

General environmental noise

Updated September 2011

EPA 424/11: This information sheet explains the types of noise covered by legislation and lists the maximum noise levels permissible in specific circumstances.

Introduction

Virtually all processes generate noise. It is a part of most activities and includes an almost unlimited range of sources from the singing of birds through to the hum of a power station. The response to noise by individuals can be as wide and as varied as the number of activities that produce it.

In South Australia excessive noise is regulated by the *Environment Protection Act 1993* (the EP Act), and by the *Environment Protection (Noise) Policy 2007* (Noise Policy). Section 25 of the *EP Act* provides a general environmental duty requiring a person not to undertake an activity which pollutes (pollution includes noise) the environment unless that person takes all reasonable and practicable measures to prevent or minimise environmental harm. Compliance with noise goals set out in the Noise Policy satisfies the general environmental duty.

The Noise Policy has special noise provision in relation to the following forms of noise:

- construction noise
- domestic noise, including a domestic activity involving the use of machinery, tools or other equipment and fixed domestic machine noise, such as air conditioners and pool pumps
- rubbish collection, street-sweeping machines, etc
- building intruder alarm systems
- frost fans (used in primary production to prevent frost damage to crops).

Domestic noise

Noise from domestic premises can include music and party noise, band and drum practice, trail bikes, revving motor vehicles, hammering, and other non-mechanical construction noise. When it interferes with the enjoyment of an area by any person living in or otherwise using it, the noise becomes environmental harm. Due to the nature of these incidents they do not require a noise measurement and can be subjectively assessed by an authorised officer taking into account the time of day and background noise level. SA Police are authorised officers for the purpose of making subjective assessments and in many instances, subject to work priorities, can make this assessment especially if the noise is occurring during the evening, night or early morning.

If the complaint is about a machine for which maximum permissible noise levels and times for use have been set, noise levels will need to be measured by an authorised officer. The SA Police will only undertake subjective noise assessments.

Excessive noise can usually be avoided by taking all reasonable and practicable measures to reduce noise before undertaking any activity that would otherwise cause a nuisance or environmental harm.

Fixed domestic machine noise

Fixed domestic machines are those that are installed and operated in a fixed position at domestic premises. Typical examples of a fixed domestic machine include an air conditioner or a pool pump.

A fixed domestic machine must not emit a (continuous) noise level greater than 52 dB(A) between the hours of 7 am and 10 pm on any day when measured at a relevant position at a noise affected premise.

Because of the need for greater protection during night-time to preserve amenity and minimise sleep disturbance lower permissible noise levels for fixed domestic machines apply. Accordingly, a fixed domestic machine must not emit a (continuous) noise level greater than 45 dB(A) between the hours of 10 pm on any day to 7 am on the next day when measured at a relevant position at a noise affected premise.

Non-fixed domestic machine noise

Non-fixed domestic machine noise comes from the use of machinery, tools or other equipment that are not fixed in position at a domestic premise. Typical examples of non-fixed domestic machines include lawn mowers, power tools or other similar machinery.

Non-fixed domestic machines such as lawnmowers and power tools can emit significant levels of noise, but are commonly only used for short periods of time. As it is difficult to set a reasonable maximum noise level for the use of this type of machine, the Noise Policy requires that non-fixed domestic machines emitting a (continuous) noise level greater than 45 dB(A) or a maximum noise level of 60 dB(A) when measured at a relevant position at a noise affected premise must only be used between 9 am and 8 pm on a Sunday, or 8 am and 8 pm on any other day. Machines that exceed these limits must not be used outside of these times.

In specific cases if the EPA or another administering agency determines that non-fixed domestic machine noise is unreasonable due to excessive duration or annoying nature it can apply further restrictions on use during these times.

Some non-domestic noise sources are also controlled by this policy.

Rubbish collecting and street sweeping

If the activity of rubbish collection or street sweeping emits a (maximum) noise level greater than 60 dB(A) when measured at a noise affected premise then it should only take place between the hours of 9 am and 7 pm on a Sunday or public holiday, or between 7 am and 7 pm on any other day.

