

— Annoyed by —
noise? ^b _♩ _♩



— because this is our home —



EPA
VICTORIA

Annoyed by Noise?



DEAFENING



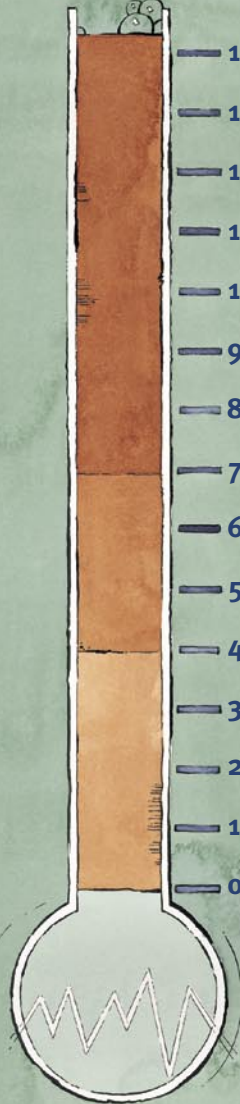
DIS
TURBING



DISTRACTING



RELAXING



- 140 Jet aircraft taking off
- 130 Threshold of pain
- 120 Ambulance sirens
- 110 Chainsaw
- 100 Jack hammer
- 90 Lawn mower
- 80 Electrical drill
- 70 Vacuum cleaner
- 60 Normal conversation
- 50 Quiet conversation
- 40 Refrigerator
- 30 Quiet bedroom
- 20 Still day in the country
- 10 Breathing
- 0 Threshold of hearing

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Residential Noise

NOISY NEIGHBOURS

The best approach for dealing with noisy neighbours is to talk to them and work together on a solution to settle the problem. Sometimes neighbours are not aware that they are making unreasonable noise, or that they are disturbing you. Often talking to them can lead to changes that will benefit you both.

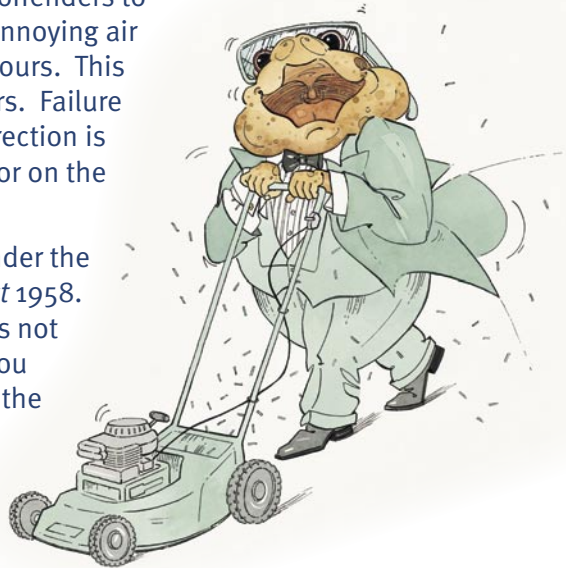
If talking to your neighbour does not resolve the problem, you do have other options available.

Action can be taken through the police, local council or in person.

Police and council officers can warn offenders to stop noise such as noisy parties or annoying air conditioners during the prohibited hours. This direction remains in force for 12 hours. Failure to comply with a police or council direction is an offence and offenders are liable for on the spot fines.

Local council can also take action under the Nuisance Provisions of the *Health Act 1958*. If you believe your noise problem has not been resolved to your satisfaction, you may take legal action yourself under the *Health Act*. You should consult your solicitor if you are contemplating this course of action.

The Dispute Settlement Centre of Victoria can assist in resolving noise problems. This organisation helps people settle their disputes in a cooperative and lasting way. Mediation relies on both parties to the dispute being willing to discuss the problem in the presence of a mediator. Services are free and confidential.



The best approach for dealing with noisy neighbours is to talk to them and work together on a solution to settle the problem.

Residential Noise

RESIDENTIAL NOISE AND THE LAW

The *Environment Protection (Residential Noise) Regulations 1997* list specific types of equipment and times their use is prohibited. The times depend on the type of equipment being used and the day of the week, however some equipment may still be too loud even when used during the appropriate times.

Some activities are easily recognisable as producing unreasonable noise, but some can be difficult to determine.

By contacting your local council or the police, they can listen to and form an opinion about the noise. They may also ask you to keep a diary of when the noise occurs or they may take measurements of the noise levels to present to a magistrate if the problem is dealt with in court.

Example

If your neighbour turned on a radio after 10pm on a weeknight and you could hear it - and it bothered you - it would be considered unreasonable noise. If your neighbour turned on the radio at 10am it may not be unreasonable noise because people are generally awake at that time. It could still be considered unreasonable if it was excessively loud or continued for too long.

Residential Construction Noise

Noise heard outside the prohibited times from equipment used for the construction of a residential premises, such as jackhammers and power tools, may also be unreasonable. In these cases contact your local council health officer to report the noise.



