

Residential Noise – Fact Sheet

Noise issues are often resolved by talking with your neighbour directly and working together to find a solution. In many cases, people are not aware they are making noise that may be disturbing their neighbours.

If this does not resolve the issue, then depending on the type of noise you can seek help from; Council, Police, Environmental Protection Authority (EPA), Dispute Settlement Centre of Victoria (DSCV) or a solicitor.

Frankston City Council phone 1300 322 322

Council is most suited to address long-term issues, machine and animal noise.

Police phone 000

Police are best placed to respond to late night noise such as parties, or issues where the noisy neighbour might also be threatening.

Environmental Protection Authority (EPA) phone 1300 372 842

The EPA offers advice and solutions to commercial and vehicle noise issues.

Dispute Settlement Centre of Victoria (DSCV) phone 1300 372 888

The DSCV is a free dispute resolution service which routinely helps resolve common neighbourhood disputes involving noise.

Peninsula Community Legal Centre phone (03) 9783 3600

The Peninsula Community Legal Centre offers free legal advice to people who live, work or study in our community. Ongoing assistance is targeted to assist those who are experiencing disadvantage.

Unreasonable Noise

- Under the *Environmental Protection Act 1970* it is an offence to create unreasonable noise on a residential premises at any time of day.
 - The use of equipment that causes noise which is audible in another dwelling during prohibited hours is unlawful. The Noise Schedule overleaf details the type of equipment and the prohibited times.
 - Equipment used during allowable hours may be unreasonable depending on the volume, intensity, frequency, duration, time, place and other circumstances.
 - Noise can be considered a nuisance under the *Public Health and Wellbeing Act 2008*, and under this Act a person must not cause a nuisance or knowingly allow a nuisance to emanate from any land owned or occupied by that person.
 - Police and authorised officers of Council can investigate noise issues, enter premises, issue directions to abate noise, and issue Infringement Notices for failure to comply. Penalties for unreasonable noise or breaching a direction range from \$500 to \$12,000.
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Noise Schedule

Group	Prescribed Items	Prohibited Times
1	Motor vehicle (but not when entering or leaving a site), lawnmowers or other grass cutting devices and any equipment with an internal combustion engine not in group 2	Monday to Friday: before 7:00am and after 8:00pm Weekends and public holidays: before 9:00am and after 8:00pm.
2	Electric power tools, chainsaws or circular saws, gas or air compressors, pneumatic power tools, hammers and other impacting tools or grinding equipment.	Monday to Friday: before 7:00am and after 8:00pm Weekends and public holidays: before 9:00am and after 8:00pm.
3	Home heat pumps, swimming pool, spa or water pumps except when used to fill a heating header tank. Home heaters (including central heating and hot water systems), and vacuum cleaners.	Monday to Friday: before 7:00am and after 10:00pm Weekends and public holidays: before 9:00am and after 10:00pm.
4	An air conditioner, evaporative cooler or split system for cooling.	Monday to Friday: before 7:00am and after 11:00pm Weekends and public holidays: before 9:00am and after 11:00pm During a Heat Health Alert, you can use your air conditioner at any time.
5	Musical Instruments, electrical audio goods, including stereos, radios, TV's and public address systems. Water pumps being used to fill a header tank (e.g. collecting river water between two tanks)	Monday to Thursday: before 7:00 am and after 10:00pm Friday: before 7:00 am and after 11:00 pm Saturday and public holidays: before 9:00am and after 11:00pm. Sunday: before 9.00 am and after 10:00 pm
6	Electrical goods not in group 2, 3 or 4, including gardening tools Not equipment for personal care or grooming, or for food heating, cooling or preparation.	Monday to Friday: before 7:00am and after 8:00pm Weekends and public holidays: before 9:00am and after 8:00pm.