Australian Capital Territory

Environment Protection Noise Measurement Manual 2024

**Disallowable instrument DI2024-285**

made under the

Environment Protection Regulation 2005, s29A (Noise measurement manual)

**EXPLANATORY STATEMENT**

Section 29A of the Environment Protection Regulation 2005 (the Regulation) authorises the Minister to approve a noise measurement manual for the measurement of noise for this regulation.

The Noise Measurement Manual outlines the procedures to be undertaken when measuring environmental noise to determine compliance with the Environment Protection Act 1997 (the Act), the Regulation and legislative instruments under the Act.

The City Centre Entertainment Precinct (CCEP) has been established in the City to encourage entertainment uses and the Nighttime Economy. The Territory Plan has been varied to establish a Core and Frame within the CCEP. The *Environment Protection Amendment Regulation 2024* amends the Regulation to introduce noise zone standards and times they apply to amplified music noise from entertainment venues in the CCEP Core and Frame areas.

The Core and Frame noise standards only apply to amplified music noise from entertainment venues. The current noise regulations for the City Centre area apply to all other noise sources regulated by the environment protection legislation.

This instrument revokes the Environment Protection (Noise Measurement Manual) Approval 2009 (No 1) (DI2009—234).

**Consultation**

Consultation was undertaken in establishing the CCEP under the Territory Plan and in amending the Regulation to introduce noise standards for the CCEP.

**Regulatory impact statement (RIS)**

The *Legislation Act 2001* (Legislation Act) requires a RIS for certain proposed subordinate laws and disallowable instruments. Section 36 (2) of the Legislation Act provides that a RIS does not need to be prepared if it would be against the public interest because of the nature of the proposed law or the circumstances in which it is made.

A RIS was prepared for the *Environment Protection Amendment Regulation 2024* which analysed the regulatory impact on the community from the implementation of appropriate noise standards for the CCEP. This instrument operationalises those amendments to the Regulation.

**Human Rights implications**

There are no human rights engaged as a result of the updates to this instrument. Human right implications were assessed in amending the Regulation.