proposals, then Main Roads Western Australia should be contacted on (08) 9323 4111.

Rail Noise

Passenger Trains

Noise emissions from rail are exempt from the *Environmental Protection (Noise) Regulations 1997*. The Public Transport Authority deals with noise issues that arise from passenger trains. If you have a concern which relates to those trains servicing any of the metropolitan corridor lines, including any works along these lines, you may contact the Manager of Occupational Safety, Health and Environment on (08) 9326 2851. All other noise queries relating to passenger trains, including country lines should be directed to the Manager of Occupational Health, Safety and Environmental Policy on (08) 9326 2131.

Freight Trains

WestNet Rail deals with all freight train noise nuisances, whether in the Perth metropolitan area or country. Any concerns should be forwarded to the Manager of Occupational Health, Safety, Environment and Training on (08) 9212 2608.

Animal Noise

Dogs

Barking is one of the ways dogs communicate. It can signal anything from playfulness to danger. However, it may also be as a result of other factors, such as being deliberately or unintentionally provoked, lack of training, loneliness, being under-exercised, hungry or thirsty or generally neglected. These causes of barking are usually the sign of a distressed animal.

If you are annoyed by the noise from your neighbour's dog, there are a number of things you can do. Firstly, it is recommended that you try to solve the problem by talking it over with your neighbour. They may not realise that their dog is causing a nuisance as dogs usually bark when unattended. Your neighbour may therefore be happy to do what they can to help. The RSPCA or your Local Council will have details of trainers and animal behaviour experts if you feel the dog's behaviour is contributing to the barking. If this approach proves unsuccessful or you feel uncomfortable talking to your neighbours about this subject, you can contact your local Council.

Noise from dogs is controlled by the Dog Act 1986, which is enforced by the Rangers Department of your Local Council.



Neighbour Noise

Parties

Music noise emitted from a party will generally exceed the prescribed noise levels set by the noise regulations, however, most neighbours will generally tolerate "one off parties" if they have been advised of the following in advance:

- The date of the party. Neighbours can make alternative arrangements to go out for the evening.
- That 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 law.
- A phone number to ring if the music gets too loud.

If this approach does not prove successful you could consider mediation by an independent third party. The Citizens Advice Bureau is a not for profit information and referral agency that can assist all parties achieve an amicable and workable solution. Visit them at <http://members.iinet.net.au/~cab/> for further information.

Even if the above guidelines have been followed, neighbours can still lodge a complaint with the Police or Council. Authorised Noise Officers or Police Officers have the power to ensure music is turned down or confiscate equipment.

Alarms

The rules governing the sounding of home and commercial burglar alarms are set down in the brochure: *Noise Laws and Your Audible Alarm*, which also sets out the circumstances under which they can be deactivated at the owner's expense. This brochure can be downloaded from the noise guidelines page of the Department of Environment web site.

Construction Noise

Noisy construction work may be carried out on a building site between the hours of 7am and 7pm Monday to Saturday, excluding public holidays. Noisy construction activities are not permitted outside of these hours without an approved noise management plan.

All construction work is to be carried out in accordance with control of environmental noise practices set out in section 6 of *AS 2436-1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites*. In addition, the equipment used on the premises is required to be as quiet as is reasonably available.

Local Councils are empowered to grant special conditions for construction work through a Noise management Plan which would be submitted by the builder and approved by Local Government. Guidance for Noise Management Plans is available from the Housing Industry Association.

Commercial and Industrial Noise

There are a number of commercial and industrial sites that can generate unwanted noise emissions. The noise regulations stipulate various assigned noise levels, which are not to be exceeded at different times of the day, on different days of the week and at different types of neighbouring



properties such as residential or other commercial/industrial sites. In most instances noise problems can be handled by the Local Council. However, some premises are licensed and registered with the Department. In these cases, noise from major industrial premises may be handled by Department inspectors.

This Division 6 of the *Liquor Licensing Act 1997* sets out information about noise from entertainment in Hotels and similar licensed premises.

Some industrial sites can seek approval to vary the allowable noise levels under the provisions of the regulations. Application is made to the Minister for approval and is assessed by the Environmental Protection Authority under Noise Regulation 17. An application is only considered where a person believes they cannot reasonably or practicably comply with a prescribed standard within the regulations.

If you have an industrial related noise complaint, your first point of contact is the Environmental Health Officer at your Local Council.

Event Noise

Concerts

Special rules apply to outdoor concerts. The noise regulations allow Local Councils to approve concerts, as well as any sporting, cultural or entertainment type of event, where the activities may result in noise emissions exceeding the prescribed noise levels. Generally, the community accepts noise from these events, given that they only occur occasionally and are well run.

A promoter/organiser of an event must make application to the Local Council at least 60 days before the event under noise regulation 18. In approving these events, the Chief Executive Officer (CEO) of the Local Council considers the impact on affected residents and sets conditions, which are based on minimizing noise impacts to the community. If there are residents affected in more than one Local Council area, then both Local Councils must agree on the conditions of the event. If the Local Councils cannot agree, the Minister for the Environment decides on the conditions for the event.

Community Events

Noise from some community activities is "exempt noise" under the noise regulations. Exempt noise includes children in school playgrounds, crowds at sporting events, church services, fairs and fetes. The Local Council can take action over an exempt noise if it considers that the impacts outweigh the benefits to the community.