

HEALTH SERVICES

NOISE INVESTIGATION PACKAGE

Thank you for contacting the Shire of Mundaring Health Services regarding your noise concerns. This Noise Investigation Package contains the following documents to assist us in responding to your request:

- Noise Investigation Request Form
- Noise Log Sheet
- Environmental Health Noise Information Guide

Should you wish to lodge a noise investigation request, please complete and return the enclosed 'Noise Investigation Request Form' together with the 'Noise Log Sheet' to enable the Shire of Mundaring to process and investigate your noise concerns.

The Shire of Mundaring considers it reasonable to expect that in the case of residential noise generated by a neighbour, for example, music, musical instruments pool pumps etc, that in the first instance you attempt to resolve the issue yourself by talking with your neighbours. Should this prove unsuccessful or you feel uncomfortable doing this, the Shire of Mundaring is available to assist you.

It is important that you accurately record the noise nuisance as it affects you, providing as much information as possible. The information supplied should also identify the source of the noise and include the property address from which the noise is generated. It is requested that you record the noise events on the enclosed 'Noise Log Sheet' for the time period specified to you by the Environmental Health Officer. This information will then be used to determine the nature of the noise and possibly identify a pattern of noise occurrences. The information provided assists the Environmental Health Officer to investigate your noise concerns.

Please return the completed forms to:

Shire of Mundaring
Health Services
7000 Great Eastern Highway or via email to: shire@mundaring.wa.gov.au
MUNDARING WA 6073

Should you require assistance completing the documentation or require further information, please do not hesitate to contact the Shire of Mundaring Health Services on 9290 6742 or shire@mundaring.wa.gov.au

PLEASE NOTE

In some cases, legal action may be necessary to resolve a noise matter and in such cases the evidence of persons affected by noise may be vital to achieving a successful outcome. Anyone lodging a noise investigation request should be aware that they may be required to give evidence in court should the need arise.

Should this form not be returned to the Shire of Mundaring within 30 days of being sent, it will be assumed you do not wish to pursue this matter further at this stage.

**HEALTH SERVICES
NOISE INVESTIGATION REQUEST FORM**



CUSTOMER DETAILS

Applicant Name: _____

Address: _____

Postal Address: _____

Contact Number: (H) _____ (M) _____

Email Address: _____

Have you attempted to resolve this matter? Yes No

NATURE OF COMPLAINT

Source of Noise: _____

Address of Noise Source: _____

Complete log sheet for the following duration:

	Construction site, power tools, swimming pool equipment, air conditioning unit, other noise.	Amplified music, party or musical instruments.
Log Duration	7 days	14 days

FURTHER COMMENTS

- Please note:
- Whilst all complaints will remain confidential, the Shire of Mundaring is subject to the *Freedom of Information Act 1992*.
 - Should the matter be ongoing, the Shire of Mundaring may need to deploy the Sound Level Meter at your property for the purpose of evidence gathering.
 - Should legal action be necessary, you may be required to give evidence in court.
 - This form is to be completed in full, including the noise log sheet, prior to submission to the Shire of Mundaring for investigation.

I wish to lodge a noise investigation request in relation to the details provided above.

Signed: _____ Date: _____

**HEALTH SERVICES
NOISE INFORMATION GUIDE**

What is Noise?

Noise can be best described as unwanted or unpleasant sound that can disrupt people's lives, cause loss of sleep, interference with day-to-day activities and cause emotional stress.

Environmental Protection (Noise) Regulations 1997

The *Environmental Protection (Noise) Regulations 1997* (the Regulations) assign noise levels that can be received at premises at a particular time of day or night. The assigned noise levels have been carefully designed to ensure that noise from other premises is kept to acceptable levels with differing levels for noise sensitive premises (residences), commercial premises and industrial premises. In reference to noise received at noise sensitive premises, the assigned noise levels alter depending on the distance to the noise source. The assigned noise levels always apply to the premises receiving the noise.

The assigned noise levels allow for louder noise levels on Monday to Saturday from 7am – 7pm and on Sunday and Public Holidays between the hours of 9am and 7pm. The assigned noise levels dramatically lower from 7pm – 10pm and are at the lowest from 10pm – 7am on any day. Noise must not cause or significantly contribute to noise exceeding the assigned levels.

There are a number of factors that are taken into consideration when calculating noise levels, such as the characteristics of the noise e.g. tonal, modulating or impulsive and any influencing factors surrounding the receiver e.g. commercial areas and the associated traffic noise from main roads etc. These will be assessed by the Environmental Health Officer should noise measurements be required.

When is Noise Unreasonable?

Noise is considered unreasonable when it interferes with the health, welfare, convenience, comfort or amenity of the occupier making the complaint and is non-compliant in the Regulations.

Equipment Used on Residential Premises

Specified equipment is defined under the Regulations as equipment that requires the constant presence of an operator for normal use. Examples of specified equipment includes; lawn mowers, chainsaws, motorbikes/ quadbikes, musical instruments and power tools.

The assigned noise levels do not apply to noise generated from specified equipment if the following conditions are met:

- Equipment is used between 7am and 7pm Monday to Saturday or between 9am and 7pm Sundays and public holidays. For use of specified equipment outside of these hours, the assigned levels must be met;
- The equipment is not used for more than 2 hours per day. In the case of musical instruments, can only be used for 1 hour per day;
- Specified equipment is used in a reasonable manner with noise generated from use of the equipment not interfering with the health, welfare, convenience, comfort or amenity of an occupier of premises receiving noise.

