

From the Ministries

SINGAPORE'S CONSTRUCTION NOISE REGULATIONS BEING REVIEWED

Construction noise remains a concern for many Singaporeans and the number of complaints received by the National Environment Agency (NEA) have been increasing.

In 2008, complaints were up from about 9,200 from the previous year. Over 10,400 complaints were received from January to October this year.

In a written answer from Assoc. Prof. Dr Yaacob Ibrahim, Minister for the Environment and Water Resources, he said that the Ministry and NEA are currently reviewing the effectiveness of current regulations for construction noise.

This was in response to Nominated

Member of Parliament (NMP), Mr Calvin Cheng, who asked the Ministry on considering prohibiting all construction works near hospitals and residential areas on Sundays and public holidays.

The noise limits allowed on Sundays and public holidays for construction sites near residential premises were tightened and maximum fine for noise violations were increased from \$20,000 to \$40,000 in 2007.

The Ministry is currently taking into account feedback received from the public, as well as views of relevant government agencies and industry stakeholders.

The review on construction noise regulations is expected to be completed early next year.

ENVIRONMENT COMMISSION CONSIDERS NOISE REGULATIONS FOR CHILE

Chile's National Environmental Commission (CONAMA) is studying noise level regulations for cars, motorcycles and construction activities.

The proposed regulations would supplement existing environmental regulations for industrial sites and public transportation. Contemplated maximum noise levels would affect light vehicles such as cars and motorcycles, but not noise emanating from trucks.

Hans Willumsen, head of CONAMA's Pollution Control department, would not venture a date when new maximum noise levels might be decided upon and put into implementation. Proposed noise levels will be unveiled in early 2010, but will be subject to public consultation.

If and when regulations are implemented, Willumsen cautioned, they would only apply to newly imported vehicles, not retroactively to vehicles already in circulation.

NORTHERN IRELAND GETTING QUIETER

A new report has revealed that noise complaints in Northern Ireland have fallen by 5% over the past year. The report, Noise: Complaint Statistics for Northern Ireland 2008/09 was produced by the Department of the Environment's Planning and

Environmental Policy Group. According to the report, 11,099 complaints were made to district councils in the 2008/2009 year, which represents a 5% decrease on the previous year's figures. However, this is still a 35.4% increase on the number of noise related complaints received since 2003/2004.

KENYA NOISE RULES: NO COMPROMISE

Kenya's Environment minister John Michuki has pledged to act tough on those breaking the noise rules.

Mr Michuki said that the rules were "the simplest regulations to comply with" and only sought to protect human health and the environment.

He added that he would monitor the National Environmental Management Authority "day and night" to ensure it implements the rules, which set acceptable noise limits for everyone.

"Nema is in top gear in enforcing these regulations. Measurements are being taken and prosecutions will follow for all those caught violating the standards prescribed in the regulations," he said during a news briefing in his office.

The minister stuck to his guns even as matatu operators in the city took their vehicles off the roads in protest, leaving

thousands of commuters stranded.

Preachers and some religious leaders have also opposed the rules, with one recently going to court to have them revoked.

But according to Mr Michuki, no one will be exempted from the rules because Kenya is a secular state governed by the constitution and statutes.

He added that laws are for everyone and preachers, matatu touts or anybody else should not expect to be exempted.

The rules ban loud and unreasonable noise that disturbs or endangers the comfort and safety of others, and spells out a jail term of up to 18 months or a fine of not more than Sh350,000, or both, for convicted offenders.

There has been a heated debate on how authorities would measure the noise levels and determine what is "reasonable."

NEWPORT NEWS OFFICIALS REVISED NOISE ORDINANCE

For almost eight months Newport News has been without a noise ordinance. City staff stopped enforcing the previous ordinance after the state Supreme Court ruled Virginia Beach's ordinance, which was similar to the one used in Newport News, unconstitutional because it was too vague. Now, interim City Manager Neil Morgan has presented a revised ordinance the council might vote on soon. "We want to get something in place that deals with most types of nuisances, and then tweak it as we go along," Morgan said. The largest number of noise complaints are about loud music – either from late-night parties or cars driving by with blaring stereo systems – and barking dogs. The new ordinance addresses both. But the old one dealt with those problems, too. The difference, said City Attorney Stuart Katz, is in defining the nuisance.

