



# Overview of the Noise Regulations

## Purpose

This fact sheet is designed to provide an overview of the *Environmental Protection (Noise) Regulations 1997* (the Regulations). This should be read in conjunction with the series of related [fact sheets](#) and [guidelines](#) on the Regulations, available on the DER's [website](#).

## Key elements of the Regulations

1. The Regulations deal with:
  - noise passing from one premises to another, including from one unit to another in an apartment block; and
  - noise from public places as it affects adjacent premises.
2. The Regulations **do not** deal with:
  - noise within one premises, e.g. within a workplace;
  - noise from traffic on roads, or trains, except model trains;
  - noise from vessels on waterways and ships in ports;
  - noise from aircraft, except model planes; and
  - noise from some safety warning devices.
3. Assigned noise levels (the highest noise levels that can be received), have been set differently for noise sensitive, commercial, and industrial receivers.
4. Noise can be assessed in two ways:
  - by measurements of the sound levels;
  - by ear, by a police officer or authorised person.
5. Measured noise levels are automatically increased if the noise is:
  - impulsive—e.g. banging, thumping;
  - tonal—e.g. whining, droning; and
  - modulated—e.g. like a siren.
6. The Regulations make provision for special cases, to allow reasonable amounts of activities that benefit the community. These activities need not meet the assigned levels. In each case however, the activity must comply with conditions set in the Regulations or in the special approval that may be granted. The special cases are:
  - **Bellringing and calls to worship**—conditions relating to sound levels and times of events must be met.
  - **Blasting**—provided certain sound levels and hours of blasting are met.
  - **Community activities**—noise management procedures are set out for certain listed activities, e.g. crowds cheering at football matches, the Royal Show.
  - **Construction sites**—provided that:
    - the work is carried out between 7am and 7pm on any day which is not a Sunday or public holiday;
    - the work is carried out according to certain good noise control practices; and
    - work undertaken outside the hours above must be necessary and be done according to an approved noise management plan (NMP).

- **Equipment used on residential premises**—assigned levels do not apply to any equipment that requires the constant presence of an operator and which has been operating for less than two hours on that day; or a musical instrument which has been in use for less than one hour on that day, provided the equipment is used during daytime, in a reasonable manner, and so as not to unreasonably interfere with neighbours.
- **Motor sport and shooting venues**—these venues may operate in accordance with an approved NMP which can set limitations to the number of meetings and practice sessions.
- **Public events and venues**—the delegate CEO may approve:
  - up to two (or possibly more) concerts or similar events at a venue in any 12-month period, under certain conditions;
  - a venue to hold a number of ‘notifiable events’ during a set period—these events do not need individual approval but the event holder must notify the delegate CEO and the event must conform to the conditions set in the venue approval.
- **Rural premises**—for farming vehicles, provided it can be shown that the vehicles are not unduly noisy, or if used at night that the work is reasonably necessary.
- **Waste collection and other works**—activities such as waste collections, street cleaning and hazard management are exempt during the day as long as leading industry practices are employed. Out-of-hours activities need to be conducted in accordance with an approved noise management plan (NMP).
- **Where assigned levels cannot reasonably be met**—used mainly by large industrial premises, this regulation allows the Environment Minister to approve a variation to the assigned levels following an assessment process.

## More information

For advice on the Regulations, or related matters, please contact DER Noise Regulation on 6467 5000.

This document is available in alternative formats and other languages on request.

## Related documents

Additional publications about noise regulation are available online from [www.der.wa.gov.au/noise](http://www.der.wa.gov.au/noise), or can be requested by phoning 6467 5000.

## Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the State Law Publisher (SLP) for copies of the relevant legislation, available electronically from the SLP website at [www.slp.wa.gov.au](http://www.slp.wa.gov.au)

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## Legal advice

The information provided to you by DER in relation to this matter does not constitute legal advice. Due to the range of legal issues potentially involved in this matter, DER recommends that you obtain independent legal advice.