

# Noise

**Darebin is an exciting and lively place to live with great access to shops, bars and restaurants, transport, employment and entertainment. As the population grows, as apartment style living increases and as people live closer to vibrant and busy centres, noise can become an issue.**

Noise can also be an issue in quiet neighbourhoods.

For example, someone might be using power tools or lawn mowers too early on a Sunday morning or a neighbour's dog constantly barks.

Too much noise can be a serious issue. It has been proven that excessive noise can reduce a person's quality of life and their health and well-being, especially if it disturbs sleep.

This is why addressing issues of excessive or unreasonable noise is very important.

Some of the factors that contribute to a noise being excessive or unreasonable includes:

- the day - a weekday or on the weekend
- the time
- how loud the noise is
- duration of the noise
- the source and type of noise
- where the noise can be heard, such as inside a bedroom
- where you live and the type of home you live in (for example people living in busy centres or in apartment buildings may experience additional noise compared to someone living in a house on a quiet street).

## Your role in addressing noise issues

In accordance with State and Local laws, and as a good neighbour, whether you are a resident or a business, you must not unreasonably interfere with a person's enjoyment of their home.

It is important to be aware of the needs of others, especially when using noisy equipment.

The table below provides information about noisy household tools and equipment and when these items should not be used, as outlined in the Environment Protection (Residential Noise) Regulations 2008.

It is important to note that some equipment may still be too loud even when used during the appropriate times.

For the full comprehensive list, visit the Environmental Protection Authority (EPA) website at [www.epa.vic.gov.au](http://www.epa.vic.gov.au).

Example of equipment	Prohibited times
A motor vehicle (except a vehicle moving in or out of premises), lawn mower, grass cutter, power tools, gas or air compressor and grinding equipment	<p><b>Monday to Friday:</b> before 7am and after 8pm</p> <p><b>Weekends and public holidays:</b> before 9am and after 8pm</p>
Air conditioner, evaporative cooler, heat pump, swimming pool, spa or water pump and a domestic vacuum cleaner	<p><b>Monday to Friday:</b> before 7am and after 10pm</p> <p>Weekends and public holidays: before 9am and after 10pm</p>
Musical instrument, any electrical amplified sound equipment including stereo, radio or television	<p><b>Monday to Thursday:</b> before 7am and after 10pm</p> <p><b>Friday:</b> before 7am and after 11pm</p> <p><b>Saturday and public holidays:</b> before 9am and after 11pm</p> <p><b>Sunday:</b> before 9am and after 10pm</p>

## Dealing with noise issues

Before contacting Council, in a lot of cases the best and easiest approach to addressing noise issues involves people talking to each other to find solutions. Below are the steps to follow when dealing with noise issues.

**Step 1** - Talk to the person making the noise. This might be a neighbour, a near-by business owner or a site supervisor overseeing building works.

You may feel anxious about approaching someone about a noise issue, but quite often they are not aware they are disturbing you. Having a discussion in the first instance often resolves the issue quickly.

**Step 2** - Should initial talks fail, the Dispute Settlement Centre of Victoria offers a free mediation service, which is a good alternative to ending up in court. For more information visit [www.disputes.vic.gov.au](http://www.disputes.vic.gov.au) or call 1300 372 888.

**Step 3** - After going through steps 1 and 2, should your attempts to resolve the noise issue fail, Council and other authorities do have powers under both State and Local laws to investigate your concerns.

The table on the next page provides a guide of who to contact for the different types of noise issues. Some noise issues do need to be dealt with immediately especially if there are safety concerns; the noise is happening late at night; or it is not clear who to speak to. In these cases contact the relevant authority as the first step.

It is important to note that Council cannot investigate noise issues that are the responsibility of another authority.



