

Neighbourhood noise

Neighbourhood noise, such as from amplified music, musical instruments, animals, industrial activities, mechanical plant and equipment can give rise to serious environmental amenity issues and can have an impact upon human health.

The City of Sydney with other regulators, including NSW Environment Protection Authority, NSW Police Force, Property NSW (formerly Sydney Harbour Foreshore Authority) and Transport for NSW have a key role in managing local and neighbourhood noise complaints. They provide an impartial and fair assessment of what level of noise is reasonable by taking into account the average lay person.

Offensive noise

The *Protection of the Environment Operations Act 1997* (POEO Act) sets out the definition and the main legal framework for regulating unacceptable noise.

When investigating and responding to any complaint City of Sydney officers may need to conduct an offensive noise test, to assess whether any noise can be considered as offensive under the POEO Act. This test is a subjective test by an authorised officer of the City of Sydney and does not necessarily require the use of any equipment to measure noise, as offensive noise is not based on a measured level.

The factors considered under the POEO Act, include how often the noise occurs, the duration and frequency of the noise, its volume and characteristics and whether the noise is typical of activities conducted for the area, and importantly how it is affecting a person within their home.

The complainant may initially be requested to complete a noise diary providing specific information on the noise subject to the complaint. The noise diary is then used to assess whether the City of

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Sydney can act on a person's behalf to assist in managing and controlling noise that is causing concern.

We are unable to assist in an isolated incident, so a completed [noise nuisance recording log](#) is required before an environmental health officer can investigate a noise report.

Once you've completed your noise diary, you should submit it within 7 days of its completion.

For further information on what constitutes offensive noise please see the [noise guide for local government](#).

Try to resolve a problem through mediation

Prior to lodging your enquiry with the City of Sydney, you may like to consider contacting your neighbour to discuss the problem and negotiate an appropriate informal resolution.

If this approach is not successful, and where noise is a recurring problem, you may, depending on the circumstances, consider contacting a [Community Justice Centre](#) (phone 1800 990 777). This is a government funded organisation that specialises in settling differences between neighbours without getting into complicated legal processes.

Noise abatement orders

In certain circumstances the local council may not be able to practically regulate the noise subject to a complaint or it may not be able to gather appropriate evidence to take action on a person's behalf. In these circumstances a person will be advised that they may wish to consider taking private action independently of the council by seeking a noise abatement order through the local court under section 268 of the POEO Act.

For further information on noise abatement orders please see the booklet titled [seeking noise abatement orders](#) published by the NSW Environment Protection Authority.

Referring a complaint to the City of Sydney

If mediation is unsuccessful in resolving the matter, a complaint can be made to the City of Sydney by phone on 02 9265 9333 or by email at council@cityofsydney.nsw.gov.au. You can also visit the City of Sydney's website to [find out more about reporting noise issues](#).

It is important to relay all details of your complaint, including action already taken and the premises where the source of the noise has been identified. **Unfortunately, the City of Sydney is unable to investigate a noise issue unless the source property is identified by the complainant.**

Time restrictions – domestic equipment

The *Protection of the Operations (Noise Control) Regulation 2008* sets out the hours within which certain noisy activities such as the use of domestic air conditioners should not be audible inside any neighbouring residence.

Noise regulations detail times of the day when certain equipment used on residential properties should not be audible within another residential property.

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Noise source	Time restrictions
Power tools, compressors, swimming pool pumps and equipment such as lawn mowers, leaf blowers, chain saws and the like	From 8pm to 7am weekdays and 8pm to 8am on weekends and public holidays.
Musical instruments and sound equipment such as radios, sound systems, and public address systems	From 10pm to 8am every day and 12 midnight until 8am on any Friday, Saturday or day immediately before a public holiday
Domestic air-conditioners and heat water heaters	From 10pm to 7am weekdays and from 10pm to 8am on weekends and public holidays
Motor vehicles (except when entering or leaving premises)	From 8pm to 7am weekdays and 8pm to 8am on weekends and public holidays
Refrigeration units fitted to motor vehicles	From 8pm to 7am weekdays and 8pm to 8am on weekends and public holidays

Note: Outside these hours the NSW Police Force and local councils can still place further restrictions on the use of these articles if they are causing 'offensive noise' as defined by the POEO Act.

Sources of neighbourhood noise the City of Sydney does not regulate

The *Protection of the Environment Operations Act 1997* (the POEO Act) and the *Protection of the Environment Operations (General) Regulation 2009* makes certain agencies the appropriate regulatory authority responsible for various premises and activities.

The tables below provide contact details for relevant organisations to lodge your enquiry.

Industrial or commercial noise

Noise source	Contact
Large industrial complexes	NSW Environment Line: 131 555

Transport noise

Noise source	Contact
Commercial airports and aircraft in flight	National Noise Enquiry Line: 1300 302 240
Noisy motor vehicles (including trail bikes) in a public place (such as roads, verges and car parks, or off road, including parks and reserves)	NSW Environment Line: 131 555 Police Assistance Line: 131 444 City of Sydney: 02 9265 9333
Noisy motor vehicles (including trail bikes) on private property	City of Sydney: 02 9265 9333

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Noise source	Contact
Road traffic noise on freeways, toll ways and main roads	Transport for NSW: 132 213
Rail noise	NSW Environment Line: 131 555
Recreational boating, jet skis	Transport for NSW: 131 256

Construction noise

Noise source	Contact
Building construction	City of Sydney: 02 9265 9333
Road construction – main roads	NSW Environment Line: 131 555
Road construction – freeways and toll road	Transport for NSW: 1300 308 349
Road construction – rail noise	NSW Environment Line: 131 555
Road construction – development activities	City of Sydney: 02 9265 9333
Major public infrastructure	NSW Environment Line: 1300 308 349

Public sporting and entertainment venues

Noise source	Contact
Concerts at major state venues (for example, The Domain, Centennial Park, Moore Park, Olympic Park, Sydney Cricket Ground)	NSW Environment Line: 131 555

Note: for a more detailed list; see the leaflet [dealing with neighbourhood noise](#) published by the NSW Environment Protection Authority.

