



## Fact Sheet Noise Pollution

### What are the noise pollution laws in the ACT?

Pollution in the ACT is regulated by the [Environment Protection Act 1997 \(ACT\)](#) (*EP Act*) and the [Environment Protection Regulation 2005](#) (*EP Regulation*). These are enforced by the Environment Protection Authority (EPA), which sits within 'Access Canberra' as part of the Chief Minister, Treasury and Economic Development Directorate. The *EP Act* and *EP Regulation* are supplemented by the Environment Protection Policies which guide the EPA's decisions on particular forms of noise (available at [www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au)):

- [general noise](#);
- [motor sport noise](#); and
- [outdoor concert noise](#).

Some types of noise are not regulated under environment protection laws. These are outlined in the table below:

Noise not covered by the Environment Protection Act	Avenues for complaint
Cars on the road	Complaints about noisy cars should be made to Access Canberra ( <a href="http://www.accesscanberra.act.gov.au">www.accesscanberra.act.gov.au</a> ). For information about Summernats, see our <a href="#">Summernats factsheet</a> ( <a href="http://www.edoact.org.au/factsheets">www.edoact.org.au/factsheets</a> ).
Animals	Noise disturbances from domestic animals (e.g. dogs barking) are regulated by the <i>Domestic Animals Act 2000</i> . Lodge complaints with Domestic Animal Services (Phone 13 22 81).
Airplanes	Aircraft noise must meet standards in <i>Air Navigation (Aircraft Noise) Regulations 2018 (Cth)</i> . Lodge concerns about aircraft noise with Airservices Australia (Phone 1800 802 584).
Noise that involves a person's body e.g. shouting or singing	Complaints can be made to the police (Phone 6256 777).
Patron noise from licensed venues	Contact the Office of Regulatory Services (Phone 6207 3000).



## Environmental Authorisations

An environmental authorisation is a permit to allow a person to undertake an activity that may have an environmental impact (e.g. an outdoor concert or motor racing event). Certain activities ('Class A' activities) require environmental authorisation ([section 42](#) and [schedule 1](#) of the *EP Act*). The holder of an environmental authorisation is allowed to emit noise within the terms of the authorisation ([section 28](#) of the *EP Regulation*). For example, an environmental authorisation applies for activities during Summernats. See our [Summernats factsheet](#) for more information.

## Noise restrictions

Noise is considered to cause 'environmental harm' if it exceeds the limits set out in the regulations (see [section 5\(a\)](#) of the *EP Act* and [section 25\(1\)](#) of the *EP Regulation*). The limit depends on what time the noise is being made and where it is. The ACT is divided into seven zones for the purposes of noise regulation.

The precise areas are the zones set out in the [Territory Plan](#). The acceptable noise levels for each zone are set out in [Part 2.2 of Schedule 2](#) of the *EP Regulation*. These noise levels are summarised in the table below:

Noise Zone	Noise standard Monday-Saturday 7am-10pm Sunday and public holiday 8am-10pm	Noise standard Monday-Saturday 10pm-7am Sunday and public holiday 10pm-8am
Industrial areas (Zone A)	65 dBA	55 dBA
City and town centres (Zone B)	60 dBA	50 dBA
Group centres, office areas and the Parliamentary triangle (Zone C)	55 dBA	45 dBA
Commercial areas (Zone D)	50 dBA	35 dBA
Broadacre and recreation areas (Zone E)	50 dBA	40 dBA
Commercial zone, transport services zone, community facility zone, leisure and accommodation zone (Zone F)	Same as the noise standard for the adjoining noise zone with the loudest noise standard for the time period	
Residential and all other areas (Zone G)	45 dBA	35 dBA



Noise is generally measured from the boundary of the land where the noise is coming from ([section 32](#) of the *EP Regulation*).

There are a number of activities (such as gardening, building work, and new years eve parties) which are allowed to exceed these levels if certain requirements are complied with ([section 29](#) and [Schedule 2, Table 2.3](#) of the *EP Regulation*). Where noise complies with conditions set out for the particular activity there is no limit to the noise levels ([section 29](#) of the *EP Regulation*). A summary of activities and their applicable conditions can be viewed in detail on the [Environment, Planning and Sustainable Development Directorate website](#) ([www.environment.act.gov.au/environment/residential\\_information/noise\\_in\\_residential\\_areas](http://www.environment.act.gov.au/environment/residential_information/noise_in_residential_areas)).

