



CITY OF GOSNELLS

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Environmental Protection Act 1986

Extract from Environmental Protection (Noise) Regulations 1997

EQUIPMENT USED ON RESIDENTIAL PREMISES

October 2006

EXTRACT FROM
ENVIRONMENTAL PROTECTION (NOISE) REGULATIONS 1997

EQUIPMENT USED ON RESIDENTIAL PREMISES

(Regulation 14) - Part 2 – Allowable Noise Emissions

HOW THE REGULATIONS WORKS

Under the special case Regulation dealing with equipment used on residential premises:

- The assigned noise levels set under the Regulations do not apply to noise emitted from “specified equipment” used on residential premises, as long as it is used in a reasonable manner and between certain hours; and
- The “specified equipment” to which the Regulation applies is **any equipment that requires the constant presence of an operator for normal use**. Specified equipment therefore includes many common household items, including lawnmowers and basketballs. However, equipment which could be turned on an left running, such as an air conditioner, is not specified equipment.

THE DETAILS

The assigned levels for noise do not apply to noise emitted from residential premises from the use of specified equipment if the following four (4) conditions are met:

- The equipment is used –
 - between 7am and 7pm on Monday to Saturday inclusive; or
 - between 9am and 7pm on a Sunday or public holiday.

If the specified equipment is used outside these hours, the normal assigned noise levels must be met.

- The equipment has not been used –
 - for more than two (2) hours since the beginning of the relevant day; or
 - if it is a musical instrument, for more than one (1) hour since the beginning of the relevant day.
- The specified equipment is used in a reasonable manner; and
- The noise resulting from the use of that specified equipment on those premises does not unreasonably interfere with the health, welfare, convenience or amenity of an occupier of premises receiving the noise.

Whether a level of interference is unreasonable or not is a matter that would be decided by an Authorised Noise Officer from the City of Gosnells.

In deciding this, the test as to whether the noise is unreasonably interfering would be based on –

- the duration and characteristics of the noise emission;
- how often noise emissions of that type occur; and
- the purpose for which the equipment is used.