Strata scheme disputes

The *Strata Schemes Management Act 2015* sets out a process for resolving disputes including complaints concerning noise. This includes mediation and formal orders by the strata schemes adjudicator and the NSW Civil and Administrative Tribunal. Under the Strata Management Act each strata scheme must have a set of by-laws. The model by-law provision concerning noise, if adopted by the strata scheme, provides that:

“An owner or occupier of a lot, or any invitee of an owner or occupier of a lot, must not create any noise on a lot or the common property likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.”

For further information, please refer to [this fact sheet \(PDF 533 KB\)](#).

What to do if there is a noise issue and you live in a strata property?

The best approach is to try to resolve the problem yourself, so talk to the person first. If that does not work or, if you feel intimidated, you should consider carrying out the following steps.

Firstly, you can ask the owners corporation to issue them with a notice to comply with a by-law then seek a fine through the NSW Civil and Administrative Tribunal if they do not comply with the terms of the notice or:

- you can seek advice from the Consumer Trader and Tenancy Tribunal, by email at ctttenquire@cttt.nsw.gov.au or phone 1300 135 399
- you can apply for mediation through [NSW Fair Trading](#) to have a mediator assist you to discuss the issue with them, phone 13 32 20
- if you are still unable to resolve the matter, you can contact the City of Sydney for further advice on 02 9265 9333 or email council@cityofsydney.nsw.gov.au

Noise from commercial waste collections.

The collection of waste including recycling materials must be undertaken at a time when it is safe for pedestrians, motorists and the local community. In some areas, it is appropriate to collect waste during the evening, and other areas may be collected in the daytime only. As a guide, the following hours are generally considered acceptable. However, there are exceptions to this depending on your street.

1 CBD and arterial or major roads – waste should be collected in the night-time period from 10pm to 6:30am.

2. Residential areas and minor roads – waste should be collected in the daytime hours from 6:30am to 10pm for commercial premises and from 6am to 10pm for residential premises.

Certain commercial businesses may have set waste collection hours imposed within the development consent. If collections are occurring outside specified hours and causing a noise impact, you can submit a noise report for us to investigate.

What can I do when I am experiencing noise from waste collection outside normal working hours?

If the collection is being conducted outside the above hours and causing a noise impact, contact the City of Sydney by telephone on 02 9265 9333 and lodge your enquiry. Please provide the following information in a noise diary:

- address of the subject business from where waste is being collected, and the collection point if these are different
- name of the waste management company
- the vehicle registration number
- dates and times of the noise causing offence.
- how the noise is impacting you

What can the City of Sydney do in response to my complaint about waste collection?

The City of Sydney may speak or write to the company concerned to re-enforce appropriate collection times for that location. Evidence will need to be collated if the problem continues, this means that you will need to complete and submit a noise diary with information on the collections being made for consideration of more formal action should the matter be considered to be offensive under the POEO Act.

Noise from vehicles

Noise from cars, motorcycles and trucks can come from different sources, such as horns, brakes, a refrigerator left running on a parked truck, engine or muffler noise from modified motorcycles or cars, deliberately revving engines, or the use of amplified sound systems.

The NSW Environment Protection Authority, police officers and in some instances local council officers have the power to enforce the *Protection of the Environment Operations (Noise Control) Regulation 2008* in relation to managing vehicle noise.

NSW Police Force and the NSW Environment Protection Authority handle most noise complaints concerning cars and motorcycles. The City of Sydney can respond to complaints about alarms, and vehicle refrigerators.

For further information, please see the leaflet [managing vehicle noise](#) published by the NSW Environment Protection Authority.

Building alarms

It is an offence for an intruder alarm to be heard in any neighbouring residence when it sounds for more than:

- 5 minutes if installed on or after 1 December 1997
- 10 minutes if installed before 1 December 1997.

For more information, please refer to the leaflet [managing noise from intruder alarms \(pdf 2.04MB\)](#) published by the Department of Planning, Housing and Infrastructure.

Noise from barking dogs

The City of Sydney receives numerous noise complaints in relation to barking dogs. City of Sydney rangers play an active part in following noise complaints associated with barking dogs.

Prior to lodging a complaint with the City of Sydney you are advised to speak to the owner of the dog regarding the issue and observe if any action was taken to rectify the problem. If speaking to the owner does not solve the issue you can then lodge the complaint with the City of Sydney.

Refer to the leaflet [dealing with barking dogs](#) published by the NSW Environment Protection Authority to understand the action City of Sydney officers can take in response to a noise complaint regarding barking dogs.

If you suspect that any animal is being mistreated or abused, contact RSPCA inspectors on 02 9770 7555

Keeping of other animals

The City of Sydney does not have a policy for keeping animals that are not companion animals such as dogs or cats and would only investigate complaints:

- where the animal is creating an offensive noise problem
 - where there is a danger to safety of the community
 - where keeping of the animals is causing offensive odours or unhealthy land.
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Useful links

[RSPCA](#)

[City of Sydney companion animals policy](#)

