



Northern Territory  
Environment Protection Authority

# **Noise guidelines for development sites In the Northern Territory**

**May 2014**

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## Preface

This document has been created to provide guidance to the community and industry on noise associated with development sites with the objective to protect noise sensitive receptors from unreasonable construction noise while supporting an active construction industry.

The Northern Territory Environment Protection Authority will periodically review and update these guidelines where necessary, and any comments are more than welcome.

Inquiries or comments can be directed to:

Pollution Control  
Northern Territory Environment Protection Authority  
GPO Box 3675  
DARWIN NT 0801

Phone: (08) 8924 4218

Fax: (08) 8924 4053

Email: [pollution@nt.gov.au](mailto:pollution@nt.gov.au)

## Limitations

These guidelines apply only to construction noise.

## Disclaimer

The Northern Territory Environment Protection Authority has prepared this document in good faith, exercising all due care and attention, but no representation or warranty, express or implied, is made as to the relevance, completeness or fitness for purpose of this document in respect of any particular user's circumstances. Users of this document should satisfy themselves concerning its application to their situation and, where necessary, seek expert advice.

### Foreword

The Northern Territory Environment Protection Authority (NT EPA) plays a significant role in protecting the environment. As part of this role the NT EPA is the Administrating Agency of the Northern Territory's *Waste Management and Pollution Control Act* (the Act). Section 83 of the Act provides for general environmental offences, including that a person must not create an environmental nuisance. Section 4 of the Act defines environmental nuisance as:

An adverse effect on the amenity of an area that:

- i. is caused by noise, smoke, dust, fumes or odour; and
- ii. unreasonably interferes with or is likely to unreasonably interfere with the enjoyment of the area by persons who occupy a place within the area or are otherwise lawfully in the area.

### Introduction

This document has been created to provide guidance to the community and industry on noise associated with development sites with the objective of protecting noise sensitive receptors from unreasonable construction noise while supporting an active development industry.

The guidelines aim to provide sufficient information to the community and development industry to ensure noise associated with development activities does not adversely affect the amenity of an area resulting in environmental nuisance. The guidelines also provide information for the amicable resolution of construction noise complaints without the need for regulatory intervention. They include information on:

- Application of the guidelines;
- Noise as an environmental nuisance;
- Construction times and noise levels;
- Construction noise as an environmental nuisance (noise pollution);
- Construction noise management plans;
- Measuring noise; and
- Noise complaints.

## Application of the Guidelines

For the purposes of these guidelines construction noise is that derived from development sites. A development site is any land on which excavation, construction and demolition activities occur.

Construction activity includes:

- a. construction, erection, installation, alteration, repair, maintenance, cleaning, painting, renewal, removal, excavation, dismantling or demolition of, or addition to, a building or structure;
- b. work on which a hoisting appliance, scaffold or shoring is used;
- c. driving or extracting piles, sheet piles or trench sheet;
- d. laying, maintaining or repairing a pipe, or lining pipe, at or adjacent to the place where the pipe is laid or to be laid;
- e. sinking, lining, altering, repairing, maintaining, renewing, removing, or dismantling, a well or borehole;
- f. road works, earth works, clearing or other similar works or reclamation;
- g. the operation of vehicles within, entering or leaving, a development site;
- h. any activity, at or within the immediate vicinity of a development site, of persons engaged to perform work at the site.

These guidelines will be used to protect noise sensitive receptors and minimise issues arising from construction noise by:

- a. assisting the NT EPA in its assessment of Development Applications by application of these guidelines;
- b. advising those responsible for development sites of their obligations in managing construction noise at their sites;
- c. informing when noise generated by an activity may be considered an environmental nuisance, and how registered Noise Management Plans may be used to resolve noise issues;
- d. assisting Authorised Officers under the Act, to determine if a breach of the Act has occurred; and
- e. providing advice on what a person should do if they become aware of construction noise that may be causing or has the potential to cause an environmental nuisance.

## Construction Times and Noise Levels

Construction activities should be restricted to:

- a. between the hours of 7am and 7pm Monday to Saturday; and
- b. between the hours of 9am and 6pm on a Sunday or public holiday.