## Frequently Asked Questions

### I have a problem with noise – what should I do?

Depending on the circumstances, you can begin by speaking with the person generating the noise about the issue. Give the person a chance to hear your concerns, and take their views into consideration when deciding what to do next. You should write down what was said so that you have a record of what has been discussed and agreed upon (or not).

Depending on the nature of the noise, you have a number of options:

1. **Mediation:** If you cannot reach an agreement with a neighbour, you can try mediation. Mediation is a discussion facilitated by an independent person who has been trained in resolving conflict. The Conflict Resolution Service ([www.crs.org.au](http://www.crs.org.au)) is recommended by the ACT government and can help with disputes between neighbours.
2. **Lodge a complaint:** Depending on the nature of the noise, you can submit a noise complaint to the EPA online via the Access Canberra "[Fix My Street](#)" service ([www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au)). The EPA has a range of powers to enforce noise pollution laws, including the power to write a warning letter, issue an infringement notice, or issue an environment protection order, which is a written order that requires that specified action be taken, stopped or not begun by a person ([section 125](#) of the *EP Act*). Otherwise, you can contact the agencies on page 1 if the noise you are experiencing is not regulated by the EPA.
3. **Nuisance Application in ACAT:** A nuisance application is an application for relief of a nuisance. You can make a civil dispute application to deal with a nuisance ([section 15](#), [section 16](#) and [section 17](#) of the *ACAT Act*) or an application to deal with interference with use or enjoyment of land. You can apply for particular orders to deal with the interference. You can



also apply for monetary damages and/or an order to stop the interference or grant other legal relief ([section 22](#) of the *ACAT Act*, which gives ACAT the powers of the Magistrates Court in its civil jurisdiction). For more information about going to ACAT, please see the information about lodging a civil dispute application on the [ACAT's website](#). You can also read more about how to do this in our [Neighbourhood Disputes Factsheet](#) ([www.edoact.org.au/factsheets](http://www.edoact.org.au/factsheets)).

### **What if I live in the ACT and my neighbours in NSW are making noise?**

The *EP Act* only covers noise made in the ACT. Noise made in NSW is covered by NSW law. You can find out more information about NSW noise law from EDO NSW's factsheets ([see www.edonsw.org.au/edo fact sheets](http://www.edonsw.org.au/edo_fact_sheets))

### **What if I live in NSW and my neighbours in the ACT are making noise?**

The *EP Act* applies to noise made in the ACT regardless of whether the person affected by the noise is inside or outside the ACT ([section 22](#), [section 25](#) and [section 39](#) of the *EP Regulation*). Areas in Queanbeyan are also included as part of the noise zones in the *EP Regulation* (described above). This means that a person in NSW can make a complaint about noise being made in the ACT.

### **Where can I find more information?**

- See the Noise Portal page on the Access Canberra website which contains a number of resources (<https://www.accesscanberra.act.gov.au/app/home/cityservices/noiseportal>);
- The Environment Protection Authority has an information sheet titled '[Noise in Residential Areas](#)';
- [Conflict Resolution Service](http://www.crs.org.au) (<http://www.crs.org.au>);
- The Legal Aid ACT Helpline (1300 654 314);
- The Environmental Defenders Office ACT at [www.edoact.org.au](http://www.edoact.org.au).

**Disclaimer:** The law described in this fact sheet is current at January 2019. This fact sheet has been designed to give readers plain English background information in planning and environmental law in the ACT. It is brief, for general information purposes only and does not replace the need for professional legal advice in individual cases. To request free initial legal advice, please contact us on (02) 6243 3460. While every effort has been made to ensure the information is accurate, the EDO ACT does not accept any responsibility for any loss or damage resulting from any error in this fact sheet, or reliance or use of this work. Duplication and reproduction of the information is permitted with acknowledgment of the EDO ACT. This fact sheet was produced with the assistance of funds made available by the ACT Government through the Justice and Community Services Directorate.