



Noise - Frequently Asked Questions

Here are answers to some of the most common questions asked about noise.

What Can I Do About Noisy Neighbours?

Firstly we recommend you talk to your noisy neighbour to let them know that the noise is disturbing you, as they might not realise they are causing a problem. You might be able to agree a compromise, for example – music being lowered in volume or only played at certain times of the day.

If a friendly neighbourly chat does not solve the issue, you can make a complaint to Council about excessive noise at any time of day or night. If possible contact Council when the noise is occurring, and if available, a noise control officer will visit to assess the noise.

Are My Details Confidential?

The noise control officer will not disclose your details to the noise maker. Your details are only required by Council in order for us to contact you and to monitor ongoing noise problems. Anonymous complaints will not be investigated.

When is Noise Unreasonable or Excessive?

Excessive noise is legally defined as ...”*any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort and convenience of any person*”. Examples of excessive noise may include a loud party, stereo bass, band practices, burglar alarm or machinery.

If a Noise Control Officer is called out to investigate the noise they will listen to the noise to determine if it is unreasonable or excessive.

How Much Noise Can I Make?

Generally, you are obliged to keep noise down as much as possible. The level of noise that will be acceptable will vary according to location of neighbours, the time of day, the duration, the frequency of the disturbance, and the type of noise. For example, the same noise levels that are acceptable during the day may not be acceptable at night.

We ask that people bear the following in mind:

- Be considerate of your neighbours
- Ensure car alarms are not over-sensitive or faulty
- Talk to your neighbours in advance about a party or invite your neighbours
- Advise neighbours of planned work on your section that may be noisy
- Minimise noise travelling from your property by keeping doors or windows closed
- Turn down the noise at a reasonable hour at night
- Do not use noisy equipment such as chain saws early in the mornings or late in the evenings.

What Happens When Noise Control Officers Are Called Out?

If a Noise Control officer is called out (at ANY time of the day or night), and the noise is deemed to be excessive, a Noise Control Officer may serve an Excessive Noise Direction (END). This requires the noisemaker to reduce the noise to a reasonable level and these

remains in force for 72 hours. Failure to obey the END can result in equipment seizure and an infringement fine of \$500.

If a history of problems has been established, Council has a further option to serve an Abatement Notice. The effect of an Abatement Notice is to provide a more permanent solution to the problem. If an Abatement Notice is breached, equipment can be seized without warning or a \$750 infringement fine imposed.

What Happens If Equipment is seized?

If equipment is seized there is a cost for the seizure and a weekly storage charge. The equipment will be returned only if Tasman District Council is satisfied that it will not be used to create further noise problems. To ensure that the equipment is returned to the rightful owners, proof of identity and the original copy of the seizure notice will need to be produced.

Unclaimed or unreturned seized items will be disposed of after six months.

What Do I Do If the Noise Problem is Ongoing?

You are strongly advised to **keep a diary** of when you are affected as the noise control officer may arrive after the noise has stopped. This is particularly important if the noise problem is intermittent or occasional. This will be of great assistance for the noise control officer to be able to assess if you are being unreasonably disturbed.

What about Noise from Commercial or Industrial activities?

If noise from a commercial or industrial premise is disturbing your enjoyment of your property the level of noise may require further investigation to determine if it meets District Plan standards. In this case noise monitoring would need to be undertaken and actioned as appropriate. Such noise is unlikely to be reduced immediately. Contact Environmental Health directly to discuss the specific details.

Contact an Environmental Health Officer by phone on 06 3794030 or by email.

What Can I Do About Noise From Barking Dogs?

Noise nuisance from barking dogs is investigated by Animal Control officers.

What about Traffic Noise?

Noisy vehicles on the road are covered by the Traffic Regulations 1976. Contact the traffic safety branch of the New Zealand Police.

What about Noise from Aircraft?

The Resource Management Act specifically excludes noise emitted from aircraft during or immediately before or after flight from the definition of "excessive noise". Therefore this is not an issue Council has any jurisdiction over.

The Civil Aviation Authority may be able to assist if the concerns relate to "low flying" rather than taking off or landing.