Construction noise levels should not exceed:

- |  |                            |
|--|----------------------------|
| a. in residential use areas                  | ambient noise plus 5 dB(A) |
| b. in mixed commercial/residential use areas | 60 dB(A) total             |
| c. in commercial use areas                   | 65 dB(A) total             |
| d. in industrial use areas                   | 70 dB(A) total             |

within 15 metres of a Noise Sensitive Receptor (NSR) or at or on the boundary of the NSR (including when adjusted +5 dB each for tonality or modulation, and +10 dB for impulsiveness) during acceptable construction times.

*The above measurements are measured as  $L_{Aeq}$  which is the equivalent continuous (energy average) level (A-weighted).*

Those responsible for development sites and construction activities are advised of their obligations under Part 3 of the Act, which stipulates their responsibility to notify of an incident, where there is reason to believe that the incident has caused or is threatening to cause pollution.

## Construction Noise as an Environmental Nuisance (Noise Pollution)

The Act defines noise that affects the amenity of an area as an 'environmental nuisance'.

Noise from a development site may be considered an environmental nuisance and may be considered an offence under the Act.

Noise emitted from a development site may be considered an environmental nuisance or pollution if:

- a. the construction activity is conducted:
  - i. outside the hours of 7am and 7pm Monday to Saturday; or
  - ii. on a Sunday or public holiday outside the hours of 9am and 6pm;
- b. the construction activity generates noise which exceeds the construction noise levels defined in these guidelines;
- c. the construction activity was not carried out in accordance with 'AS 2436: Guide to Noise and Vibration Control on Construction, Maintenance and Demolition Sites';

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- e. 48 hours notice was not given to the occupiers of all noise-receiving premises where noise levels for the development site are likely to be of concern including:
  - i. a description of proposed construction activity likely to cause a nuisance;
  - ii. the date(s), time(s) and duration for the construction activity likely to cause a nuisance; and
  - iii. the name and phone number of the person to whom a complaint may be made about noise emissions from the site;

OR

- a. the activity was not carried out in accordance with a Noise Management Plan registered with the NT EPA.

### Community consultation

In order to reduce the likelihood of complaints, where an isolated (i.e. one-off) activity is likely to occur which may cause environmental nuisance, the NT EPA recommends any NSRs (such as surrounding residential/commercial premises) in the area around the development site be given at least 48 notification about the noise activity and given the opportunity to provide feedback. Any feedback received should then be considered and accommodated.

### Noise Management Plan (NMP)

If noise resulting from a construction activity is to be emitted from a development site:

- a. outside the times 7am to 7pm Monday to Saturday; or
- b. outside the times 9am to 6pm on a Sunday or public holiday; or
- c. is likely to exceed the construction noise levels defined in these guidelines; AND
- d. the construction work is proposed, or taking place on, land within or directly adjacent to land zoned Commercial or Residential,

the party responsible for the development site must develop and register a NMP with the NT EPA. NMPs should comply with 'AS 2436: Guide to Noise and Vibration Control on Construction, Maintenance and Demolition Sites'.

A NMP must include management and mitigation strategies to prevent an environmental nuisance caused by construction noise. The NMP is to include, as a minimum:

- a. justification for work on the development site, that is likely to be undertaken outside of the acceptable construction times (between the hours of 7am and 7pm Monday to Saturday and/or between the hours of 9am to 6pm on a Sunday or public holiday);
- b. details and the duration of the activities on the development site likely to cause noise emissions that may exceed the construction noise levels defined in these guidelines;
- c. details clearly demonstrating how site activity will comply with 'AS 2436 Guide to Noise and Vibration Control on Construction, Maintenance and Demolition Sites';
- d. documented complaint response procedures and how the procedures will be implemented;

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- e. documentation of the verifiable consultation and feedback program with occupants of all affected premises, demonstrating that all occupants were provided with advice on dates, times and nature of any potentially noisy and disruptive activity including measures proposed to mitigate such activity, as well as noise complaint contact details;
- f. a copy of any feedback received from any affected premises and an explanation on how the feedback was considered and accommodated in the NMP; and
- g. name of the onsite person who will be responsible for implementing the NMP and the name and phone number of the person to whom a complaint may be made about noise emissions from the site.

