

Acoustics Advisor Protocol

May 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present, and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally, and economically.

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Acoustics Advisor Protocol

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This protocol is a policy document only and does not affect or replace relevant statutory requirements. If any inconsistency arises between the provisions of this protocol and an instrument or any relevant statutory provisions, the statutory provisions or instrument will prevail.

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1 Introduction

This Acoustics Advisor Protocol sets out the expectations, administrative arrangements, and general procedures for acoustics advisors under the conditions of approval for a project.

The requirements set out in this protocol do not replace the need to comply with the conditions of approval for the role of an acoustics advisor. If there is any inconsistency between the requirements of a project's conditions of approval and those in this document, the conditions of approval prevail.

The Department of Planning, Housing and Infrastructure will review this protocol at least every 5 years.

1.1 Overview

Proponents engage acoustics advisors where set by the conditions of a project's approval. Acoustics advisors support the project to achieve good noise and vibration outcomes in a proactive and coordinated way.

Section 1 sets out the required skills, experience, qualifications, and attributes of an acoustics advisor, as well as requirements for the way the proponent must engage them.

Section 2 of this protocol outlines the objective of the acoustics advisor role and the tasks and activities they must complete.

Section 3 explains how the acoustics advisor must interact with key stakeholders in performing the role. This includes interacting with the Department, the proponent, the environmental representative and the community.

Section 4 lists the requirements for candidates for the role of an acoustics advisor, and advises on the process for review, approval and engagement of an acoustics advisor.

Section 5 notes that the Department may review the performance of acoustics advisors at any time.

Terms in this document

Approval includes consent for state-significant development projects or approval of state-significant infrastructure projects (as modified).

Proponent includes applicants for state-significant development projects that are assessed under Part 4 of the *NSW Environmental Planning and Assessment Act 1979* (the Act) and proponents for state-significant infrastructure projects that are assessed under Part 5 of the Act.

2 The acoustics advisor role

This section lists the minimum requirements and expectations for the role of an acoustics advisor, depending on the project's conditions of approval.

2.1 Objective of the role

The primary objective of the acoustics advisor role is to help a project comply with the conditions of approval. The acoustics advisor also helps achieve good noise and vibration outcomes for the project in a proactive and coordinated manner. Acoustics advisors ensure measures used to address noise and vibration issues are optimised and effective at the local level (that is, for sensitive receivers) and not solely driven by convenience or time and cost.

The objective of the role relates mainly to the construction phase of a project. Conditions of approval may also require the acoustics advisor to consider operational components.

The secondary objectives of the role are to:

- oversee noise and vibration performance and communicate this to the Department within a defined reporting period
- give the Department and the proponent guidance on noise and vibration risks, to identify opportunities to reduce risk and minimise impact
- recommend measures to the proponent to minimise sleep disturbance from night-time works
- give the Department and the proponent feedback on lessons learnt during a project and opportunities for continual improvement in noise and vibration management
- give the proponent and the Department an objective source of technical advice for specific noise or vibration issues and concerns.

2.2 Scope of the role

The primary scope of the role is to consider and respond to noise and vibration impacts during construction. However, the role may also extend to considering operational noise and vibration, where specified in the conditions of approval. This is noted in **Section 2.1**.

2.3 Tasks and activities

2.3.1 General tasks and activities

The general tasks and activities of the acoustics advisor are to:

- consider and recommend to the proponent improvements they could make to avoid or minimise adverse noise and vibration impacts during construction and operation
- give the proponent guidance and advice and communicate regularly with the Department on noise- and vibration-related risks, compliance issues and recommendations to avoid or mitigate identified risks and issues
- oversee the planning, management, mitigation, monitoring, and reporting on a project for noise and vibration
- consider and recommend to the proponent any ways they could improve work practices to avoid or minimise adverse noise and vibration impacts
- consider outcomes with affected receivers and complainants to determine if noise mitigation and management measures are adequate, including work hours and respite periods
- liaise between the proponent and the Department about a project's noise and vibration performance
- consider and inform the Department on noise and vibration matters specified in the conditions of approval
- help the Department, if requested, develop solutions to respond to noise and vibration complaints
- receive and respond to communication from the Department about the project's noise and vibration performance during construction and operation
- implement a risk-based approach to the role, in discussion with the proponent and the Department
- adapt the role, as required, to support improved noise and vibration outcomes during construction and operation.

