

Resource Management Act 1991

The Act is designed to;

- Protect people from 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 not to make noise that disturbs or annoys other people.

When noise annoys

You have the right to have excessive noise stopped or reduced, provided the noise is under human control, at any time of the day or night – whether it is from a loud party, an alarm or another source.

What is a reasonable level of noise?

Noise can disturb or annoy some people and not others. If noise is being generated from your property is clearly audible from your neighbours boundary, it may be considered excessive.

Excessive noise levels are contained in Section 13.2 of the Western Bay of Plenty District Plan.

This can be found on Councils website at www.westernbay.govt.nz

When noise is deemed to be excessive

Anyone causing excessive noise may be given an “excessive noise notice” or verbally warned to desist by an enforcement officer.

If the noise is not reduced immediately, steps can be taken straight away.

An enforcement officer, accompanied by a police officer, can enter the premises and:

- Remove whatever is making the noise

OR

- Render it inoperable

What happens to the equipment which is seized?

Any equipment taken by an enforcement officer can be reclaimed from the Council offices upon payment of a \$250 fee, which covers the costs of removal and storage.

How do I make a complaint?

Any person can make a complaint about any which they judge to be unreasonable or excessive by simply phoning 07 571 8008 (24 hrs). Complainants' details are kept confidential.

Your complaint will be handled by a Council officer during work hours, 8am – 5 pm weekdays, and a security company contracted by Council outside these stated hours.

What about traffic and barking dogs?

Not all noise falls within the jurisdiction of Council's noise control service and is covered by other legislation or agencies such as:

Barking Dogs

- Council's animal control officers

Noisy vehicles driven on roads

- NZ Police – Traffic Regulations

Aircraft during flight and trains travelling along rail corridors

- Exempt from the Resource Management Act

Other exemptions

- Short term domestic activities such as lawn-mowing
- In the Rural area, normal farming practices including harvesting and spraying.
- Further details are in Section 13.2.3.3 of the Western Bay of Plenty District Plan.

Who pays for this service?

All services are paid for by Council – funded by rates.

If Council receives calls considered vexatious or consistently unsubstantiated it has the right to warn and charge the callers for unnecessary callouts.

Remember

If unreasonable or excessive noise is disrupting you, phone 07 571 8008 at any time

Council's Website

www.westernbay.govt.nz

TAURANGA – HEAD OFFICE
CAMERON ROAD
BARKES CORNER
PRIVATE BAG 12803
TAURANGA
PHONE (07) 571 8008
FAX (07) 577 9820

FREEPHONE 0800 WBOPDC (926732)

TE PUKE LIBRARY & SERVICE CENTRE
JELlicOE STREET
TE PUKE
PHONE (07) 573 9862
FAX (07) 573 6728

KATIKATI LIBRARY & SERVICE CENTRE
MAIN ROAD
KATIKATI
PHONE (07) 549 0119
FAX (07) 549 0935

OMOKOROA LIBRARY & SERVICE CENTRE
McDONNELL STREET
OMOKOROA
PHONE (07) 548 2643
FAX (07) 548 2941

WAIHI BEACH LIBRARY & SERVICE CENTRE
WAIHI BEACH COMMUNITY CENTRE
WAIHI BEACH
PHONE (07) 863 4573
FAX (07) 863 5749

INFORMATION VALID AT TIME OF PRINT 01/09

Noise

Your rights and responsibilities