

What does the law say?

Under the Resource Management Act (the Act) people are not allowed to make “excessive” noise and must ensure that noise from their property does not reach an “unreasonable” level.

Excessive noise (Section 326 of the Act) is any noise that is under human control and could unreasonably interfere with the peace, comfort and convenience of any person.

Examples of excessive noise are loud parties, continuously sounding burglar alarms or loud machinery.

Unreasonable noise (Section 16) involves commercial or occupational noises that can be of a constant nature and may continue over some period of time.

Noise from moving vehicles such as aircraft, boats and trains is not controlled by the excessive noise provisions.

The Act provides a framework – the job of deciding what is excessive or unreasonable falls to noise control officers employed by local councils throughout New Zealand.

What you can do to reduce the impact of noise

- Inform your neighbours in advance about a party.
- Minimise noise travelling from your property by keeping doors and windows closed.
- Be aware of the direction your stereo speakers are facing.
- Lower the noise at a reasonable hour at night.
- Consider sound-proofing music practice rooms and let your neighbours know when your band is getting together.
- Avoid using noisy equipment, such as chain saws, in the early morning or late in the evenings or check in with your neighbours if you are considering doing this work.
- Ensure your burglar alarm will cut off after 15 minutes or a contact number is visible on the property.
- Make sure your car alarms are installed correctly and are not over-sensitive or faulty.

Making a complaint

You can report a noise nuisance to the council at any time by calling **06 349 0001**. This is a 24/7 service and our noise control officers will attend as soon as possible.

Generally the noise control officers won't contact you back so if the noise continues after more than 30 minutes you may need to ring them again to advise that the noise is still causing a disturbance.

Noise in our community



WHANGANUI
DISTRICT COUNCIL
Te Kaunihera a Rohe o Whanganui

Noise in our community

Noise goes with living in a community and there will be some degree of noise from time to time in every neighbourhood.

Some noise, such as the sound of a lawn mower, is usually acceptable provided it is during reasonable hours. Continuous or very loud noise at any time can be considered a nuisance, particularly in residential areas.

Please be a considerate neighbour. This may mean being tolerant of a little extra noise from time to time.

It also means thinking about the impact of your noise on others and trying not to make excessive noise that extends beyond the boundaries of your property.

Thanks!

www.whanganui.govt.nz

What if 'noise control' does come to my place?

Vibrant communities do create some noise but councils are required by law to enforce noise legislation.

If Whanganui District Council receives a complaint noise control officers will attend as quickly as possible.

In residential areas they will need to use their judgement to decide whether the noise is excessive – can it be heard beyond the boundaries of the property? Is it late at night? Excessively loud or continuous?

In Whanganui's commercial or industrial zones noise control officers will, when possible, use noise meters to measure the sound emitted.

If the noise is excessive the noise control officer may serve a written Excessive Noise Direction, which means you need to reduce the noise immediately.

This notice will stay in effect for 8 days and begin when the notice is issued.

If you don't comply with the notice the equipment making the noise can be seized.

If two Excessive Noise Directions are issued within a three-month period then an abatement notice can be issued.

If you breach this notice you may be fined up to \$1500 for an individual or up to \$3,000 for a company and/or have your equipment seized.

What happens if my equipment is seized?

Equipment that is seized will be stored at the council and will only be returned when the council is satisfied there will be no continuation of the breaches.

If your equipment is seized for a second time it may not be returned.

Refer to the council's fees and charges webpage for the cost to recover equipment - whanganui.govt.nz/noise-fees. An appointment will be needed before you can collect it.

You can contact the council on **06 349 0001**.

Whanganui District Council – how do we fit in?

Whanganui District Council wants to generate vibrancy through entertainment and events.

The council's District Plan provides guidelines for different zones so that these kinds of activities can take place.

We encourage artists to be conscious of other people using our city's shared spaces and to work with their neighbours and the council to ensure everything goes smoothly during events.

The Resource Management Act 1991 provides the legal framework for managing noise with the District Plan providing more specific guidance on zoning and land use.

If you're proposing an event we recommend that you contact the council's Planning team for zoning and consent information.