



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

6333



PERTH, FRIDAY, 29 DECEMBER 1995 No. 183 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, ACTING GOVERNMENT PRINTER AT 4.15 PM

ENVIRONMENTAL PROTECTION ACT 1986

**ENVIRONMENTAL PROTECTION (BELLRINGING AND CALLS TO WORSHIP)
EXEMPTION ORDER 1995**

Made by the Minister for the Environment with the approval of the Lieutenant-Governor and deputy of the Governor in Executive Council under section 6 of the *Environmental Protection Act 1986*.

Citation

1. This order may be cited as the *Environmental Protection (Bellringing and Calls to Worship) Exemption Order 1995*.

Interpretation

2. In this order —

“**amplified call to worship**” means a call or invitation to worship (including the ringing of a single bell or of a set of bells) which is amplified or reproduced by the use of electronic amplification equipment;

“**bellringing**” means the ringing of a set of bells, where not amplified by electronic amplification equipment;

“**other call to worship**” means any call or invitation to worship (including the ringing of a single bell) other than bellringing or an amplified call to worship.

Exemption in respect of bellringing and amplified calls to worship — Schedule 1

3. Part V of the *Environmental Protection Act 1986* does not apply in respect of the emission of noise from any premises, other than premises used exclusively as residential premises, where the noise results from —

- (a) bellringing using equipment which was used for bellringing on those premises at any time during the year before the commencement of this order;
- (b) bellringing other than that referred to in paragraph (a), if the conditions specified in Schedule 1 are complied with;
- (c) an amplified call to worship, if the conditions specified in Schedule 1 are complied with; or
- (d) any other call to worship, if the conditions specified in items 1 and 2 of Schedule 1 are complied with.

SCHEDULE 1

[Cl. 3]

1. The call to worship must be emitted only on the premises or land where the worship is to take place.
2. The premises on which the worship is to take place must be on land which is not rateable property under section 532 (3) (a) or (b) of the *Local Government Act 1960*.
3. Where the sound level (measured in accordance with clauses 4 and 5 of this Schedule) exceeds 55 dB (A) as a result of bellringing or an amplified call to worship then —
 - (e) bellringing or the amplified call to worship is to be conducted only between 8 am and 7 pm between Mondays and Fridays and between 9 am and 7 pm on Saturdays, Sundays and days that are public holidays in the State;
 - (f) bellringing or the amplified call to worship is to last no more than 10 minutes on each occasion that it takes place;
 - (g) bellringing or the amplified call to worship is not to take place on more than 2 occasions on the one day;
 - (h) bellringing or the amplified call to worship is not to take place on more than 12 occasions in any period of 2 months;
 - (i) bellringing or the amplified call to worship is not to take place on more than 8 occasions in any one month; and
 - (j) if so requested by the Department of Environmental Protection or by the council of the municipality of the district (within the meaning of the *Local Government Act 1960*) in which the noise is emitted, a log is to be kept recording details of the date, time and duration of all bellringing or amplified calls to worship emitted.
4. The sound level is to be measured on any premises, other than —
 - (k) the premises on which the bellringing or amplified call to worship was emitted; or
 - (l) premises which are owned or occupied by the same person or persons as the premises on which the bellringing or amplified call to worship was emitted.
5. The sound level is to be measured as the average maximum reading using the A-weighting and Slow response using equipment which complies with Australian Standard 1259.1:1990 for type 2 sound level meters and is to be representative of the highest such sound level recorded on the premises when the bell tower (where applicable) is in its open condition.

PETER FOSS, Minister for the Environment.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council.

J. PRITCHARD, Clerk of the Council.



1 9 9 5 0 0 1 8 3 6 6