

# From the Ministries

## GERMAN IDEAS COULD LEAD TO LOUDER CARS

The German government has launched an initiative on reducing noise from cars that might lead to dramatic noise increases. A sustainable transport pressure group is warning that the German proposals, presented to the UN Economic Commission for Europe, show that Germany's car industry is looking to secure permission for certain high-performance cars to be twice as loud, and Porsche sports cars four times as loud as normal cars.

The move by Germany's transport and environment ministries was timed to influence the UN-ECE's working group on noise which met in September. They propose a series of exemptions to noise limits that would allow certain sports cars, like those made by Porsche, to be driven at up to 100 decibels.

The German government, which is believed to have been heavily lobbied by the country's powerful automotive industry, is also putting pressure on the UN regulatory body to delay new noise limits for lorries. It is asking for a 1-decibel reduction compared to the current limit, set in 1992, and says this reduction should only enter into force 14 years after the new regulation is adopted, which effectively means not

before 2027-28. Half of all vehicle noise is caused by lorries.

T&E deputy-director Nina Renshaw said: 'It's no coincidence that Germany's move comes just before the European Commission is due to publish its proposal for a new vehicle noise regulation. We suspect Germany will present a similarly weak proposal to the working group on the EU regulation. And it's not the first time the UN's regulatory body for noise has been influenced by the German car industry – in 2009, T&E found that an earlier UN-ECE proposal for vehicle noise had been written by a Porsche engineer on behalf of the global car industry lobby.'

The EU's regulation is likely to be agreed well before any UN-ECE standard, but the UN-ECE's regulation is likely to apply in non-EU signatory countries – including wider Europe, Japan, Australia, New Zealand and South Africa – hence Germany's attempt to influence the EU through seeking similar limits at the UN.

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## INSPECTIONS CONFIRM NOISE STILL A HAZARD IN WA WORKPLACES

A WorkSafe WA (West Australia) inspection program on noise management in workplaces has revealed that noise remains a widespread hazard in WA workplaces. Inspectors visited 94 workplaces in the metropolitan, Bunbury and Karratha regions last year, identifying potential noise hazards in almost a third of the workspaces visited. Of these, 30 per cent were in the

construction sector and 27 per cent in manufacturing, with the remainder spread over eight sectors – services, local government, mining services, transport, agriculture, education, retail and wholesale. The most common problem inspectors found was that many employers had not had the risk adequately assessed by a competent person, and so had no basis for formulating an effective noise control and management program. In other workplaces, although the noise hazards had been identified, the only action

taken was the provision of personal hearing protectors. In many cases, a higher order of control could have been put in place, for example, at a manufacturing factory, there was scope for using quieter saw blades and silencers

on air guns and to relocated a compressor away from workers. Other areas of concern were the lack of provision of noise-related information and training to workers and their managers, and the failure to provide annual hearing tests.

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### **AUSTRALIAN SENATE INQUIRY CALLS FOR WIND FARM HEALTH STUDY**

A senate Committee has recommended an urgent independent study of the health effect of wind turbines, in a recent report. The report recommends that planning bodies must calculate the potential low frequency noise impacts and indoor vibrations from nearby windfarms. Chair of the committee, Greens Senator Rachel Siewert, says the

inquiry was highly controversial. "We have found that there have been adverse health effects found in some people near windfarms," she said. "However, we have not found that it is necessarily associated with noise or vibration. We are saying that there's not enough information, but that people are feeling possible adverse health effects, it could be related to other factors, and we had a lot of evidence around stress associated with location of windfarms."

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### **EASIER TO ENFORCE NOISE ORDINANCE**

Houston's City Council has now made it easier to prosecute people for being too loud with the first overhaul of Houston's noise ordinance in a decade. The police now can cite revelers, musicians and other noise makers for bass notes that officers can feel from the sidewalk. In addition, police and prosecutors were given legal language to describe how loud is "too loud." Previously, the vagueness of the "plainly audible" standard made it difficult to enforce in court, according to a memo by the city's sound regulators. The revisions also double the fines on violators to \$1,000. This action does not change the legal levels of acceptable noise - 75 decibels with a permit and 65 without. Nor does it change the practice of using sound meters to support

charges of exceeding those levels. The city, however, cannot afford enough \$800-to-\$2,500 sound meters to investigate all complaints, according to the Department of Administration and Regulatory Affairs. In other cases, department aide Christopher Newport said, a mechanical measurement may not fairly assess whether a violation is occurring - for example, barking dogs, pounding on walls or the revving of a motorcycle. Therefore, the city will continue to use the "plainly audible" standard for non-bass noise, which it now defines as sound that "unreasonably disturbs" others. The new standard continues to give police officers leeway to make judgments based on volume, time of day, whether the sound is intermittent or constant, and whether it can be controlled easily.

