

How is noise control enforced?

Anyone making unreasonable or excessive noise can be fined up to \$10,000. If excessive noise is not reduced to a reasonable level straight away, following the issue of an excessive noise direction, the noise control officer accompanied by a Police officer may enter the premises and:

- remove whatever is causing the noise, or
- render the equipment inoperable, or
- lock away or seal whatever is causing the noise, or
- take any other steps needed to reduce the noise.

You may also face a fine of up to \$10,000 if you fail to comply with a direction to reduce the noise to a reasonable level.

What happens to equipment that has been seized?

Any equipment taken by a noise control officer can be reclaimed from the Council offices on Wakefield Street when we are satisfied that its return will not lead to resumption of noise beyond a reasonable level. The costs incurred in removing and storing equipment are payable before the equipment is returned.

Remember

If you are having problems with noise from your neighbour's place, speak to them first. Failing this, please contact the Council's noise control service.

Does the Act cover all types of noise?

No. There are other kinds of noise, which are specifically covered or controlled by other pieces of legislation. For example:

- Barking Dogs are covered by the **Dog Control Act 1996**. Contact Animal Control Services Ltd on 388-8212.
- Noisy vehicles on the road are covered by the **Traffic Regulations 1976**. Contact the Traffic Safety Branch of the NZ Police.
- Noise within the workplace is covered by the **Health and Safety in Employment Act 1992**. Contact the Occupational Safety and Health Service of the Department of Labour.
- Noise between tenancies with the same landlord is covered by the **Residential Tenancies Act 1996**. Contact your landlord or the Tenancy Tribunal.



Noise Control

For more advice and information

For further advice or information, please phone 499-4444 and ask to speak to a member of the Environmental Noise Team – *we're only too happy to help!* Or visit us online at www.Wellington.govt.nz

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When noise annoys

Like all other cities, Wellington can be noisy – it's a fact of city life. You are entitled to make a certain amount of noise as you work and play – but there are limits. At any time of the day or night you have the right to have excessive noise stopped or reduced – whether it be from a loud party, an alarm, construction activity at an unreasonable hour, or another source. Council noise control officers will investigate, assess the noise level and ensure it is reduced if it is considered excessive under the Resource Management Act 1991.

Resource Management Act 1991

The noise control provisions of the Resource Management Act 1991 are designed to:

- protect people from unreasonable and excessive noise
- provide effective noise control in our community
- protect the rights of people and industry to make a reasonable level of noise.

Everyone is responsible for the noise they make

The Act points out that it is your duty, as an occupier of land, not to make noise that disturbs or annoys people by ensuring noise does not exceed a reasonable level.

Noise in your neighbourhood

Everybody should expect some degree of noise in their neighbourhood from time to time. Noise control is not intended to regulate everyday residential activities such as mowing lawns and vehicles driving on the road etc.

If you have a problem with noise from your neighbour's place, try speaking with them first. Often a friendly word over the fence is all that is required.

While such noise may be a nuisance to you temporarily, provided the hours of operation are reasonable, noise control may not consider the noise excessive or unreasonable.

What happens in cases of excessive noise?

Excessive noise is noise under human control, which unreasonably interferes with the peace, comfort and convenience of any person. Excessive noise differs from unreasonable noise, which is explained later in this brochure.

Most noise complaints are investigated under the Excessive Noise provisions of the Act. Loud party and stereo noise are by far the most common complaints.

On investigation of a complaint, if the noise is deemed excessive, a noise control officer or Police officer may direct the occupier or person responsible for causing the noise to immediately reduce it to a reasonable level. The assessment required is subjective and no noise measurements have to be taken. Once a direction to reduce noise to a reasonable level has been given, no-one on the premises may generate excessive noise for 72 hours.

How to make a noise complaint

- Excessive noise complaints are investigated by a security company under contract to the Council.
- Noise complaints should be made to the Council's 24 hour telephone number: 499-4444.
- You will be asked to telephone back after 15 minutes to advise the operator if the noise is continuing. In approximately 25% of cases the noise stops or is reduced within this 15 minute period. This ensures that complaints involving continuing noise are prioritised.
- Complaints are forwarded directly to Noise Control on receipt of the second call.

- An update of the noise control officer's site visit and what action has been taken in regards to the noise complaint, can be obtained by contacting us one hour after making the second call.
- If the noise starts again after the noise control officer has visited, contact us again and a noise control officer will revisit the address.

Unreasonable noise

There are certain noisy activities in our community that Noise Control cannot reduce or abate immediately such as continuous industrial or commercial noise and on-going business-related noise. In these situations noise measurements are normally required over a period of time. Noise from building and construction activities are also controlled by the Council. Noise from these activities are required to comply with the NZ Standard on Construction Noise which allows construction-related noise Monday to Saturday within set hours.

What is a reasonable level of noise?

Noise can disturb some people and not others. Wellington City Council has appointed noise control officers who receive and investigate complaints and determine whether the noise is unreasonable or excessive.

What happens in cases of unreasonable noise?

Complaints will be investigated by a member of the Environmental Noise Team and measurements may be taken to determine if the noise is breaching the Noise Rules contained in the Wellington City District Plan. Anyone making unreasonable noise may be served an Abatement Notice. This notice requires action to be taken to reduce the noise to a reasonable level within a defined period of time.