2.3.2 Document review

- The acoustics advisor role includes functions to review and comment on relevant noise and vibration documents to ensure they:
 - are consistent with the requirements of the approval
 - apply all reasonable and feasible mitigation measures
 - have been the subject of adequate consultation with stakeholders.

- If the documents are satisfactory, the acoustics advisor endorses this in writing before the proponent submits them to the Secretary of the Department of Planning, Housing and Infrastructure (the Planning Secretary) for approval or implementation as required.¹
- If the documents are not satisfactory, the acoustics advisor recommends revisions and updates accordingly.
- Unless otherwise specified in the approval, or notified by the Department, relevant noise and vibration documents include:
 - management plans and procedures
 - monitoring programs
 - impact assessments
 - Department-relevant permit applications (including out-of-hours work requests)
 - corrective action plans
 - minor changes to the above
 - documents specifically identified for acoustics advisor review by the environmental representative
 - any other document as directed by the Department.
- acoustics advisors must be given enough time to review documents to ensure they meet the requirements of the conditions of approval.

2.3.3 Project performance review

The acoustics advisor's role includes functions to:

- regularly review if implementation of noise and vibration controls is effective and in line with:
 - the conditions of approval
 - the approved noise and vibration-related documents
 - industry best practice
- regularly review the implementation of noise and vibration monitoring programs and recommend updates as appropriate
- identify potential noise- and vibration-related non-compliances and/or poor environmental management practices
- review the proponent's notification of complaints and non-compliances for noise and vibration in line with the conditions of approval

¹ Following submission for the approval of the Planning Secretary, the Department may review the document more broadly. The Department may seek the advice of the acoustic advisor in its review.

- where requested, give the proponent recommendations for fixing non-compliances or responding to complaints
- monitor the implementation of recommendations
- participate in audits of noise and vibration management of the project and, when requested by the Department, help the Department plan and carry out noise and vibration audits.

While the acoustics advisor holds a critical advisory role, the proponent is responsible for notifying the Department of any actual or potential non-compliance, in line with the conditions of approval. It is not the role of the acoustics advisor to notify the Department of these at the time they happen. However, the acoustics advisor must include the details of any actual or potential non-compliances, and poor environmental management practices, in their monthly reports to the Department.

2.3.4 Site inspections

The acoustics advisor must inspect project work sites to review implementation of noise and vibration management and mitigation requirements and commitments. Site inspections should be efficient and not duplicate inspection outcomes by other parties. acoustics advisors should have direct access to real-time data from the noise and vibration monitoring program wherever this is available.

The timing and frequency of inspections:

- should be determined in keeping with the level of project activity and associated noise and vibration risks, during standard hours and outside hours
- must be agreed with the proponent and be made known to the Department, in line with the conditions of approval and the requirements of any relevant management plans

If agreement cannot be reached between the proponent and an acoustics advisor, the Department should be contacted for advice.

The acoustics advisor may carry out additional inspections (from within or outside the project boundary), in consultation with the proponent, in response to Department feedback, complaints, non-compliances or poor performance. The acoustics advisor should consult the proponent about these additional inspections. The acoustics advisor may also carry out other site inspection activities as part of project-specific environmental coordination or reference groups.

The acoustics advisor should be present during:

- an indicative period of high-risk noise- and vibration-related project activities in the proponent's environmental risk assessment or construction environmental management plan, and associated noise and vibration management sub-plan and impact statements
- specific activities, as considered necessary by the acoustics advisor or the Department.

2.3.5 Reporting

The acoustics advisor must prepare and submit a monthly report to the Department and other relevant regulatory agencies as required by the conditions of approval.

