

Noise and the South Australian planning system

Updated August 2016

EPA1083/16: This position statement assists planning authorities and proponents of development understand the position of the Environment Protection Authority (EPA) on noise in relation to the South Australian planning system.

Introduction

Noise is an inherent part of most activities, but may become annoying if it intrudes into people's awareness or is heard against their wishes. This noise may disturb a person's everyday life or working environment, and may cause adverse health effects when sleep is disturbed.

To ensure the requirements of the *Environment Protection Act 1993* (EP Act) and *Environment Protection (Noise) Policy 2015* (Noise Policy) are met, this document describes how noise must be addressed at each stage of the South Australian planning system.

The South Australian planning system affords a first opportunity to address noise issues that may arise from proposed development. The planning system enables development to be located in a suitable place away from noise sensitive land uses¹ and for development to be designed to mitigate environmental impacts, including noise. Proper and careful planning ensures that any potential noise impacts associated with development will be minimised.

The position statement also informs the responses of the EPA to the assessment of noise at the various stages of the South Australian planning system.

The environmental goal of the EPA in respect of noise is 'the community is protected from exposure to unacceptable noise levels'.

This position statement is not legally binding and cannot be used to alter, broaden or narrow the exercise of the EPA's functions and powers.

¹ Sensitive land uses include, but are not limited to, residential housing, childcare centres, educational institutions, hospitals, nursing homes and retirement villages, parklands and recreation areas, tourism accommodation. Industrial and commercial premises can also be affected by noise and air emissions – [Evaluation distances for effective air quality and noise management](#) (2016).

Legislative framework

Noise may be regulated through legislative means including the EP Act and Noise Policy. Certain noise that may cause concern for the community, including from transport corridors and liquor-licensed premises, is excluded from regulation under the Noise Policy, but may be dealt with through the general environmental duty provision of the EP Act, or through other legislation, Australian Standards, or World Health Organization guidelines.

The police, other state agencies and local government also have a role in the provision of advice, resolution or assistance with noise matters. For a guide to the appropriate source of assistance with noise matters refer to [Table 1 of the EPA Guidelines for use of the Environment Protection \(Noise\) Policy 2007](#) or the [website listing](#).

The EPA has an interest in the impacts of noise from a proposed development on sensitive land uses, and the EP Act provides for the assessment of noise impacts on organisms within the environment. Where appropriate this may form part of the EPA's considerations and may be undertaken in consultation with other relevant state government departments.

Addressing noise at each stage of the South Australian planning system

The major components of the South Australian planning system—Planning Strategy, Development Plans, and development application and major development or project—are interconnected and the system is regulated through the *Development Act 1993* and the *Development Regulations 2008*.

Within this framework the EPA provides advice on proposed changes to the Planning Strategy and Development Plans, and assesses referred development applications and major development or project applications.

Potential noise impacts must be assessed and addressed in any proposed changes to the major components of the South Australian planning system to ensure that sensitive land uses will not be exposed to unacceptable noise levels.

Guidance on the noise limits for particular land uses can be found in the Noise Policy, Australian Standards or World Health Organization guidelines.

The South Australian planning system provides the opportunity to ensure that a proposed land use area (such as an Industry Zone) or an individual development proposal is located or designed in such a way that the community is not exposed to excessive noise; whether noise would be emitted from a noise source that could affect a sensitive land use, or a sensitive land use is proposed near an existing noise source.

Planning Strategy

At the Planning Strategy stage, the EPA will have an interest in the location of land identified for future development such as transport corridors, ports, industry, and sensitive land uses, and ensuring that high-level planning policy in respect of noise is incorporated into the various volumes of the Planning Strategy.

When an amendment to the South Australian Planning Strategy is prepared it is the EPA's position that:

- key development areas will not create land use conflicts through exposure of sensitive land uses to unacceptable noise, with consideration given to the cumulative impacts of noise sources in the region.
- principles and policies that reference noise are included to enable further consideration and expansion of those principles and policies in other levels of the planning system.

Development Plan Amendment (DPA)

At this stage the EPA will have an interest in proposed changes to planning policy or rezoning of land, such as rezoning land to Residential Zone adjacent an Industry Zone, which could result in land use conflicts through exposure to unacceptable noise.

When a DPA is prepared it is the EPA's position that:

- key development areas will not create land use conflicts through unacceptable noise, with consideration given to the cumulative impacts of development in the area.
- the Statement of Intent proposes to investigate any potential noise issues where these may be present; if not the EPA will recommend additional investigations that should be undertaken.
- the DPA proposes policy for inclusion in the development plan, or there is existing policy in the development plan, to avoid or mitigate adverse noise effects of activities. The inclusion of such a policy enables the proper assessment of noise impacts at the development application stage.

Development application and major development or project

At the development application or major development or project stage the interest of the EPA is in whether the development would expose sensitive land uses to unacceptable noise.

In instances in which noise may be an issue—whether the noise is emitted by the proposed development or the proposed development is being exposed to noise—there must be an assessment of that noise. The EPA will examine whether the proposal would meet the requirements of the EP Act, including those of the Noise Policy and the general environmental duty, as well as relevant Australian Standards, and World Health Organization's *Guidelines for community noise* (1999).

In accordance with 'Division 2 – Major developments or projects' of the *Development Act 1993* the environmental impact statement, public environmental report, or development report for a proposed major development or project must include a statement of the extent to which the expected effects of the development or project are consistent with the general environmental duty and objects of the EP Act and the requirements of the Noise Policy if it involves, or is for the purpose of, a prescribed activity of environmental significance as defined by the EP Act.

When a development application and any major development or project is prepared it is the EPA's position that:

- the proposed development not have an adverse noise impact on existing sensitive land uses or on an existing industry or other activity, with consideration given to the existing noise environment in the area. This could be achieved by:
 - demonstrating that the proposed development would be able to achieve the separation distance recommended by the EPA's *Evaluation distances for effective air quality and noise management* (2016)

For separations greater than the relevant separation/evaluation distance, the EPA is unlikely to request specific evaluation of impacts predicated on typical activities. However, in exceptional circumstances it may be necessary for the proponent to demonstrate that adverse impacts are reduced to acceptable levels (or below) even though the proposed development would be able to achieve the evaluation distance recommended by the *Evaluation distances for effective air quality and noise management* (2016).

 - providing an environmental noise assessment in the form of an acoustic report that demonstrates that the Noise Policy, the general environmental duty, relevant Australian Standards, or World Health Organization's *Guidelines for community noise* would be able to be achieved.
- the proposed development would not have an adverse noise impact on organisms within the surrounding environment, with consideration given to the existing noise environment in the area.

Further information

Legislation

[Online legislation](#) is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet
Adelaide Service SA Centre
108 North Terrace
Adelaide SA 5000

Telephone: 13 23 24
Facsimile: (08) 8204 1909
Website: <shop.service.sa.gov.au>
Email: <ServiceSAcustomerservice@sa.gov.au>

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@epa.sa.gov.au>
