1994

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Lou v Westende, MLA)

Noise Control Manual Amendment Bill 1994

A BILL
FOR
A Bill for an Act to add to the Noise Control Manual, made under the Noise Control Act 1988 and for related purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Noise Control Manual Amendment Act 1994*.

Commencement

2. This Act, and the amendment to the Noise Control Manual, commences on the day on which this Act is notified in the *Gazette*.

Interpretation

3. In this Act:

'Noise Control Manual" means the manual caused to be prepared and amended pursuant to Division 4 of Part II of the Principal Act;

"Principal Act" means the *Noise Control Act 1988*.

Addition to Standard to Noise Control Manual

4. **(1)** The Assembly, being satisfied that it is appropriate for there to be a guideline establishing procedures for measuring the maximum exterior sound level for general motorsports, therefore adds such a guideline to the Noise Control Manual in the manner set out in the Schedule.

(2) The addition to the Noise Control Manual made by subsection (1) shall be deemed to have been added to the Manual by the Pollution Control Authority, pursuant to Section 17 of the Principal Act, and approved by the Minister with administrative responsibility for the Principal Act pursuant to Section 18 of the Act.

(3) Notwithstanding Section 20 of the Principal Act, the addition to the Noise Control Manual contained in the Schedule does not attract the provisions of Section 6 of the *Subordinate Laws Act 1989* and Section 38 of the *Interpretation Act 1967*.

THE SCHEDULE

Subsection 4(1)

The following section to the Noise Control Manual is added after Section 11:

SECTION 12

GENERAL MOTOR SPORT NOISE MEASUREMENT

This guideline establishes the procedure for measuring the maximum exterior sound level for general motorsports and describes the instrumentation and test site for determining the sound level. Unless otherwise stated, the relevant Australian Standard (Australian Standard 1055-1989 - Acoustics - Description and measurement of environmental noise) shall apply.

Sound monitoring shall be by the 'drive-by' method.

12.1 INSTRUMENTATION

The following instrumentation shall be used for the measurement required:

(i) A precision sound level meter which meets the types 2 or 3 requirements of Australian Standard 1259-1982, Sound level meters.

(ii) An approved sound level calibrator.

(iii) An approved wind speed anemometer.

(iv) A reliable and tamper-proof method of recording readings for later retrieval and interpretation.

12.2 PROCEDURE

Sound shall be tested in the first instance at a position close to the noise generating source (Section 12.2.1) and shall be by the 'drive-by' method.

12.2.1 Test Site

A suitable test site shall be selected according to the criteria set out in Australian Standard 1055.1-1989, Sections 6.1 and 6.2, having regard to the purpose as specified in Australian Standard 1055.2 and 1055.3 and having the following characteristics:

(i) The site shall be at 90 degrees (right angles) to the direction of travel of the article being tested, and shall be placed at a point at which the article is likely to be emitting maximum noise, ie, under full acceleration.

(ii) The site shall be no more than 30.2 metres and no less than 29.8 metres from the edge of the roadway on which the article being tested is travelling, and shall be established by survey and permanently marked.

(iii) The selected site shall be used for all monitoring of noise emissions from the track involved for the purposes of verifying compliance.

(iv) Other trackside monitoring points shall be established as appropriate in accordance with Australian Standard 1055.1-1989.

Identification of the Article being tested

The article being tested shall be identified at the time the testing takes place by visual means involving a competition number or by an accurate description and recorded immediately in writing in the tester's log.

12.3 MEASUREMENT

Measurement shall be undertaken in accordance with the procedures laid down in Australian Standard 1055, Part 1, Section 6.

Calibration

All component parts of the measuring system, including portable calibration devices, shall be calibrated over their full frequency and dynamic range, in accordance with Australian Standard 1055.1-1989, Section 5.6, and periodically checked in accordance with Australian Standard 1055.1-1987, Section 57.

Meteorological Conditions

Measure of background noise shall be in accordance with Australian Standard 1055.1-1989, Section 6.3, and shall be averaged over all relevant weather conditions per Section 6.3.2.

Background

The long term background noise level shall be established in accordance with Australian Standard 1055.2-1989, Section 4.2.5, using the procedure described in Australian Standard 1055.1-1989, Sections 5.2 and 5.4, as appropriate. Once a background noise level has been established, it shall form the baseline in assessing complaints alleging excessive noise, and in calculating the appropriate 'drive-by' noise level for assessing articles.

Recording

All results of acoustic measures shall be recorded in accordance with Australian Standard 1055.1-1989, Section 7, and shall include measurement techniques, conditions prevailing during measurements and such qualitative data as appropriate.