An acoustics advisor's monthly reports must:

- be concise
- report by exception
- focus on the key noise- and vibration-related environmental or compliance issues for the relevant reporting period
- include examples of good noise and vibration performance (if applicable)
- be separate and independent from any inspection report otherwise produced by the proponent, or those involved in the delivery or construction of the project
- contain a signed declaration as per the indicative report structure in Appendix A.

Appendix A of this protocol gives an example of how to structure a monthly report. The example shows the information the Department requires for each part of the monthly report. Acoustics advisors can use their own report template if it includes all the information specified in the example in **Appendix A**.

The format and content of the acoustics advisor's monthly report must be reviewed periodically as required by the Department. We recommend that the acoustics advisor include recent photographs and/or monitoring data that illustrates the performance of the project.

The acoustics advisor's monthly report will be published on the NSW Planning Portal and on the proponent's website.

3 Interfaces

This section lists the key interfaces for the role of an acoustics advisor, depending on the conditions of a project's approval.

3.1 The Department

To help the acoustics advisor perform their role effectively, the Department will:

- advise the acoustics advisor of key Department contacts for each project, to ensure the acoustics advisor has a clear line of communication
- notify the acoustics advisor how they should submit reports
- work with the acoustics advisor (and the environmental representative) to carry out joint site inspections, where feasible and desirable
- where considered appropriate, inform the acoustics advisor when the Department is investigating compliance
- work with the acoustics advisor on the resolution of noise- and vibration-related issues that the community identifies
- give the acoustics advisor feedback as appropriate on their performance in carrying out their responsibilities
- set up meetings between the acoustics advisor and the Department on a quarterly basis, or as required.

The acoustics advisor must maintain regular communication with the Department. This includes attending regular meetings between the proponent and the Department, and informal communication as issues arise.

3.2 The environmental representative

Proponents engage environmental representatives where stipulated by the conditions of approval. The acoustics advisor and environmental representative should carry out their work independently but collaboratively, and in a coordinated way to minimise duplication of effort and ensure appropriate coverage of relevant issues. The role of the environmental representative will be stipulated in the conditions of approval and as detailed in the Department's Environmental Representative Protocol.

The acoustics advisor can seek input from an environmental representative during a review of noise and vibration issues. environmental representatives are an integral part of the environmental oversight of a project. The objective of collaboration between the acoustics advisor and environmental representative should be to achieve the best outcomes for the environment and community.

4 Acoustics advisor requirements

This section lists the requirements for candidates for the role of an acoustics advisor, and advises on the process for review, approval and engagement of an acoustics advisor.

4.1 Skills, qualifications, and experience

To be considered suitable for approval by the Planning Secretary, an acoustics advisor must have:

- higher education qualifications (generally provided by universities, technical and further education institutes, and registered training organisations) in an acoustic-related discipline or equivalent field
- membership of relevant professional organisations (for example, the Australian Acoustical Society)
- relevant recent experience (within the last 10 years²) as a senior acoustics specialist, or in a senior regulatory role on a major infrastructure project, including a fieldwork and construction management component
- demonstrated site-based experience in construction noise and vibration environmental management and compliance
- excellent communication, report writing, negotiation and interpersonal skills
- proven understanding and application of NSW state and local legislation, relevant Australian Standards, NSW environmental regulatory requirements, and federal environmental legislation
- knowledge of implementing best practice for noise and vibration
- relevant experience in the development and implementation of noise and vibration impact assessment documentation.

For larger, more complex projects, the Department prefers that the proposed acoustics advisor has previous experience as an acoustics advisor in NSW; however, this is not mandatory.

² The amount of experience required will be proportional to the risk profile of the project.

4.2 Availability and capacity

An acoustics advisor must make all practical efforts to attend any site inspections or meetings as requested, or provide any reports to the Department as required. This includes activities out of normal business hours.

Although acoustics advisors can be appointed to more than one project at a time, they must have the capacity to carry out the acoustics advisor role as required for the duration of each project.

