

# Noise Control



We respond to complaints about unreasonable or excessive noise in the community and take action when the noise unreasonably interferes with your peace, comfort and convenience.

## The Resource Management Act 1991

The noise control provisions under this Act are designed to:

- Protect the public from excessive or unreasonable noise
- Protect the rights of people and industry to make a reasonable amount of noise
- Set out obligations for all of us to keep noise to a reasonable level

## Noise not covered by the Act

There are situations where we cannot help as the type of noise is specifically covered or controlled by other legislation. The most common situations include:

- Barking dogs – Dog Control Act, contact DCC
- Noisy vehicles on the road – Traffic Regulations, contact NZ Police
- Noise within the workplace – Health and Safety in Employment Act, contact OSH
- Noise between tenants with the same landlord – Residential Tenancies Act, contact your landlord

## Your responsibilities

Under the Act, you must keep noise from your property to a “reasonable” level. Although there is no clear definition of what is “reasonable”, generally noise should not disturb your neighbours or be clearly audible beyond your property boundary.

## Noise in your neighbourhood

Everybody should expect some degree of noise in their neighbourhood from time to time. We do not regulate everyday activities such as mowing lawns, building construction, road repairs etc. While such noise may be a nuisance to you temporarily, provided the hours of operation are reasonable, we may not respond to such complaints.

## Unreasonable Noise

There are certain noisy activities in our community that we cannot reduce or abate immediately. This is generally industrial or commercial noise and noise from heat pumps (see heat pump pamphlet).

A full noise assessment and measurements may be carried out to determine if the noise level is in breach of any District Plan rules. If the noise is found to be unreasonable, we may serve an Abatement Notice requiring the noise to be reduced within a set period of time.

## Excessive Noise

Excessive noise is under human control and defined as noise being of “such a nature as to unreasonably interfere with the peace, comfort and convenience” of any person. Loud party and stereo noise and noise from licensed premises are the most common source of complaints.

Assessment of the noise is subjective and noise measurements do not need to be taken. If noise is excessive the Noise Control Officer will request that the noise be reduced to a reasonable level. This may be verbally or as a written notice which remains in force for 72 hours. If the noise is not reduced the Noise Control Officer, with Police assistance, may enter the premises and seize and impound the equipment or take away any working parts or lock or seal it to make it inoperable.

## Reclaiming Impounded Equipment

To reclaim your impounded equipment:

- You (the owner) must apply to the Environmental Health Department
- We must be satisfied that its return will not lead to a resumption of the noise
- You must pay all costs incurred by the DCC for seizing, transporting and storage

## Planning a party

If you are planning a party, be considerate of your neighbours and the community and take a few simple steps:

- Inform your neighbours about the event in advance
- Ask them to phone you if the noise is too loud
- Consider the time of your event - neighbours will be more tolerant during reasonable hours
- Keep window and doors closed to contain the noise
- Reduce the bass level of the music
- Keep guests inside

## Band practice

For regular band practices choose a location where the noise will not disturb others, such as an industrial area.

## Having problems with noise?

If you have a noisy neighbour, try talking to them first. If the problem persists, phone the Customer Service Agency on 477 4000. The Noise Control service is available 24 hours and an officer will respond to excessive noise (such as music) at the time of the complaint.