

Neighbourhood noise complaints

Being a good neighbour

Noise can negatively affect health and wellbeing. The actual loudness of a sound is only one component of the effect it has on people. Other components such as frequency, tonal, vibration components need to be considered. The time and place, duration and whether the listener has any control over it also influence how noise is perceived.

Select a quieter alternative

When buying equipment or appliances, consider the noise level and where possible purchase the quietest option available.

Location

Locate noisy appliances, such as air conditioners and pumps, as far away as possible from neighbours. Avoid placing noisy equipment near noise reflective surfaces like walls or fences and use noise absorbing features to hide the equipment and reduce noise output.

Use power tools or other loud equipment as far away as possible from neighbours.

Time of use and other requirements

Some equipment and activities have specific requirements, such as the times noise can be made or where the equipment should be placed. These are outlined in the Common Types of Neighbourhood Noise Fact Sheet.

What can I do if noise is causing a problem?

There are a number of pathways for residents to resolve noise issues. Involving Council may not always be the best way to solve the issue. Where a complaint is made to Council, you will be required to monitor the noise issue and provide credible and reliable information before any action is taken. Council uses regulatory mechanisms only when all non-regulatory mechanisms have been exhausted.

Discuss the problem with your neighbour

Prior to lodging a complaint with Council, residents are encouraged to discuss the issue with the person responsible for the noise. You may decide to talk personally with the owner, telephone or write to the person. The person may not be aware that the noise is causing a problem and letting them know may solve the problem. If the person making the noise agrees to do something about it, give them a few weeks to take action.

Free mediation

Residents can also seek free independent mediation through the Community Justice Centre (CJC). CJC are government-funded but independent centres that specialise in settling differences between neighbours through a mediation process. This is where you meet with the people who are making the noise, together with a CJC representative to try and solve the problem. This is a free service and has a high success rate.

Court action

Court action is also available to residents at any time by seeking a Noise Abatement Order from the local court.

Lodging a complaint with Council

If talking with the person responsible for the noise or mediation with the CJC does not resolve the issue, a written complaint can be submitted using the template on Council's website. Once Council receives the completed form you will be contacted for further information.

Council generally does not investigate noise issues based on anonymous complaints. Where there are continued complaints by one person about another regarding more than one issue, or where the complaint is brought purely to cause annoyance or harm to the person, Council may refer the complaint to the Community Justice Centre as the most appropriate way to resolve the issue.

Gathering information

Once a complaint has been received, there are three phases for investigating noise issues: an initial assessment, detailed investigation and a decision on what action is suitable. Not all phases will be required for all complaints.

During the initial assessment, Council provides information to assist residents to solve the problem. An initial check is made to see if the noise problem is likely to be related to development activities, which are referred to the Development Compliance Officer.

An information letter is sent to the complainant and person responsible for the noise. This provides a template for a Noise Diary to help determine when the noise is an issue and a referral form for free mediation through the CJC.

Where these steps fail to resolve the issue, a more detailed investigation may be undertaken at the discretion of Council staff based on evidence available. This could include a site visit, noise measurement and additional statements from neighbours.

Any regulatory action must be based on credible and reliable information and evidence. It must be borne in mind that any information provided to Council may be used at any court hearing should this step be required. The noise diary contains a statement of agreement to act as a witness and provide evidence if the matter proceeds to Court.

Following a detailed investigation and assessment of evidence, Council decides what regulatory action, if any, is required. Where the noise is not assessed as offensive or not enough evidence is available, further action may not be taken.

Council has a range of powers for regulatory action of noise issues. The action taken will depend on the individual context of the noise issue. The complainant and person responsible for the noise are advised of the outcome of the investigation.