

South Australia

## Environment Protection (Machine Noise) Policy 1994

under the *Environment Protection Act 1993*

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### 1—Short title

This policy may be cited as the *Environment Protection (Machine Noise) Policy 1994*.

### 3—Interpretation

- (1) In this policy—

*the Act* means the *Environment Protection Act 1993*;

*dB(A)* means decibels on the A-weighting scale;

*motor vehicle* means a vehicle, tractor or mobile machine propelled, or ordinarily capable of being propelled, by a steam engine, internal combustion engine, electricity or any other power, not being human or animal power, but does not include a mobile machine controlled and guided by a person walking, or a vehicle run upon a railway or tramway;

*noise* means vibration of a frequency within the range of 0–20 000 Hertz;

*noise level* means level of noise measured in dB(A) in the manner set out in this policy;

*premises* includes any land or vessel.

- (2) In this policy, *Mandatory provision* followed by a statement as to the category of an offence is to be taken to signify that contravention of the provision at whose foot the impression appears will be an offence of the category so stated for the purposes of Part 5 of the Act.

**Note—**

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

#### **4—Machine noise and maximum pollution levels**

The maximum noise levels fixed by this policy operate as maximum pollution levels only for noise resulting from the operation of machines of the classes specified in the Schedule during the times specified in the Schedule.

#### **5—Machine noise**

- (1) A person must not operate a machine of a class specified in the Schedule, or cause or permit such a machine to be operated, so that the resulting noise level exceeds the maximum noise level specified in the Schedule during the times specified in the Schedule.

Mandatory provision: Category D offence.

- (2) This clause does not apply to the operation of a motor vehicle, but does apply to the operation of a machine forming part of, or attached to, a motor vehicle where the operation is for a purpose not connected with the propulsion of the vehicle.

#### **6—Measurement Place**

The noise level resulting from the operation of a machine may be measured at any place at which a person resides or is regularly engaged in remunerative activity other than the place or premises at which the machine is being operated.

#### **7—Approved sound level meter**

The noise level must be measured with a sound level meter that has been tested by a National Association of Testing Authorities of Australia registered laboratory in the previous 12 months and has been certified by the laboratory to be accurate within relevant tolerances allowed for a Type 0, 1 or 2 sound level meter in Australian Standard AS 1259 or International Electro-technical Commission Standards IEC 651-979 and IEC 804-1985 .

#### **8—Noise measurement procedures**

The following procedures must be adopted in measuring noise levels:

- (a) the weighting network of the sound level meter must be set in the "A" position and the dynamic characteristic of the meter must be set to "slow" response;
- (b) measurements must be made with the microphone of the sound level meter at a height of 1.2 to 1.5 metres above floor level and, where possible, at least 3.5 metres from any vertical reflecting surface;
- (c) the axis of maximum sensitivity of the microphone must be directed towards the noise source;
- (d) the measured noise level must be taken as the average of the maximum meter excursions;

- (e) care must be taken to avoid influence on the result from extraneous signals not under consideration such as wind on the microphone and electrical interference;
- (f) on each day that noise measurements are taken, a reference sound source (accurate within plus or minus one decibel) must be used both before and after measurement to check the performance of the sound level meter.

## 9—Noise level measurement records

The Authority may approve a format or formats for the recording of noise level measurements and may require that specified information be contained in noise level measurement records.

## Schedule—Maximum noise levels

Specified times	Maximum permitted noise level, dB(A)	Class of Machines
8 p.m. on any night (except Saturday night) until 8 a.m. on the following morning. 8 p.m. on Saturday night until 9 a.m. on the following Sunday morning.	45	Lawnmowers, power equipment and their drives (including saws, drills, tools, compressors, pumps, swimming pool pumps and filters etc).
10 p.m. on any night (except Saturday night) until 8 a.m. on the following morning. 10 p.m. on Saturday night until 9 a.m. on the following Sunday morning.	45	Domestic airconditioners.
8 p.m. on any night until 7 a.m. on the following morning.	45	Bird scaring devices.
8 p.m. on any night (except Saturday night) until 7 a.m. on the following morning. 8 p.m. on Saturday night until 8 a.m. on the following Sunday morning.	60	Garbage collection units, street sweepers, hoggers.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Revocation of policy

The *Environment Protection (Machine Noise) Policy 1994* was revoked by cl 7(a) of the *Environment Protection (Noise) Policy 2007* on 31.3.2008.

### Principal policy and amendments

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 27.10.1994 p1352	Sch 2 cl 5	<i>Gazette 27.10.1994 p1376</i>	1.5.1995: cl 2
Gazette 21.7.2005 p2419	Sch 1 cl 3 of Act 21/2005	—	21.7.2005: cl 2

### Provisions amended

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>cl 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>21.7.2005</i>
cl 5		
cl 5(1)	amended by 21.7.2005 p2419	21.7.2005