

## About these Guidelines

These Guidelines cover heat pumps and air conditioners that are a fixture on any premises, particularly residential premises. They should be used by property owners, installers, retailers and council officers to ensure that heat pumps and air conditioners do not create unreasonable noise for neighbours, or cause an 'environmental nuisance' as defined under section 53 of the *Environmental Management and Pollution Control Act 1994* (EMPCA). These Guidelines do not supersede the *Environmental Management and Pollution Control (Noise) Regulations 2016* (Noise Regulations).

## Responsibilities of Land Owners

- It is the general responsibility of all land owners to show respect to neighbours. This means recognising that due to an increase in high density living, combined with an increase in the sales of domestic heat pumps and air conditioners, there are issues with noise when the distance between properties has decreased. Common sense, negotiation and planning are often required to achieve good neighbourly relations with regard to noise.
- Land owners who own heat pumps and air conditioners must ensure that they do not cause an environmental nuisance. They should be aware that heat pump and air conditioner noise at any time of the day or night can potentially be determined as unreasonable under section 53 of EMPCA and may result in a penalty.
- Heat pumps and air conditioners should not be noisier than 45dB(A) between 7am and 10pm or 40dB(A) between 10pm to 7am. The noise limits are measured one metre from the external wall of the neighbouring premises that is closest to the heat pump or air conditioner (ie. not the one it is attached to). If the property boundary is less than one metre, the measurement is taken from the property boundary that is receiving the noise.
- Any property owner should discuss with their architect/builder, local council, retailer or installer their plans as to the location and use of the heat pump or air conditioner to avoid exceeding noise levels.
- Heat pumps or air conditioners should not be located adjacent to a neighbour's windows, bedrooms or living areas. They are best fitted facing the back fence or front street – whichever provides the greatest distance from the fixed equipment to neighbours.

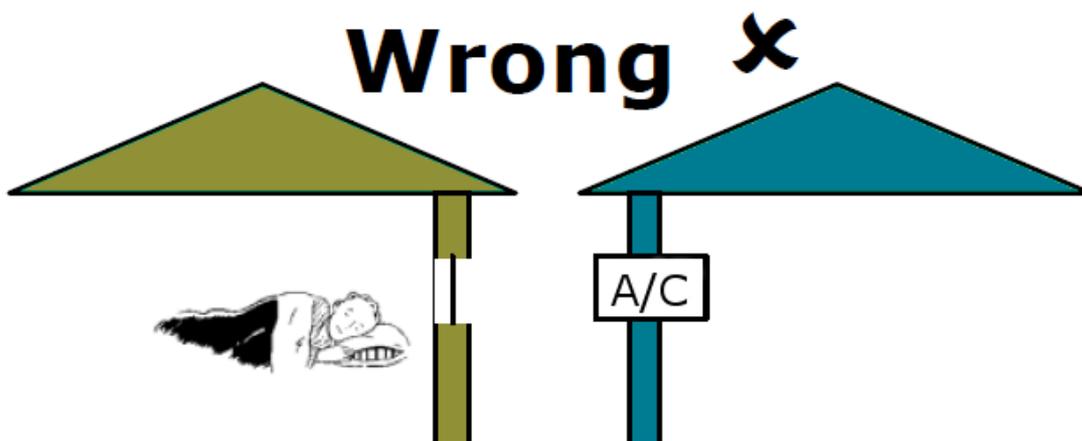


Figure 1 – Incorrect location of air conditioner in relation to a neighbour's window

- Noise can be reflected from hard surfaces and so it may be necessary to use solid material barriers with no gaps or holes such as fences or garden walls to screen noise from neighbours and block 'line of sight' of the heat pump or air conditioner.

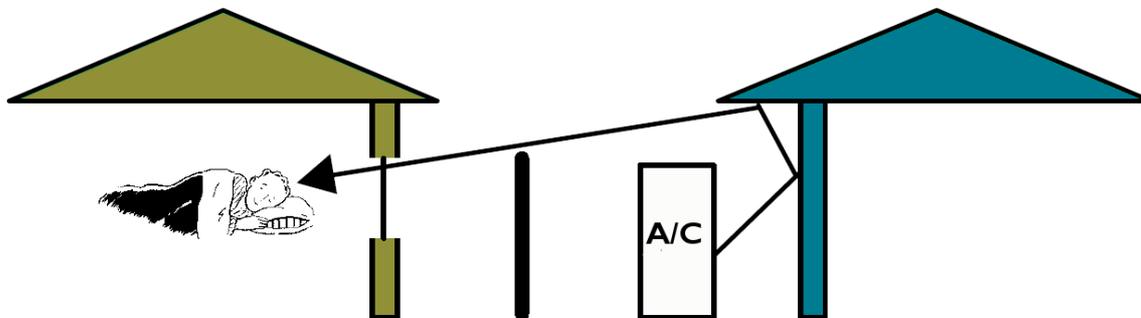


Figure 2 – Noise can reflect from hard surfaces such as walls and eaves

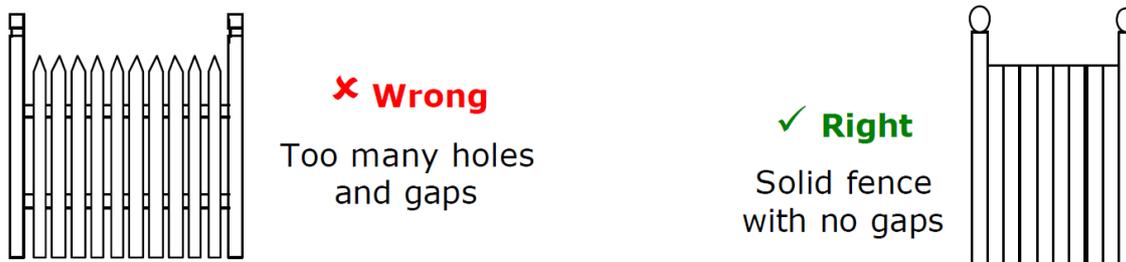


Figure 3 – Fences and garden walls made from solid material screen noise from neighbours

## Responsibility of Local Government

These Guidelines are not directly enforceable. However, if a council officer determines that an environmental nuisance is, or is likely to occur, that officer may take action under Regulation 7 of the Noise Regulations 2016.

## Responsibilities of Installers

It is the responsibility of installers to ensure that all work is carried out in compliance with all legislation, applicable standards, codes and local and state authorities. Installers must be mindful of the AIRAH Residential Air Conditioning Best Practice Guideline. The location and use of air conditioners should be considered by installers with the aim to decrease noise related issues.

Every practical and reasonable effort must be made not to compromise quality of life through noise related issues. If a land owner is unwilling to change location or use or provide adequate space or access for maintenance then it is best practice to provide a verbal explanation and written confirmation that it may result in ongoing costs and unsatisfactory or reduced plant life.

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