

FACT SHEET

NEIGHBOURHOOD NOISE

Your neighbourhood and noise

Most of us will have been disturbed at some time by neighbourhood noise and there are probably occasions when we have been responsible for causing the disturbance. Current trends towards smaller block sizes in residential areas have increased the probability of producing noise that may affect others.

So what is noise?

Noise can be best described as unwanted or unpleasant sound. Noise can disrupt people's lives, causing loss of sleep, interference to activities and emotional stress. Assigned noise levels are set out in the *Environmental Protection (Noise) Regulations 1997* to ensure that noise from premises is kept to acceptable levels for other neighbouring properties. A summary of these regulations can be obtained [here](#).

When is noise unreasonable?

The noise regulations set different levels for the type of premises receiving noise at various times of the day. As a guide, noise which is clearly audible at the boundary of a property may cause a disturbance and may exceed prescribed noise levels. Any noise emitted from premises must comply with prescribed noise levels. However, the legislation does allow, under strict conditions, certain noisy activities to occur.

Equipment used on residential premises

Specified equipment is defined as "any equipment that requires the constant presence of an operator e.g. lawn mower or power tools." Specified equipment, other than a musical instrument, should not be used for more than 2 hours (accumulative amount) per day.

Musical instruments are not to be used for more than 1 hour (accumulative amount) per day. Specified equipment may only be used between 7.00am - 7.00pm Monday to Saturday and 9.00am - 7.00pm Sunday and Public Holidays. The equipment must be used in a reasonable manner and not interfere with the health, welfare, convenience or amenity of an occupier of a premises receiving noise.

Construction site noise

Construction work on building sites can be carried out on any day, which is not a Sunday or Public Holiday between 7.00am - 7.00pm. Work at other times is only permitted under an approved noise management plan granted by the City of Kalgoorlie-Boulder.

Air conditioners

Noise from air conditioners can disturb neighbours. This noise can disrupt sleep, interfere with normal daily activities and can have significant impacts on people's health. Noise

regulations may prevent your air conditioner from being used if inappropriately selected, installed or located.

The location of the air conditioner is the most important factor in making sure noise is not going to be annoying. Air conditioners should be located as far away as possible from neighbours bedrooms and outdoor recreation areas. Please note that relocation or attenuation of a noisy air conditioner can be very expensive and inconvenient. A guide for estimating potential noise levels from air conditioners is available [here](#).

Amplified music

In general, music that is clearly audible at the boundary of a property may likely be regarded as unreasonable in accordance with the *Environmental Protection (Noise) Regulations 1997* (at the discretion of an Authorised Officer of the City).

Allowable levels significantly reduce after 10pm – every night, and as such music should be kept to a minimum after this hour. Noise issues relating to party music can be referred to the City of Kalgoorlie-Boulder’s After Hours Service for investigation.

What about parties?

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);
2. The time music will be switched off or turned down so as not to disturb neighbours after midnight (this is generally accepted by the community but it is not law); and
3. A legitimate phone number to ring if the music gets too loud. Even if the above guidelines are followed, neighbours can still lodge a complaint with the Police and / or the City about noisy parties.

City of Kalgoorlie-Boulder Authorised Noise Officers and Police Officers have the power to ensure music is turned down, turned off or to confiscate equipment.

What about barking dogs

If you are concerned about noise from barking dogs, please contact the City’s Community Ranger Services.

What do you do if you have a noise complaint?

If noise is bothering you and does not fit into one of the previous special circumstances or you think it is unreasonable, the first thing you need to do is to locate the noise source. If a neighbour is creating noise, the most appropriate thing would be to try to resolve it with your neighbour by discussing the matter with them.

If the situation does not change or you feel uncomfortable approaching your neighbour,

contact the City's Environmental Health Services. Written complaints should include the date, time, nature and duration of the noise. To help the Authorised Noise Officer deal with your noise problem, keep a diary for approximately two weeks, detailing the above information.

What can happen if a noise complaint is lodged?

An Authorised Noise Officer may visit the owner/occupier of the property where the noise is occurring and advise them of the complaint. In most cases, the first meeting will solve the noise problem. If not, a verbal or written warning may be issued based on the subjective assessment of the Authorised Noise Officer.

If further complaints are received by the City, Authorised Noise Officer(s) will attend the property and complete an assessment of the noise levels. If the Officer considers the noise to be unreasonable then the City may take further action which could result in the:

1. Issue of an infringement notice (\$250 for a first offence and \$500 for subsequent offences);
2. Seizure for up to 12 months of equipment contributing to unreasonable noise;
3. Legal action under section 79(1) *Environmental Protection Act 1986* through the courts, which carries a penalty up to \$5000 for breaches of the Act; and
4. Service of an Environmental Protection Notice (EPN) or a Noise Abatement Direction (NAD). maximum penalty for non-compliance with the requirements of a Noise Abatement Direction is \$25,000 and for an Environmental Protection Notice is \$62,500 for an individual and \$125,000 for a body corporate. In addition, if a breach of the Environmental Protection Act is intentional or criminally negligent, the maximum penalty rises to \$250,000 for an individual and \$500,000 for a body corporate. Legal action is never the preferred option. Resolving a noise issue through consensus and cooperation is the most desirable outcome.

More Information

Contact the City of Kalgoorlie-Boulder Environmental Health Team.