The old ordinance deemed something a nuisance if it bothered a reasonable person. The new ordinance defines nuisance noise by how far and where it travels. Noise might be a nuisance if it can be heard across property boundaries or in the residence of someone else between the hours of 10 p.m. and 8 a.m., or if it can be heard at a distance of 50 feet or more. "The court found fault with the reasonable-person standard," Katz said. Mayor Joe S. Frank was concerned about whether the ordinance addressed moving vehicles with thumping stereos. "Autos are the biggest issue," he said. "I don't see this as enforcement." Morgan said the ordinance can be adjusted, and both he and Katz said moving vehicles are addressed by the definitions of "nuisance." The difficulty has always been catching the vehicle as it is travelling away from the person troubled by the noise, but Katz said if the vehicle is reported and can be

stopped, the driver can be cited under the new ordinance. "For 90 percent of the circumstances where there is a

legitimate complaint, this gives you a tool," Morgan said.

STRICTER NOISE LIMITS AT BEN GURION AIRPORT

Israel has introduced stricter noise limits on aircraft taking off from Ben-Gurion Airport, the Civil Aviation Authority says.

The authority has advised airlines flying to and from Israel that it has reduced the maximum permitted noise for aircraft by two decibels as of January 1, 2010. The new noise limits permitted at takeoff are 85 to 91 decibels for planes of up to 300 tons and 88 to 93 decibels for heavier planes, with the exact figure depending on the flight path.

This means the airlines will have to use newer airplanes equipped with quieter engines. In addition, pilots will have to take off and land more accurately to make sure they do not exceed the noise limit.

The CAA said it will not allow

airlines to use passenger and cargo planes with old engines and will take measures against airlines that exceed the noise limit – up to and including fines and even warnings that their flights will be halted.

It also said it has opened a noise and course monitoring station in the Bat Yam area for airplanes departing from Ben-Gurion Airport. The airport's own noise monitoring system, which was inactive for 11 months, has now resumed operation.

The CAA and the Airports Authority are also examining ways of reducing the additional noise generated when planes lower their wheels during their final approach to the runway. This noise is especially disturbing to Tel Aviv residents, as aircraft prepare to land over that city.

DOT TO MINIMISE LA MERCY NOISE POLLUTION

The South African Department of Transport (DoT) says that it will be spending R11.1 million to minimise noise and air pollution at the La Mercy Airport, north of Durban.

The measures required in terms of a Record of Decision (ROD), include acquiring equipment and establishing

forums to comply with International Civil Aviation Organisation (ICAO) standards.

Responding in writing to DA Parliamentarian Stuart Farrow, the DoT said noise mitigation was a joint responsibility by the various tiers of government, the Airports Company SA (ACSA) as well as the Department of Water and Environmental Affairs.

HEATHROW EXPANSION PLANS 'NOT FIT FOR PURPOSE'

The London Assembly's environment committee said it had "grave concerns" over the Government's plans to expand the UK's busiest airport. It found air quality around Heathrow is already below European standards and is likely to get worse. Noise levels have not even been measured against World Health

Organisation (WHO) guidelines. Murad Qureshi, the committee chairman, warned that the safeguards put in place to protect against noise and air pollution were not currently fit for purpose. "Heathrow expansion is a hugely contentious issue which has made many Londoners worry that they will have to cope with even more aircraft noise and poorer air quality," he said.

