



Department of  
**Environment and Conservation**

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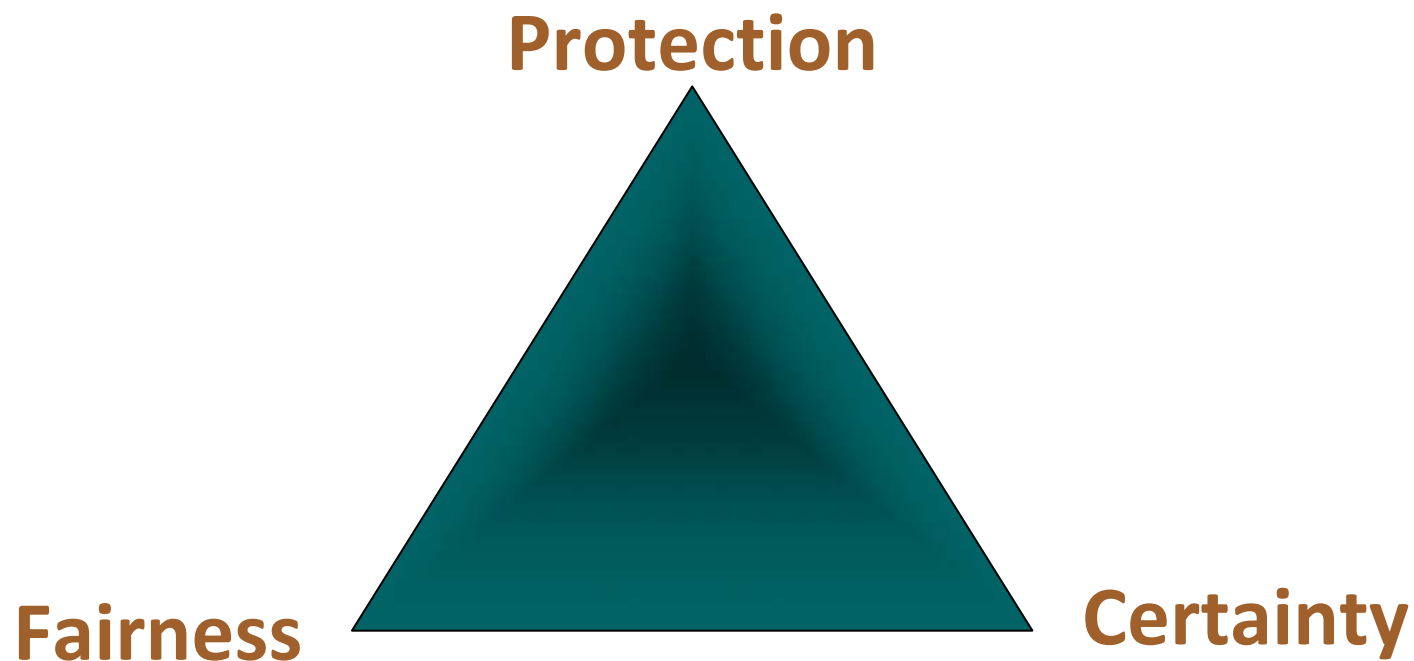
# **Proposed Environmental Protection (Noise) Amendment Regulations 2010**

**COMMUNITIES AND INDUSTRIES FORUM  
KWINANA  
5 APRIL 2011**

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# What are we trying to do in regulating noise?





# Proposed amendments

## Background

- 1997 *Environmental Protection (Noise) Regulations 1997*
- 1999 Statutory Review of 1997 noise regulations
- 2000 Working Groups report to EPA
  - ❖ **Industry Issues WG**
  - ❖ **Kwinana Buffer WG**
- 2000 Stage 1 amendments (minor)
- 2004 Drafting Stage 2 with Parliamentary Counsels Office
- 2009 Draft 5
- 2010 Regulatory Impact Assessment process
- 2010 Draft 6
- 2011 Released for public comment



# Main themes

- **Scope and application of regulations**
- **Variations to noise limits (3)**
  - Kwinana industry-to-industry noise limits
- **Management of specific noise emissions (4)**
  - Motor sports
  - Shooting clubs
  - Major entertainment venues
  - Local govt essential services
- **Regulation 17 process**
- **Clarity and enforceability**
  - Amendments to current regs for construction sites, outdoor events
  - Others (updates, technical, wording)



# Industry-industry noise

Amendment Reg 9 – Amends Reg 8 (Assigned Levels)

## Industry-Industry Assigned Levels for Kwinana Industrial Area –

### Definition –

*Kwinana Industrial Area* means the area referred to in the *Environmental Protection (Kwinana) (Atmospheric Wastes) Policy Approval Order 1999* as Area A

### Assigned levels –

$L_{A 10}$	to increase from 65 to 75dB(A)
$L_{A 1}$	to increase from 80 to 85dB(A)
$L_{A \max}$	remains at 90dB(A)



# Implications

- **Addresses boundary issues unique to KIA –**
  - ❖ **Don't have caretakers or offices ('sensitive' areas) near boundaries**
  - ❖ **No benefit in complying in unaffected areas, e.g. subleased, unoccupied**
- **Will it change noise levels received in residential areas?**
  - ❖ **No change proposed to allowable residential levels**
  - ❖ **Potential for new industrial plant to be located near boundaries, increasing cumulative noise**
  - ❖ **Sound power limited by proximity to boundary**
  - ❖ **Assessment – plant should meet cumulative goals**



# Proposed Table 1

Type of premises receiving noise	Time of day	Assigned level (dB)		
		L <sub>A10</sub>	L <sub>A1</sub>	L <sub>AMAX</sub>
<b>Noise-sensitive premises: highly sensitive area</b>	0700 to 1900 hours Monday to Saturday	<b>45 +</b> Influencing factor	<b>55 +</b> Influencing factor	<b>65 +</b> Influencing factor
	0900 to 1900 hours Sunday and PHs	<b>40 +</b> Influencing factor	<b>50 +</b> Influencing factor	<b>65 +</b> Influencing factor
	1900 to 2200 hours all days	<b>40 +</b> Influencing factor	<b>50 +</b> Influencing factor	<b>55 +</b> Influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sundays and PHs	<b>35 +</b> Influencing factor	<b>45 +</b> Influencing factor	<b>55 +</b> Influencing factor
<b>Noise-sensitive premises: any area other than highly sensitive area</b>	All hours	<b>60</b>	<b>75</b>	<b>80</b>
Commercial premises	All hours	<b>60</b>	<b>75</b>	<b>80</b>
Industrial and utility premises <b>other than those in the Kwinana Industrial Area</b>	All hours	<b>65</b>	<b>80</b>	<b>90</b>
<b>Industrial and utility premises in the Kwinana Industrial Area</b>	All hours	<b>75</b>	<b>85</b>	<b>90</b>



## Other items relevant to Kwinana area

### *Amendment reg 26(6) –*

- *Area B as a noise buffer – application of ‘land use map’*
- *Area B as a noise buffer – assigned levels for non-industrial noise emitters*



# Consultation process – 21 Feb to 23 May

## Materials –


- ❖ [www.dec.wa.gov.au](http://www.dec.wa.gov.au) – link from front page
- ❖ Explanatory Notes, comment form

## Seminars/meetings –

- ❖ DEC ran 11 seminars in March –
  - 4 general info seminars, 7 special interest
  - Special seminar on Kwinana issues 24 March
- ❖ Further meetings as needed



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# Submissions

**Public comment period 21 February  
2011 to 23 May 2011**

**To -**

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