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Factory Noise

State environment protection policy (Control of Noise from Commerce, Industry and Trade) No N-1 sets limits for noise from industry. EPA will investigate noise reports about major industries.

Reports about noise from shops and other small commercial premises are better resolved at the local level. Reports should be made to your local council health officer.

Entertainment Noise

Loud music from entertainment venues can be a problem, especially late at night. Following a report, police have power under the *Environment Protection Act 1970* to instruct a venue to abate any entertainment noise after midnight. These directions stay in force until 8am.



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State environment protection policy (Control of music noise from public premises) No N-2 has been developed for the control of music from non-residential premises. Noise requirements based on this policy are often included in a venue's liquor licence or planning permit.

Enforcement of these rules should be referred to Liquor Licensing Victoria (phone 1300 55 81 81), the local council or the police.

Motor Vehicle Noise

INDIVIDUAL MOTOR VEHICLES

It is an offence to own or use a vehicle that exceeds noise limits in the vehicle emissions regulations. EPA can require a vehicle to be presented at one of its approved motor vehicle noise testers to determine compliance with the limits. A list of EPA approved noise testers is available from EPA's website, www.epa.vic.gov.au.

A member of the public can report a noisy vehicle to the Traffic Operations Officer at their local police station. If a police officer assesses the vehicle as being too noisy the vehicle will be referred to EPA for noise testing.

TRAFFIC NOISE

Reports about noise from general traffic flow should be directed to VicRoads (Phone 9854 2666) or your local council, which are the bodies responsible for traffic management.

Train/Tram Noise and Track Maintenance

Problems with noise from public transport or noise from maintenance work on railway or tramway equipment should be directed to the transport operator. You can also contact the Public Transport Industry Ombudsman (phone 8623 2111) to investigate your complaint.

Other Noises

There are guidelines on a variety of other noises, such as those coming from commercial/ industrial construction sites, public address systems, rubbish collection and shops. Your local council is responsible for any problems with these activities, but EPA can offer advice on the best way to deal with your problem.

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Prohibited Times

ENVIRONMENT PROTECTION (RESIDENTIAL NOISE) REGULATIONS 1997

Group	Prescribed Items	Prohibited Times
1	A motor vehicle (except a vehicle moving in or out of premises), lawn mower or other grass cutting device and any equipment or appliance not falling within Group 2 having an internal combustion engine	Monday to Friday: before 7am and after 8pm. Weekends and public holidays: before 9am and after 8pm.
2	An electric power tool, chain or circular saw, gas or air compressor, pneumatic power tool, hammer and any other impacting tool or grinding equipment.	Monday to Friday: before 7am and after 8pm. Weekends and public holidays: before 9am and after 8pm.
3	A domestic air-conditioner, swimming pool pump, spa pump, domestic heating equipment (including central heating and hot water systems) and a domestic vacuum cleaner.	Monday to Friday: before 7am and after 10pm. Weekends and public holidays: before 9am and after 10pm.
4	A musical instrument and any electrical amplified sound reproducing equipment including a stereo, radio, television and public address system.	Monday to Thursday: before 7am and after 10pm. Friday: before 7am and after 11pm. Saturday and public holidays: before 9am and after 11pm. Sunday: before 9am and after 10pm.
5	Any electric equipment or appliance not falling within Group 2, Group 3, or Group 4, including electric gardening equipment.	Monday to Friday: before 7am and after 8pm. Weekends and public holidays: before 9am and after 8pm.

Note: The prohibited times apply when the noise can be heard from inside a habitable room of another residential premises.

Further Information

DISPUTE SETTLEMENT CENTRE OF VICTORIA

4/456 Lonsdale St, Melbourne
Ph (03) 9603 8370
Country Callers 1800 658 528
Fax (03) 9603 8355
www.justice.vic.gov.au/disputes

VICROADS

Ph 9854 2666
www.vicroads.vic.gov.au

LIQUOR LICENSING VICTORIA

Level 24, Nauru House
80 Collins St, Melbourne
Ph 1300 55 81 81
www.liquor.vic.gov.au

PUBLIC TRANSPORT INDUSTRY OMBUDSMAN

PO Box 538, Collins St West, 8007
Ph (03) 8623 2111
E-mail: enquiries@ptio.com.au

EPA VICTORIA

HWT Tower
40 City Road, Southbank 3006
Ph (03) 9695 2722
Fax (03) 9695 2780
www.epa.vic.gov.au

EPA Victoria Regional Offices

Gippsland
7 Church Street, Traralgon 3844
Ph (03) 5176 1744
Fax (03) 5174 7851

South Metro
35 Langhorne Drive, Dandenong 3175
Ph (03) 8710 5555
Fax (03) 9794 5188

North East
24 Ely Street, Wangaratta 3677
Ph (03) 5721 7277
Fax (03) 5721 2121

North West
43 Williamson Street, Bendigo 3550
Ph (03) 5442 4393
Fax (03) 5443 6555

South West
Cnr Lt Malop & Fenwick Streets
Geelong 3220
Ph (03) 5226 4825
Fax (03) 5226 4632