### Registering a Noise Management Plan (NMP)

To register a NMP with the NT EPA three options are available:

1. NMPs may be submitted with Notice of Intent applications to:

Environmental Assessments  
NT Environment Protection Authority  
GPO Box 3675  
Darwin NT 0801

Email: [eia@nt.gov.au](mailto:eia@nt.gov.au)

2. NMPs may be submitted with Development Applications, or as requested in a Development Permit Condition, to:

Development Assessment Services  
GPO Box 1680  
Darwin NT 0801  
Online at <https://www.ntlis.nt.gov.au/planning>

Or

3. NMPs may be submitted directly to:

Pollution Control  
NT Environment Protection Authority  
GPO Box 3675  
Darwin NT 0801  
Email: [pollution@nt.gov.au](mailto:pollution@nt.gov.au)

On receiving a NMP the NT EPA will review the NMP and provide feedback where appropriate. The NT EPA will also issue an 'Acknowledgement of Receipt' letter.

### Methodology for Noise Measurement

The method for the measurement of noise should comply with the method of measurement specified in:

- a. AS 1055.1-1997: Acoustics – Description and measurement of environmental noise, Part 1 General procedures;

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- b. AS 1055.2-1997 Acoustics – Description and measurement of environmental noise, Part 2 Application to specific situations;
- c. AS 1055.3-1997 Acoustics – Description and measurement of environmental noise, Part 3 Acquisition of data pertinent to land use.

A preliminary survey may be conducted to determine and justify the need for the measurement of noise, using the methodology prescribed in the Australian Standards. A preliminary survey does not generally require sophisticated equipment or highly trained personnel and a general purpose sound level meter complying with 'AS IEC 61672.1: Electroacoustics – Sound Level Meters – Specifications' may be suitable for this purpose.

If the preliminary survey indicates the existence of high noise levels or high noise exposure, a more detailed survey is necessary incorporating Australian Standard methodology.

Noise surveys are generally seen as the responsibility of the person(s) responsible for the development site.

### Noise Complaints

It is the intent of these guidelines that complaints with respect to construction noise are dealt with expediently through discussion and mediation, without the need for regulatory enforcement.

Those who feel they have cause for lodging a noise complaint in relation to construction noise should read the fact sheet "Lodging a Complaint". The fact sheet provides a stepped process in the resolution of construction noise complaints beginning with discussion and mediation. It recommends keeping a log of all events including time and duration of noise and steps taken to resolve the issue.

It is requested that noise complaints are submitted in writing to:

NT Environment Protection Authority  
GPO Box 3675  
DARWIN NT 0801

or emailed to: [pollution@nt.gov.au](mailto:pollution@nt.gov.au)

A log of events should be submitted with all complaints.

### Compliance Tools

Consistent with these guidelines and in accordance with sections 72, 77 and 78 of the Act and section 6 of the *Waste Management and Pollution Control (Administration) Regulations*, investigation of noise complaints in association with construction noise may result in the issue of a:

- a. Direction;
- b. Pollution Infringement Notice; or
- c. Pollution Abatement Notice.

## Definitions

“Act” means the *Waste Management and Pollution Control Act*

“Authorised Officer” has the same meaning as in the Act

“AS” means Australian Standard

“Construction noise” is that derived from construction activities at development sites

“dB” means “decibel” a logarithmic unit used to measure sound pressure levels

“Development site” is any land on which excavation, construction and demolition activities occur

“Direction” means an instruction or order issued by an Authorised Officer of the *Waste Management and Pollution Control Act*

“Environmental nuisance” has the same meaning as in the Act

“IEC” means International Electrotechnical Commission

“NMP” means Construction Noise Management Plan

“NSR” means Noise Sensitive Receiver, a premises used solely or principally as a residential premises or for accommodation located on land zoned, under the NTPS, as Central Business, Township or any one of the Residential Zones

“NTPS” means the Northern Territory Planning Scheme

“Pollution” has the same meaning as in the Act

## Revisions Register

First Published: August 2011

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