AIRPORTS HARM YOUR HEALTH

German researchers have discovered that people who are exposed to jet noise have a substantially increased risk of stroke, high blood pressure and heart disease. According to the unpublished study, commissioned by Germany's Federal Environment Agency, men who are exposed to jet noise have a 69% higher risk of being hospitalized for cardiovascular disease. Women living under flight paths fare even worse, logging a 93% higher rate of hospitalization with cardiovascular problems, compared with their counterparts in quiet residential areas. The study found that women who are exposed to jet noise during the day are 172% more likely to suffer a stroke. The report, due to be published this month, is based on the analysis of data from public health insurers that were drawn from more than 1 million Germans ages

40 and over who live near Cologne-Bonn Airport in western Germany. "These figures are worrying. It's quite clear that living near an airport is very dangerous for your health," says Eberhard Greiser, an emeritus professor of epidemiology at Bremen University. "Jet noise is more dangerous than any other kind of road-traffic noise or rail noise because it is especially acute and sharp and it induces stress hormones." People living close to Cologne-Bonn Airport also tended to suffer from psychological illnesses. "There was a higher incidence of depression among women who live near the airport," says Jens Ortscheid of the Federal Environment Agency. "This report should come as a warning signal to all governments and authorities that are planning to expand airports — there are serious health effects which need to be considered."

TWO MILLION EUROS PAYOUT FOR NOISE ABUSE

A hearing in 2008 ruled in favour of 18 residents who said they were subjected to long-term noise disturbance from bars and restaurants in Velez-Malaga between 1990 and 2003. Now the Andalucia Supreme Court has ordered the town hall to pay 156,000 euros to

each of the 18 residents for failing to stop the noise pollution. The case has set a precedent for residents experiencing noise pollution in other areas. People living in the Puerto Marina area of Benalmadena are threatening to take legal action if the town hall does not take action against the noisy nightlife there.

COSTLY SHOTS

The Missouri Supreme Court has upheld a \$700,000 judgment against the Cedar Creek Rod and Gun Club in a

nuisance lawsuit filed by Daniel and Donna Brown, who claimed that the noise and vibration from shooting at the club diminished their quality of life.

GAS OR NO NOISE?

Imperial Oil Ltd. says noise restrictions recommended in a regulatory report last month are so stringent they may threaten the development of Canada's Mackenzie Gas Project. The report says noise from facilities to be built in the Kendall Island Bird Sanctuary should be at or below 50 decibels 300 metres from the fence line. The government-appointed Joint Review panel was

concerned noise levels could harm wildlife in the sanctuary, located near the coast of the Beaufort Sea in the Northwest Territories. In commenting on the report, Imperial says there is no evidence the levels required in the report are achievable. It says imposing those limits could prevent development of two anchor gas fields in the Mackenzie Delta and therefore imperil the entire Mackenzie Gas Project.

QUIETER PLANES PROGRAM

The University of Sherbrooke has set up a research program to try to develop quieter planes – the only one of its kind in Canada. Three professors from the Faculty of Engineering will try to develop techniques to reduce aircraft noise, both internally and externally. “In a situation of increased air traffic and a growing capacity of aircraft, it is necessary to reduce the impact of noise on the community,” explains Alain Berry, one of the co-holders of the CRSNG-Industries chair in applied aviation acoustics at the University of Sherbrooke. The team will also be developing innovative technologies in noise and vibration reduction, such as new materials that absorb sound, new configurations of the aircraft structure and the active reduction of noise.

