



NSW DIVISION TECHNICAL MEETING

PANEL DISCUSSION What is Offensive Noise?



Date: Wednesday 27 August 2014

Venue: Room G25, Electrical Engineering Building, UNSW, Kensington
Location 'G17' on campus map at
http://www.facilities.unsw.edu.au/sites/all/files/page_file_attachment/KENC%20-%20Campus_5.pdf

Time: 6:00 pm for 6:30 pm start (refreshments prior to talk)

Speakers: Gordon Downey, Noise Policy Section, NSW EPA
Renzo Tonin, Managing Director, Renzo Tonin & Associates
Roslyn McCulloch, Special Counsel, Pikes & Verekers Lawyers

RSVP: Monday 25th August to Tracy Gowen by email tgowen@renzotonin.com.au
AAS members (and guests upon request) are welcome to attend.



The term 'offensive noise' is invariably used in expert reports and council policies as if it were a planning term with much the same meaning as the term 'environmental impact'. On the surface, the two terms appear to be synonymous, but are they? What is offensive noise? Is offensive noise different from intrusive noise? Can offensive noise be assessed at DA stage? This Workshop will investigate the term 'offensive noise' from three different perspectives, with the aim of improving our understanding of the term and how it should be applied in the regulation of noise in NSW.

Gordon Downey is with the Noise Policy Section of the NSW EPA. Gordon will present the existing regulatory framework with regard to offensive noise and current EPA guidance on how to determine offensive noise.

Renzo Tonin has been the Managing Director of Renzo Tonin & Associates since 1982. He has been acting as an Expert Witness on acoustics in the Land and Environment Court for 25 years and has dealt with many matters relating to offensive noise. In 2010 Renzo prepared a technical note for Acoustics Australia discussing the distinction between the assessment of noise impacts in planning and enforcement, based on the NSW Land and Environment Court matter *Meriden School v Pedavoli* [2009] NSWLEC 183. Renzo will present a discussion of the application of the legislation, with reference to the Meriden case.

Roslyn McCulloch is a Special Counsel with Pikes & Verekers Lawyers and is an accredited specialist in local government and planning law. Ros will present the legal interpretation of 'offensive noise', in particular in relation to the Meriden case.