

Summary of noise framework



Environment,
Land, Water
and Planning

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About this summary

The purpose of this summary is to explain the regulatory framework for noise pollution within the Environment Protection Regulations. For more information about these regulations, please see the *Guide to the Environment Protection Regulations* (EPA publication 1753).

This summary also outlines the environment reference standard as it relates to noise.

Legislative framework

New environment protection legislation – the *Environment Protection Act 2017* as amended by the *Environment Protection Amendment Act 2018* (the new EP legislation) – will commence on 1 July 2021. The new EP legislation introduces a new approach to environmental management for Victoria, focusing on preventing pollution impacts rather than managing those impacts after they have occurred. For an overview of the Act see [Factsheet: Environment Protection Amendment Act](#).

The cornerstone of the new EP legislation is the general environmental duty (GED). The GED requires Victorians to understand and minimise their risks of harm to human health and the environment from pollution and waste (including noise). For more information on the GED, see [Industry guidance: supporting you to comply with the general environmental duty](#) (EPA publication 1741).

The new EP legislation defines noise as unwanted sound. It introduces an 'unreasonable noise' section to provide a legislative control for any noise emitted from a place or premises that is not a residential premises (See section 166 – Unreasonable noise).

The Regulations replace the following legislative instruments:

- State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), SEPP N-1
- State Environment Protection Policy (Control of Music Noise from Public Premises), SEPP N-2
- Environment Protection (Residential noise) Regulations 2018
- Environment Protection (Vehicle emissions) Regulations 2013

Environment Protection Regulations

The regulations set out a noise framework for residential, commercial, industrial and trade premises, as well as entertainment venues and events. The framework defines unreasonable noise, aggravated noise and other related concepts in relation to activities at these types of premises.

Under the Regulations, noise from residential premises is deemed to be unreasonable if emitted from prescribed items at prohibited times (such as at night or early morning). Examples include lawn mowers and stereo equipment.

In relation to commercial, industrial and trade premises and indoor and outdoor entertainment venues and events, noise levels are set to protect 'noise-sensitive areas' from unreasonable noise. Noise-sensitive areas are described on the next page.

The regulations for these types of premises use the same methods to calculate noise limits as:

- the previous relevant SEPPs
- *Noise from industry in regional Victoria guideline* (EPA publication 1411).

The regulatory framework also includes a new reference document called *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and*



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entertainment venues. This 'Noise Protocol' outlines EPA's required approach to the determination of noise limits and to the measurement, prediction and analysis of noise.

Environment reference standard

A consolidated environment reference standard (ERS) has been developed as part of the legislative framework for environment protection in Victoria.

The parts of the ERS relating to ambient sound set objectives and indicators against defined environmental values. While the ERS is not a compliance standard for business, EPA, councils and other decision makers may need to take it into account in relevant decisions.

The ERS objectives and indicators for ambient sound have been developed to reflect the current ambient soundscape associated with different land use settings, from highly urbanised areas to natural environments. The intention is to assist monitoring and reporting so that, over time, changes to the ambient sound environment can be mapped for the whole of Victoria.

For more information on the ERS and its application, see [The Environment Reference Standard](#).

Environmental values

Environmental values are uses, attributes and functions of the environment that Victorians value. For example, being able to sleep without unreasonable noise disturbance.

Broadly, these values seek to achieve and maintain an environment in which the activities that people do at home are not disrupted by unreasonable levels of ambient (outside) sound. These activities were defined under the noise SEPPs as:

- sleep during the night
- domestic and recreational activities
- normal conversation.

There are three new environmental values:

- childhood learning and development
- human tranquillity and enjoyment outdoors in natural areas.
- musical entertainment.

Noise-sensitive areas

As under the SEPP framework, the Regulations define *noise-sensitive areas*. These are specific types of premises and areas that require protection from unreasonable noise, such as residential premises, retirement villages and hospitals. The noise-sensitive areas defined in the SEPPs are maintained in the new framework. However, the definitions have been updated to include current terminology.

There are also two new *noise-sensitive areas*. The first area covers:

- child care centres
- kindergartens
- primary and secondary schools.

This aligns with the environmental value of childhood learning and development.

The second area includes:

- tourist establishments
- camping grounds
- caravan parks in rural areas.

This acknowledges that these locations are often valued for their natural soundscape and aligns with the environmental value in the ERS of human tranquillity and enjoyment outdoors in natural areas.