LEGAL WRANGLE OVER FOOTBALL CLUB NOISE

A resident living next door to Brighton and Hove Albion’s Withdean Stadium has vowed to take his fight against their noise to the European courts. John Catt, whose home in Shepherds Croft, Brighton, backs on to the temporary ground, was defeated in his bid to get the club kicked out of the ground last month. But despite being told to drop his complaints by London’s Court of Appeal, Mr Catt has said he will continue his efforts to get his case to the European Court of Justice (ECJ). Mr Catt said “The game is not over, this decision will go to Brussels. By rejecting my appeal for a reference to the ECJ, the Court of Appeal delivered a lethal blow to UK planning law and a deliberate snub to European Union law.” Mr Catt complaints rested on his belief the athletic stadium’s use for professional football interfered with his enjoyment of his home. He complained of noise, light pollution, and traffic congestion on match days. Mr Catt claimed Brighton and Hove City Council never subjected the club’s planning applications to an Environmental Impact Assessment (EIA) as required by European law. In June ruling, deputy judge Sir Thayne Forbes rejected his fifth challenge to the temporary planning permission at the high court. Mr Catt said: “If left unchallenged, it will result in numerous projects not being subject to assessment in cases when they should. The European Commission threatened the UK government with legal action in 2006. It held up its hands and promised to said it would issue draft guidance for the EIA. Sadly, it has failed to do so and British courts are continuing to flout EU law in this area. My lawyers will now be urgently requesting the commission to restart infringement proceedings against the UK government.” Martin Perry, the club’s chief executive, said: “If he wants to try and change the law then that’s up to him. I hope the system does not support him. It is completely outrageous that he has been using taxpayers’ money [legal aid] to fund this and having been rejected five times, enough is enough.”

ANCIENT NOISE CONTROL LAWS IRRELEVANT TO LARGE WIND TURBINES

Noise control laws are so out of date they will do nothing to protect residents against a swathe of huge new wind turbines, a charity has warned. Current restrictions only refer to existing turbines up to 90ft in height, says the Environmental Protection UK group. Energy Secretary Ed Miliband has drawn up plans for around 4,000 turbines, many of which will be up to 270ft high, to supplement the existing 219 wind farms in the UK. The environmental group, which campaigns to minimise noise pollution, says the Government guidelines were due to be revised 11 years ago. It has written to Climate Change Minister Lord Hunt asking that they be renewed in the light of technological advances. The guidance assumes ground level background noise, such as rustling leaves, helps mask blade noise. But any effect is often cancelled out by large turbines. Mary Stevens, Environmental Protection UK's policy officer, said: 'We are concerned the guidance is no longer appropriate.'

NOISE POLLUTION THREATENS ANIMALS

Noise pollution is becoming a major threat to the welfare of wildlife, according to a scientific review. Sounds produced by vehicles, oil and gas fields and urban sprawl interfere with the way animals communicate, mate and prey on one another. The sounds are becoming so ubiquitous that they may threaten biodiversity, say the review's authors. Even the animals living in protected National Parks in the US are being exposed to chronic levels of noise. Writing in the journal *Trends in Ecology and Evolution*, three scientists based in Fort Collins, Colorado, US detail the extent to which noise pollution is now harming wild animals. Dr Jesse Barber and Dr Kevin Crooks of Colorado State University and Dr Kurt Fristrup of the US National Park Service reviewed all recent scientific studies examining the issue. They found that man-made noise is already causing a catalogue of problems. "Many animal species evolved hearing sensitive enough to take advantage of the quietest conditions; their hearing is increasingly compromised by noise," said Dr Barber. That intrusion can have a significant impact on the way wild animals communicate. Great tits (*Parus major*) sing at higher frequencies in response to urban noise, so they are better able to hear each other. But not all animals are able to adapt in this way. Female grey tree frogs (*Hyla chrysoscelis*) exposed to the sounds of passing traffic take longer to locate and find calling males, while European tree frogs (*Hyla arborea*) call less overall. Crucially, both species appear unable to change their calling habitats to overcome the din from the roads, potentially compromising their ability to reproduce. Noise pollution can also effect the ability of many animals such as owls and bats to find and hunt their prey. Laboratory studies have shown that gleaning bats, which locate prey by the sounds they make, avoid hunting in noisy areas. That can place gleaning bats at a higher risk of extinction, as noise pollution increasingly corrupts once habitable areas. For example, one gleaning bat species, the Bechstein's bat (*Myotis bechsteinii*), is less likely to cross roads than other bat species that forage in open areas, suggesting the noise of the traffic could fragment their hunting grounds. The bat occurs across Europe including in the south of the UK. In the Amazon, terrestrial insectivores, which also hunt using sound, especially avoid areas where roads are being constructed.