

Residential noise nuisances

Fact Sheet

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Residential noise nuisances

Residential noise that occurs early in the morning, late at night, on weekends or public holidays can disturb neighbours, disrupt their sleep and interfere with their normal daily activities. It can also affect people's health.

This fact sheet includes information for owners, occupiers and builders and is intended to help manage noise on residential premises and meet legal requirements.

Be a good neighbour

Talk to your neighbours about activities that are planned which may cause noise. Find out what concerns they have and seek suggestions to resolve problems. Solutions can often be found that satisfy everyone.

The law

The *Environmental Protection Act 1994* sets noise limits for building work, regulated devices, pumps, air conditioning equipment, refrigeration equipment and the operation of power boat engines on premises.

Council is legally required to enforce these limits. If issues between neighbours cannot be resolved, Council will investigate. Council may issue direction notices or an on-the-spot fine if noise standards are contravened.

A residential noise nuisance occurs if it can be heard in an affected building between the hours specified for each type of noise.

Building work

A person must not carry out building work in a way that makes an audible noise during the following hours:

- on a business day or Saturday, before 6.30a.m. or after 6.30p.m.; or
- on any other day, at any time.

Building work means any of the following: building, repairing, altering, underpinning, moving or demolishing a

building; providing air conditioning, drainage, heating, lighting, sewerage, ventilation or water supply for a building; excavating or filling; installing or removing scaffolding.

Regulated devices

This provision applies to—

- a person carrying out an activity other than building work; and
- a person carrying out building work, at premises used by the person only for residential purposes, other than under an owner-builder permit.

A person must not operate a regulated device in a way that makes an audible noise—

- on a business day or Saturday, before 7.00a.m. or after 7.00p.m.; or
- on any other day, before 8.00a.m. or after 7.00p.m.

A *regulated device* means any of the following: a compressor; a ducted vacuuming system; a generator; a grass-cutter (e.g. brush cutter, edge cutter, lawnmower, ride-on mower, string trimmer); an impacting tool; a leaf-blower; a mulcher; an oxyacetylene burner; an electrical, mechanical or pneumatic power tool (e.g. a chainsaw, drill, electric grinder or sander, electric welder, nail gun); domestic cleaning equipment.

Pumps

An occupier of the premises must not use, or permit the use of, the pump on any day—

- before 7a.m, if it makes an audible noise; or
- from 7a.m. to 7p.m, if it makes a noise of more than 5dB(A) above the background level; or
- from 7p.m. to 10p.m, if it makes a noise of more than 3dB(A) above the background level; or
- after 10p.m, if it makes an audible noise.

A pump means an electrical, mechanical or pneumatic pump and includes a swimming pool pump and a spa blower.

Air conditioning equipment

An occupier of the premises must not use, or permit the use of, the equipment on any day—

- before 7a.m, if it makes a noise of more than 3dB(A) above the background level; or
- from 7a.m. to 10p.m, if it makes a noise of more than 5dB(A) above the background level; or
- after 10p.m, if it makes a noise of more than 3dB(A) above the background level.

Refrigeration equipment

A person must not use, or permit the use of, the refrigeration equipment on any day—

- before 7a.m, if it makes a noise of more than 3dB(A) above the background level; or
- from 7a.m. to 10p.m, if it makes a noise of more than 5dB(A) above the background level; or
- after 10p.m, if it makes a noise of more than 3dB(A) above the background level.

Refrigeration equipment means a refrigerator plant including a refrigeration plant on a vehicle or trailer.

Operating power boat engine at premises

A person must not operate, or permit the operation of, a power boat engine at premises in a way that makes audible noise—

- on a business day or Saturday, before 7a.m. or after 7p.m; or
- on any other day, before 8a.m. or after 6.30p.m.

Operating a power boat engine includes flushing the engine.

Penalties

A person who causes a noise nuisance may be issued with a direction notice or an on-the-spot fine.

A person who contravenes a noise standard or fails to comply with the requirements of a direction notice is liable to a maximum penalty of 300 penalty units.

Respect your neighbours and help keep a healthy living environment for our community.

Noise nuisances dealt with by the police

Police officers, pursuant to the *Police Powers and Responsibilities Act 2000* regulate environmental nuisance caused by excessive noise that is emitted from a place by:

- a musical instrument
- an appliance for electrically producing or amplifying music or other sounds (for example, an alarm)
- a motor vehicle other than a motor vehicle on a road
- a gathering of people for a meeting, party, celebration or similar occasion,

which is clearly audible at or near the complainant's residential or commercial premises.

The police also regulate:

- noise emitted by a motorbike being driven on a place that is not a road. The police officer attending the complaint must be reasonably satisfied the noise complained of is clearly audible at or near the complainant's residential or commercial premises.
- noise emitted from a motor vehicle on a road or in a public place for example, by a radio, CD player or other similar equipment for producing or amplifying music or other sounds that is in the motor vehicle.

Contact your local Police Station for further advice.

Noise created by vehicles honking on the road may be reported to the Hoon Hotline 13 46 66. The vehicle description, registration number and location need to be provided.

For more information

Phone **3412 3412**

Visit www.logan.qld.gov.au

Email council@logan.qld.gov.au

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