



5. ENVIRONMENTAL POLICIES

5.1 HEALTH

5.1.8 Noise Measurements

1. Unless otherwise determined by item (2), noise measurements are to be taken from within 15 metres of a noise sensitive premises as defined in the Environmental Protection (Noise) Regulations 1997 in the event of investigating a noise complaint caused by legitimate agricultural activities on rural zoned land defined by Council's Town Planning Scheme applicable on that day.
2. Noise measurements are only to be taken for enforcement purposes at a distance greater than 15 metres from a noise sensitive premises where it can be clearly demonstrated to Council's Environmental Health Officer (Authorised Person and Inspector for the purposes of the Environmental Protection Act 1986, under Sections 87 and 88) that the noise received at the boundary will **unreasonably interfere** with the health, welfare, convenience, comfort or amenity of that person receiving the noise.
3. The determination of "**unreasonably interfere**" will be made by Council's Environmental Health Officer on a case by case basis and will take into consideration all relevant factors in the matter. Council's Environmental Health Officer will document and justify all decisions made and ensure that all information is recorded appropriately.
4. If the noise complainant is not satisfied with the decision of Council's Environmental Health Officer in regard to the determined noise measurement location, they may appeal the decision in writing to the Chief Executive Officer and the matter will be presented to Council for decision at the earliest possible opportunity.

**ADOPTED 13 NOVEMBER 2003
NEXT DUE FOR REVIEW NOVEMBER 2007**

The Administration of this Policy is by Statutory Services Division.