When using excessively noisy equipment such as chain saws and chippers, it is recommended you advise your neighbours 48 hours prior to the day of use. This can be completed by letter drop.

When using equipment such as motorbikes or quadbikes, the Shire recommends the use on residential properties larger than 5 acres. Control measures need to be taken to reduce the noise emissions affecting surrounding properties. The following is considered reasonable;

- the motorbike must have an unmodified factory fitted muffler(s) and be in a standard state of tune
- motocross jumps should not be used
- the bike must not be unreasonably revved
- the bike must not be purposely ridden up and down a particular boundary
- only bikes permanently housed at the property can be used

Construction Site Noise

A construction site is a premises where the sole/principal activity is carrying out construction work. Noise generated from construction sites can be carried out Monday to Saturday between **7am and 7pm** but not on a Sunday or public holiday.

Construction sites are exempt from complying with the table of assigned levels in the Regulations provided they comply with:

- the construction work must be carried out in accordance with the control of noise practices set out in section six of the Australia Standards AS 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition sites*;
- the equipment used for the construction work must be the quietest reasonably available;
- the Chief Executive Officer (CEO) or Authorised Officer may request that a noise management plan be submitted for the construction work at any time.

Construction work must be completed in accordance with control of noise practices detailed in Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

Work outside these times may be permitted by the CEO or an Authorised Officer of the Shire of Mundaring upon submission and approval of a Noise Management Plan.

Considering Installing an Air Conditioner?

Noise from air conditioners can disturb your neighbours, the position of the air conditioner is the most important factor in making sure that the noise is not going to interfere with others. Air conditioners should be located as far away as possible from neighbours and away from areas such as bedrooms and outdoor recreation areas. Legislation may prohibit the use of your air conditioner if inappropriately selected or installed.

Having a Party?

Music noise emitted from a party will generally exceed the prescribed noise level. Neighbours will, in most, cases 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 of the party).
2. The time the music will be switched off or turned down so as not to disturb neighbours after midnight.
3. A phone number to ring if the music gets too loud.

Even if these guidelines are followed, neighbours may still contact Police regarding the noise. Police and Shire Environmental Health Officers are able to enforce legislation, ensuring noise is returned to the assigned level or seize and detain equipment to reduce noise.

What About Barking Dogs?

The *Environmental Protection (Noise) Regulations 1997* does not regulate noise from barking dogs. If you are concerned about noise from barking dogs, please call the Shire’s Ranger Services.

What Can Happen if a Noise Complaint is Lodged?

The Shire of Mundaring Environmental Health Officer will investigate all noise complaints lodged in writing. The Officer may visit the owner/occupier of the property where the noise is occurring and advise them of the complaint. Confirmation of the complaint and the permissible noise levels will be made in writing.

In most cases noise concerns are resolved through consultation with the Shire. However, should the noise continue, the Environmental Health Officer may elect to enforce the provisions of the legislation to ensure the noise is abated. This process would require evidence to be gathered by means of deploying the Sound Level Meter at the complainant’s property to support further action being taken. Possible enforcement action includes:

1. Issuing infringement notices.
2. Seizure and detention of equipment contributing to the unreasonable noise for up to 12 months.
3. Serve a Noise Abatement Direction which will remain in force for 7 days.
4. Serve an Environmental Protection Notice which will be registered on the property title.
5. Prosecution in a court of law.

Enforcement action is not the preferred option. The most desirable outcome is cooperation between both parties to achieve a resolution.

Tips for Talking to Your Neighbours About Noise:

- The best approach for dealing with noisy neighbours is to talk to them and work together on a solution to settle the problem.
- You may feel anxious about approaching your neighbours, but remember that they are sometimes not aware they are disturbing you. Talking about the noise early on can help make neighbours aware of the problem and be more considerate in future.
- Plan what you are going to say. If you are pleasant and keep calm then they are more likely to respond positively.
- Pick the best moment – try to find a time when you can remain calm and your neighbour will listen to understand and resolve your concern.
- The best approach might be to explain how the noise disturbs your need for peace, relaxation or sleep, and how this makes you feel. Try to focus on what you are hearing rather than what your neighbour is doing. You could suggest a reasonable action that may help to resolve the problem by asking ‘would you be willing to ...’

Noise Pollution Not Investigated by Local Government

To Report	Contact
Loud parties after operating hours. Burglar alarms that have been sounding for more than 30 minutes.	Police – 131 444
Noise from: Concerts Construction	Event promoter or construction company if you received prior notification or otherwise Shire of Mundaring by calling 9290 6742.
Noise from premises that are licensed or registered by DER under the <i>Environmental Protection Act 1986</i> .	DER’s 24 hour Pollution Watch Hotline – 1300 784 782
Aircraft noise	Air Services Australia Noise Complaints and Information Service Hotline – 1800 802 584
Traffic noise along major roads	Main Roads Western Australia – 138 138
Noise nuisance relating to passenger trains	Public Transport Authority – 136 213

Should you have any queries or wish to discuss any of the above matters, please do not hesitate to contact the Shire’s Health Services on 9290 6742 or via email shire@mundaring.wa.gov.au