

General environmental noise

Updated August 2023

EPA 424/23: This information sheet explains the types of noise covered by legislation.

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, impacts from noise is regulated under the *Environment Protection Act 1993* (EP Act) and the *Local Nuisance and Litter Control Act 2016* (LNLC Act). Noise is defined within the EP Act as a pollutant and a local nuisance within the LNLC Act. This information sheet will provide a summary of where each act would be applicable.

The general environmental duty (GED) under section 25 of the EP Act requires a person to not undertake an activity which pollutes the environment unless that person takes all reasonable and practicable measures to prevent or minimise environmental harm. Compliance with the noise goals set out in the *Environment Protection (Commercial and Industrial Noise) Policy 2023* (Noise Policy)¹ satisfies the GED for the applicable noise sources.

The Noise Policy has special provisions for frost fans (used in primary production to prevent frost damage to crops).

Schedule 1 of the Noise Policy excludes some specific noise sources as the methodology within the Noise Policy is not suitable as an assessment tool for such noise sources. Further information on these sources can be found within the *Guidelines for the use of the Environment Protection (Commercial and Industrial Noise) Policy 2023* (Noise Policy Guidelines)².

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.

Commercial and industrial noise with an EPA Licence

If the noise source is classified as a prescribed activity of environmental significance in accordance with the EP Act, the subject site is required to operate under an environmental authorisation provided by the EPA. The Noise Policy is applicable to these noise sources and sets a noise goal which should not be exceeded for people living near these industrial and commercial premises.

¹ [https://www.legislation.sa.gov.au/lz/path=/c/pol/environment%20protection%20\(commercial%20and%20industrial%20noise\)%20policy%202023](https://www.legislation.sa.gov.au/lz/path=/c/pol/environment%20protection%20(commercial%20and%20industrial%20noise)%20policy%202023)

² http://www.epa.sa.gov.au/files/15663_guide_noise_policy_2023.pdf

Ideally, factories and houses would not be located near each other. However, when they are, the noise policy expects some level of compromise between the two land uses. For example, lower noise levels may apply to factories operating adjacent or within a residential designated area. Alternatively, residents adjacent to commercial or industrial activity may reasonably expect to experience some level of noise from these activities. The Noise Policy allows for a balance between the interests of industry and housing. It sets a preliminary noise goal based on the envisioned land uses within a noise designated area of the noise source and the noise affected premises.

The Environment Protection Authority (EPA) is the point of contact for noise impacts from such activities. The [EPA webpage](#)³ provides a search function to determine if the subject site has an environmental authorisation.

Other noise sources regulated under the LNLC Act 2016 are detailed in the next section.

Local Nuisance and Litter Control Act 2016

According to Division 1 of the LNLC Act, a local nuisance is any adverse effect on an amenity value of an area that is caused by noise and unreasonably interferes with or is likely to interfere unreasonably with the enjoyment of an area.

Schedule 1 of the LNLC Act also declares noise impacts from the following sources as local nuisances when undertaken at a specific time of day:

- fixed machine noise on domestic premises (air conditioner units, pool pumps, generators, etc)
- other noise sources generated on domestic premises (use of power tools, lawn mowers, music noise, etc)
- noise from construction activity (other than construction at a site with an environmental authorisation)
- noise from waste collection
- noise from a street or tree maintenance machine being used in a public place.

The LNLC authorises the local council as the appropriate body to contact for noise impacts from the above noise sources. The Act does not require a noise measurement and can be subjectively assessed by an appropriate authorised officer taking into account the time of day and background noise level.

Other noise sources

People noise

For 'people noise', such as from parties, loud radios and stereos, revving cars, contact SAPOL non-urgent police assistance line at 131 444. SAPOL 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.

Animal noise

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

Liquor licensed premises

For noise from premises licensed under the *Liquor Licensing Act 1997*, contact Consumer and Business Services⁴ at telephone 131 882.

³ https://www.epa.sa.gov.au/public_register/environmental_authorisations_licences#/search?location=area&type=A&group=A

⁴ <https://www.cbs.sa.gov.au/documents/Noise-complaint-application-form.pdf>

Where to get help

A range of local, state and Australian government bodies are responsible for managing issues 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 (Commercial and Industrial Noise) Policy 2023*.

The [EPA webpage](#)⁵ also has a similar chart outlining the appropriate agencies and authorities who are responsible for managing different types of noise.

Disclaimer

The information in this sheet has been simplified as a guide for general environmental noise regulation within South Australia.

Further information

Legislation

[Online legislation](#) is freely available.

General information

Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Telephone: (08) 8204 2004
Facsimile: (08) 8124 4670
Freecall: 1800 623 445 (country)
Website: www.epa.sa.gov.au
Email: epainfo@sa.gov.au

⁵ <https://www.epa.sa.gov.au/community/neighbourhood-nuisance>