However the activity may be commenced before 9 am on a Sunday or public holiday, or before 7 am on any other day to avoid an unreasonable interruption of vehicle or pedestrian traffic movement.

All reasonable and practicable measures must be taken to minimise noise resulting from the activity and to minimise its impact such as:

- commencing any particularly noisy part of the activity after 9 am
- noisy equipment or processes should be placed so that their impact on neighbouring premises is minimised (whether by maximising the distance to the neighbouring premises, using structures or elevations to create barriers or otherwise)
- shutting and throttling down equipment whenever they are not in actual use
- ensuring that noise reduction devices such as mufflers are fitted and operating effectively
- ensuring that the equipment is not operated if maintenance or repairs would eliminate or significantly reduce a characteristic of noise resulting from its operation that is audible at noise affected premises

- scheduling various parts of the activity so that sites with higher impacts on noise sensitive premises are scheduled for times after 9 am.

The EPA produces separate guidance documents for the operation of specific non-domestic machines such as bird scaring devices and wind farms.

Industrial and other non-domestic noise

The Noise Policy controls the level of noise exposure that should not be exceeded for people living near industrial and other non-domestic premises.

Ideally, factories and houses should not be located near each other; however, when they are, both have to accept restrictions. Noise levels that should not be exceeded for both day and night have been set for premises operating in different areas, for example, lower noise levels apply to factories operating in a residential area than to those in an industrial area. This allows a balance between the needs of industry and housing.

The maximum permissible noise levels listed here are used as a guide in deciding whether the general environmental duty has been met. When assessing a complaint about noise from industrial or non-domestic premises, the authorised officer will take into account other factors such as other contributors to the ambient noise in the area, the reasonable and practicable measures available for noise reduction, the financial implications of those measures, and their likely success.

Land use category	Noise levels not to exceed in dB(A)*	
	7 am–10 pm	10 pm–7 am
Rural Living	47	40
Residential	52	45
Rural Industry	57	50
Light Industry	57	50
Commercial	62	55
General Industrial	65	55
Special Industry	70	60

* Measured according to the Noise Policy at any place, other than the premises from which the noise emanates, where a person lives or works.

Where different land uses for the noise source and the noise receiver interface, or where council development plans indicate a mixed use zone, the noise levels are averaged to give a noise level to be met at the noise receiver.

Where to get help

A range of local, state and Australian government bodies are responsible for managing problems arising from different types of noise. A chart detailing those responsibilities is included in the EPA publication, *Guidelines for the use of the Environment Protection (Noise) Policy 2007*.

People noise

For 'people noise', eg from parties, loud radios and stereos, revving cars, contact your local police station, or telephone the police on Tel: 131 444.

Animal noise

For noise from pets such as dogs, parrots and roosters, contact your local council.

Licensed premises

For noise from premises licensed under the *Liquor Licensing Act 1997*, contact the Office of the Liquor and Gaming Commissioner at telephone (08) 8226 8410.

The information in this sheet has been simplified as a guide to some parts of the Noise Policy. The Policy takes precedence over information in this sheet and provides the full detail of the environmental noise requirements to meet the general environmental duty of the EP Act.

Disclaimer

This publication is a guide only and does not necessarily provide adequate information in relation to every situation. This publication seeks to explain your possible obligations in a helpful and accessible way. In doing so, however, some detail may not be captured. It is important, therefore, that you seek information from the EPA itself regarding your possible obligations and, where appropriate, that you seek your own legal advice.

Further information

Legislation

Legislation may be viewed on the Internet at: <www.legislation.sa.gov.au>

Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet	Telephone:	13 23 24
Adelaide Service SA Centre	Facsimile:	(08) 8204 1909
108 North Terrace	Website:	< shop.service.sa.gov.au >
Adelaide SA 5000		

For general information please contact:

Environment Protection Authority	Telephone:	(08) 8204 2004
GPO Box 2607	Facsimile:	(08) 8124 4670
Adelaide SA 5001	Freecall (country):	1800 623 445
	Website:	< www.epa.sa.gov.au >
	Email:	< epainfo@epa.sa.gov.au >
