



Noise Regulations fact sheet

Regulation 12: Rural premises

June 2021



Purpose

This fact sheet provides guidance for users of the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) in relation to noise emitted from rural premises.

The Noise Regulations set assigned (allowable) noise levels for noise received at various types of premises. However, the regulations create several special cases where noise emissions may not be required to meet these assigned levels.

One of the special cases is noise from rural premises.

How regulation 12 works

When dealing with rural activities under regulation 12, the assigned noise levels set out in regulations 7 and 8 do not apply to noise emitted from a farming vehicle on rural premises, under certain conditions. If the conditions are not met, the farming vehicle must meet the assigned levels.

'Rural premises', as defined by regulation 2, are premises used primarily for pastoral or agricultural purposes on land classified or zoned for agricultural or rural use, or for rural lifestyle living, under a planning scheme as defined in section 4(1) of the *Planning and Development Act 2005*.

A 'farming vehicle', under regulation 12, means a motor vehicle which is used for, or in association with, soil preparation and cultivation, land drainage and water management, crop seeding and planting, crop spraying and fertilisation, pest management, produce harvesting or stock management.

Regulation 12 does not apply to noise emitted from a farming vehicle on premises used for intensive animal husbandry, poultry farming or dog kennels.

Regulation 12 also does not apply to a vehicle used for pumping water for crop or pasture irrigation, stock watering or land drainage.





Daytime work

The assigned levels for noise do not apply to noise emitted from a farming vehicle on rural premises at any time between sunrise and sunset if the occupier of the premises shows that the vehicle, including its noise reduction system, has been maintained to a reasonable standard.

Night-time work

The assigned levels for noise do not apply to noise emitted from a farming vehicle on rural premises at any time between sunset and sunrise if the occupier of the premises shows both that:

- the vehicle, including its noise reduction system, has been maintained to a reasonable standard
- it was reasonably necessary for the vehicle to be operated at night-time (for example, work which may be reasonably necessary would be 24-hour seeding after rain).

More information

For further information, please contact the Environmental Noise Branch at the Department of Water and Environmental Regulation via email (info@dwer.wa.gov.au) or phone (08 6364 7000).

Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the Department of Justice, Western Australian Legislation [website](#) for copies of the relevant legislation.

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