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## **A submission to the ACT Legislative Assembly Standing Committee on Planning, Public Works and Municipal Services – noise at live community events**

**From**

**Dr Warwick Williams, the National Acoustic Laboratory, Chatswood  
Dr Anthony Hogan, The Australian National University Canberra and**

Dear Members of the Standing Committee

Dr Williams and I wish to draw the Committee's attention to the fact that at present there are three prominent yet differing legislative frameworks in place for controlling noise in our society. These are environmental law, occupational health and safety law and liquor laws.

Noise requirements differ under each of these legislations. Environmental noise legislation is intended to prevent noise annoyance and loss of amenity to the general public, in particular those who may live adjacent to or near possible permanent or temporary sites venues where loud noise may be created. Occupational health and safety law is designed to ensure the health and safety of individuals is maintained with respect to possible hazards produced by workplace activities. It is applicable to individuals who may work at or be responsible for those sites and for any individuals who may in some way be affected by activities from those sites. The liquor laws are concerned with the conduct and control of licensed premises.

These three sets of legislation and their respective regulations are mostly governed and work independently with respect to the other two. Sometimes the liquor licensing activity may take into consideration environmental noise effects such as the late night noise annoyance of neighbours but this appears to be the exception rather than the rule. It would be far better for all concerned if these three sets of legislation and regulations could work in harmony.

Noise injury affects wellbeing in differing ways. A dose response relationship exists between physical exposures to loud noise and the onset of hearing loss – the louder the noise and the longer the time the greater the loss. Noise emissions for patrons attending typical concerts and music festivals have been measured by the National Acoustic Laboratories and can be up to 25 times the maximum daily exposure allowable under workplace health and safety legislation. A similar situation exists with attendance at many night clubs and dance clubs where internal continuous A-weighted noise levels are commonly well above 100 dB. Stated concisely the noise/sound/music produced at some entertainment venues has the potential not only to cause disturbance and annoyance of neighbours and the general public but also to damage the hearing of both those employed by the venue and patrons.

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Noise levels resulting from live music performed in licensed premises, which may be legal under liquor laws and which at the perimeter of the building comply with environmental noise, may readily result in immediate harm to the hearing of people either working in, or visiting such premises.

An increasing body of medical evidence is showing that the affects of noise as manifest in hearing loss is associated with reduced physical and mental health and through indirect pathways contributes to an increased risk of early death.

We perceive the need within jurisdictions for a harmonization of noise exposure and emissions laws currently regulating the environmental, occupational health and safety and liquor industries. Where noise exposure levels exceed safe human exposure limits, we seek the immediate provision of appropriate safety warning signs and the supply of personal protective equipment such as ear plugs. Longer term we seek the development of strategies to reduce noise exposures to safer levels, given the levels of current exposure and the likely transmission of noise through the skull, despite the use of hearing protection. In addition we seek the amendment of building and premises codes such that premises hosting live music are internally as well as externally treated with noise absorbing materials to reduce the reverberation of noise which exacerbates initial noise emissions.

We would be pleased for an opportunity to meet with the Committee to give further evidence on these issues.

Anthony Hogan PhD  
Fellow  
The Australian National University  
13 July 2010

Warwick Williams PhD  
Senior Research Engineer  
National Acoustic Laboratories