Authority	Type of noise	Contact details
<b>Council</b>	<ul style="list-style-type: none"> <li>• Building and construction noise</li> <li>• Noisy animals like barking dogs</li> <li>• Noise from shops and smaller commercial businesses</li> <li>• Ongoing security alarm issues</li> <li>• Noise coming from residential homes</li> </ul>	<b>Ph:</b> 8470 8888 <b>Visit:</b> <a href="http://www.darebin.vic.gov.au">www.darebin.vic.gov.au</a>
<b>EPA</b>	<ul style="list-style-type: none"> <li>• Noise from large manufacturing or commercial sites</li> <li>• Noise from outdoor music events</li> <li>• Planned works on roads or in public areas (construction noise – usually out of hours due to likely disruption to traffic, public transport or utilities)</li> </ul>	<b>Ph:</b> 1300 372 842 <b>Visit:</b> <a href="http://www.epa.vic.gov.au">www.epa.vic.gov.au</a>
<b>Police</b>	<ul style="list-style-type: none"> <li>• Late night noise or music from parties or entertainment venues</li> <li>• Loud antisocial behaviour from any location including domestic arguments, drunken behaviour, fighting etc</li> <li>• Noisy un-maintained or un-roadworthy vehicles (police then refer the vehicle to the EPA for testing)</li> </ul>	<b>Local Police Stations:</b> Reservoir – 9460 6744 Preston – 9479 6111 Northcote – 9403 0200
<b>VicRoads</b>	<ul style="list-style-type: none"> <li>• Traffic related noise</li> <li>• Emergency Road Works</li> </ul>	<b>Ph:</b> 9854 2666 <b>Visit:</b> <a href="http://www.vicroads.vic.gov.au">www.vicroads.vic.gov.au</a>
<b>Metro Trains</b> <b>Yarra Trams</b>	<ul style="list-style-type: none"> <li>• Noise from public transport</li> <li>• Noise from maintenance work on railways or tramway equipment</li> <li>• For this type of noise you can also contact the Public Transport Ombudsman (Victoria) (PTO). The PTO can only investigate the complaint after the transport operator has had an opportunity to respond.</li> </ul>	<b>Ph:</b> 1800 800 007 <b>Visit:</b> <a href="http://www.metrotrains.com.au">www.metrotrains.com.au</a> <a href="http://www.yarratrams.com.au">www.yarratrams.com.au</a> PTO 8623 2111

**Step 4** – Keep a seven-day noise log. Do this before contacting the relevant authority. This will ensure your noise concerns can be investigated quickly.

For noise which is intermittent (not ongoing) please complete the noise log for seven consecutive days when the noise is occurring.

These logs, which are available for download on Council’s website, can also be used as evidence in court should a noise issue be required to be heard by a magistrate.

In some cases multiple residents including the person creating the noise will be completing logs, so it is important that they are filled in accurately and truthfully.

## Next steps for Council

After Council receives your complaint and seven-day noise log, an officer will make contact with the person allegedly making the noise and advise them of the issue.

Council will keep your details confidential (a complainant's identity would only become known if legal enforcement proceedings are initiated).

Council will then investigate and make an assessment of the evidence to determine whether the noise is a nuisance or breach under Local and State laws.

If satisfied that a nuisance or breach exists, Council will take action including issuing a Notice to Comply and possible fines.

Alternatively, Council may inform you that the evidence does not support a breach and no further action will be taken.

If there is no legal breach, Council may advise that the matter is best handled privately.



## Possible penalties

Although our first priority is to work with the community to tackle issues of noise, Local and State laws enable Council to take further action if required. Under Council's local law (Local LawNo.1) the fine is:

**\$ Unreasonable or excessive noise - \$1,000**



## Tips and hints

**For tips on how to reduce noise, visit the EPA's website at [www.epa.vic.gov.au](http://www.epa.vic.gov.au).**

For tips on how to approach someone to discuss noise issues, visit the Department of Justice website at [www.justice.vic.gov.au/disputes](http://www.justice.vic.gov.au/disputes).

### Tips to reduce music noise:

- ✓ turn down bass controls or subwoofers
- ✓ use headphones late at night
- ✓ avoid playing loud music at sensitive times like early morning or late at night
- ✓ keep speakers away from walls or floors shared with neighbours.

**For more information contact our Local Laws team:**

**8470 8888**

**[www.darebin.vic.gov.au](http://www.darebin.vic.gov.au)**

### CITY OF DAREBIN

274 Gower Street, Preston  
PO Box 91, Preston, Vic 3072  
**T** 8470 8888 **F** 8470 8877  
**E** [mailbox@darebin.vic.gov.au](mailto:mailbox@darebin.vic.gov.au)  
[darebin.vic.gov.au](http://darebin.vic.gov.au)



#### National Relay Service

**TTY** dial 133 677 or  
**Speak & Listen**  
1300 555 727  
or **[iprelay.com.au](http://iprelay.com.au)**  
then enter  
03 8470 8888



#### Speak your language

T 8470 8470  
العربية Italiano  
繁體中文 Македонски  
Ελληνικά Soomalii  
हिंदी Tiếng Việt