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### **GOVT RAPPED FOR 'LAX ATTITUDE' ON LOUDSPEAKER BAN AT NIGHT**

The Rajasthan High Court has directed the state government to strictly observe 'night' as directed by the Supreme Court in 2005 by putting a ban on loudspeakers or playing of music after

10pm and pursue persons or organizations who violate it. The court had ruled the "night" to mean an intervening period between 10 pm to 6 am where a complete ban has been placed on playing loud music or making any type of noise. The division bench of Chief Justice Arun Kumar Mishra and

Justice Bela M Trivedi has directed the state authorities to seize the music system or the orchestra used to play loud music after 10 pm on rooftop restaurants, open places or at marriage halls. The division bench has further directed that no licences shall be issued to those marriage gardens who do not have adequate parking facilities of their own. The traffic police has been directed not to allow any obstruction of traffic during the marriage season. It has further been mandated by the high court

that charges should be filed against the delinquent persons including the restaurant and the marriage hall owners. Recently, the Union government made a similar provision in Central Acts prohibiting late night noise pollution via amplifier, loudspeaker, music system etc. But there is still scant knowledge of such a ban among common public and the law enforcement machinery of all the states have failed to observe the provisions of Central Act as well as the local noise control acts.

### **IS MOWING THE GRASS ANTI-SEMITIC?**

The town of Hampstead (Quebec), with a population of over 7,000, has become embroiled in controversy over a recent modification to its nuisance by-law. The bylaw specifically forbids excessive noise on days “when most residents are not working and want peace and tranquility,” said Mayor William Steinberg in a statement on the town’s website. These days include Labour Day, Canada Day, and Christmas. Recently, Rosh Hashanah and Yom Kippur were added to the list, creating

controversy. Hampstead’s population is roughly 85 per cent Jewish. The problem arose over a disgruntled citizen who was denied a construction permit during those days. The resident, Frank Chano, ended up mowing his lawn on Yom Kippur to challenge the bylaw. He is now contemplating bringing his case to the Quebec Human Rights Commission. Constitutional lawyer Julius Grey said that instituting a bylaw dictating “when you may or may not mow your lawn based on a religious consideration goes beyond the powers of a municipality.” Or does it?

### **BAR OWNERS DEMAND NOISE LAW PROTECTION**

Hotel and bar operators across Melbourne’s inner suburbs claim their businesses will be under threat unless laws are changed to respect their rights to operate. Currently the “agent of change” principle, which protects the rights of established operators over those of new neighbours, is only a planning consideration. Venues want the state government to make the principle law, giving them greater security to continue to host live music and remain open late when residential developments are established near them. Yarra Council recorded only a small increase in the number of noise complaints against late-night venues in 2010–11, with 277 compared to 267 the previous year. However, venue owners claim the situation will get worse unless the laws are created. Justin Rudge, manager of Fitzroy’s The Standard Hotel, said residents often moved into the area to be near hotels and restaurants, but then balked at the noise. The Old Bar, in Fitzroy, was recently renovated to reduce noise after complaints from a new neighbour. Owner Liam Matthews said current laws forcing venues to bow to new residents were “ridiculous”. “You can’t soundproof a building like this,” he said.

### **36 STRIKES AND OUT**

The Southern Bar in Clerk Street, Edinburgh has been told it can no longer play any music following a string of noise complaints dating back two years. The decision to stop the venue playing amplified music was taken by the city's licensing board after 36 complaints about the bar's noise were received over the past two years.

### **HAMMER ATTACK NOISE RESOLUTION METHOD FAILS**

A man who attacked a neighbour with a hammer after going to complain about noise has been jailed for 20 months for wounding by Maidstone Crown Court.