WHAT CAN HAPPEN IF A NOISE COMPLAINT IS LODGED?

The Town's Environmental Health Officer will investigate all noise complaints made 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 procedure and permissible noise levels will be made to all parties in writing.

In most cases noise problems are resolved through consultation, possibly after sound level readings have been taken. If such readings are found to be in excess of the prescribed noise level, the owner/occupier of the premises will be notified and given a time period to reduce the noise levels to prescribed levels.

If further readings are taken and noise levels exceed the prescribed levels the Town of Cottesloe may take further action which could result in the:

1. Issue of an infringement notice ($250.00 for a first offence and $500.00 for subsequent offences).

2. Seizure of equipment contributing to unreasonable noise for up to 12 months.

3. Service of an Environmental Protection Notice (EPN) or a Noise Abatement Direction (NAD).

There are very substantial penalties of up to $500,000 for non-compliance with the requirements of an EPN or a NAD.

Legal action is not the preferred option and a resolution achieved by cooperation of both parties is the most desirable outcome.

Town of Cottesloe
109 Broome Street, Cottesloe
Western Australia 6011

Telephone: 08 9285 5000

Email: town@cottesloe.wa.gov.au
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Neighbourhood Noise

YOUR NEIGHBOURHOOD AND NOISE

Most of us have been disturbed from time to time by neighbourhood noise and there are probably occasions when we have been responsible for causing a disturbance to our neighbours. 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.

WHEN IS NOISE UNREASONABLE?

Noise levels are set for different parts of your neighbourhood for different times of the day. As a guide, noise which is clearly audible at the boundary of a property may cause a disturbance to your neighbours and exceed prescribed noise levels.

Any noise emitted from a premises must comply with the prescribed noise levels. However, the legislation allows for certain noisy activities to occur on a property under strict conditions.

Prescribed noise levels are contained in the Environmental Protection (Noise) Regulations 1997. They do not cover vehicles travelling on roads, aircraft, trains or emergency warning devices.

EQUIPMENT USED ON RESIDENTIAL PREMISES

Specified equipment is defined as "any equipment that requires the constant presence of an operator e.g. lawn mower, power tool." Specified equipment other than a musical instrument should not be used for more than 2 hours per day. Musical instruments are not to be used for more than I hour per day.

Specified equipment may be used for these periods between **7am and 7pm** Monday to Saturday and **9am and 7pm** Sunday or Public Holidays.

When using excessively noisy equipment such as chain saws and chippers, please advise your neighbours 48 hours prior to the day by letter drop.

CONSTRUCTION SITE NOISE

Construction work on building sites can be carried out on Monday to Saturday between **7am and 7pm** but not on a Sunday or public holiday. Work outside these times may be permitted by the CEO upon submission of a Noise Management Plan.

CONSIDERING INSTALLING AN AIR CONDITIONER?

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

The position of the air conditioner is the most important factor in making sure noise is not going to be annoying. All types of air conditioners should be located as far away as possible from neighbours and away from areas such as bedrooms and outdoor recreation areas. Relocation or attenuation of a noisy air conditioner can be expensive and inconvenient. Legislation may prohibit the use of your air conditioner if inappropriately selected or installed.

Please refer to the Air conditioner Noise - Installer's Guide on the Town's website.

WHAT ABOUT PARTIES?

Music noise emitted from a party will generally exceed the prescribed noise level. In most cases neighbours will tolerate "one-off parties" if they have been advised in advance of:

1. The date and time of the party.
2. The time that the music will be switched off, turned down or moved inside.
3. A phone number and a contact person to ring if the music gets too loud.

Complaints concerning noisy parties may be lodged with the Police. Police Officers can ensure music is turned down or they may confiscate equipment.

Council officers are not available to attend after hours noisy parties unless requested by the Police.

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.

Where a neighbour is creating noise, the most appropriate action is to try to resolve it by discussing the matter with your neighbour.

If the situation does not change or you feel uncomfortable approaching your neighbour contact Town's Environmental Health Officer on **9285 5000**. A written complaint is required and should include the date, time, nature and duration of the noise. A Complaint Form is available on the website, www.cottesloe.wa.gov.au

To assist the Environmental Health Officer in dealing with your noise problem, it is helpful if you can keep a diary for approximately two weeks, detailing all of the above information.