Depending on the scale and complexity of a project, there may be one or more alternative or additional acoustics advisors engaged. An alternative acoustics advisor may be needed for periods when the principal acoustics advisor is unavailable, and an additional acoustics advisor may be required for projects of large scale and complexity.

When nominating an acoustics advisor, the proponent should make note of any alternative or additional acoustics advisors (including their contact details) that may be used on a project. Alternative and additional acoustics advisors must also be approved by the Planning Secretary.

The proponent should make clear under what circumstances the alternative or additional acoustics advisors would be used, and the procedures that would be put in place to ensure the alternative or additional acoustics advisors are appropriately informed to take on the acoustics advisor role.

4.3 Independence

An acoustics advisor must not have been involved in preparing the:

- environmental impact statement
- submissions report
- preferred infrastructure report
- amendment report.

The acoustics advisor must be independent of the construction and design personnel for the project and those involved in delivery of it.

acoustics advisors must act in an independent manner. The acoustics advisor will need to complete a declaration of associations and interests and give it to the Department. This demonstrates the acoustics advisor's independence from the proponent in preparing the environmental impact statement, submissions report, preferred infrastructure report and amendment report, and the construction, design, and delivery of the project. The acoustics advisor should give this declaration to the Department, together with documentation from the proponent requesting approval from the Planning Secretary for a proposed acoustics advisor (refer to **Section 4.4** of this protocol).

Acoustics advisors must notify the Department as soon as possible of any change of associations or interests that may affect their ability to fulfil their role as an independent advisor. The Department may decide that an association or interest is a significant enough conflict that an acoustics advisor should withdraw from their role.

To ensure the role is performed independently of the proponent, the acoustics advisor must not:

- prepare project environmental documentation
- construct, alter, or maintain project noise and vibration controls or monitoring equipment
- respond directly to complainants, unless otherwise agreed with the proponent and the Department
- prepare or provide project training or inductions, although the advisor may review training and inductions to identify improvements
- carry out independent environmental audits, unless required by the conditions of approval or requested by the Department
- prepare environmental documentation for project modifications.

4.4 Approval and engagement

The proponent must put forward an acoustics advisor (and any alternative or additional acoustics advisors) to the Planning Secretary for approval, in line with the conditions of approval. The Department will review the nominated persons and, if satisfied, make a recommendation to the Planning Secretary to approve the acoustics advisor nominated for the project.

To be considered appropriate for approval, the proponent must give enough information to show the acoustics advisor:

- meets the skills, qualifications and experience requirements in this protocol
- was not involved in preparing the environmental impact statement, submissions report, preferred infrastructure report or amendment report
- is independent of the construction and design personnel for the project and those involved in delivery of it.

The Department will not approve the acoustics advisor if it is not satisfied that they meet these requirements.

The Department may issue an 'in-principle endorsement' of an acoustics advisor candidate. An in-principle endorsement means that a candidate is suitably qualified and experienced to perform the function of an acoustics advisor for a project, or class of projects. The in-principle endorsement does not approve a candidate to be, or perform work as, an official acoustics advisor on any project. To be

approved as an acoustics advisor on a particular project, a candidate with an 'in-principle endorsement' must still prove capacity and independence.

Acoustics advisors must be engaged before any works begin, as defined by the approval. They must be engaged until all relevant works are completed, as required by the conditions of approval.

If an acoustics advisor wishes to withdraw from their role, they must discuss this with the proponent and advise the Department of their intention in writing. The proponent is responsible for ensuring the role is filled, as required by the conditions of approval. The proponent must nominate the alternate acoustics advisor as the main one, or nominate a new acoustics advisor for the Department's approval.

5 Acoustics advisor performance

The Department may review the performance of the acoustics advisor against the requirements of the conditions of approval and this protocol at any time throughout the engagement. The acoustics advisor should seek regular feedback from the proponent and the Department about their performance in carrying out their responsibilities.

The Department may withdraw its approval of an acoustics advisor if it determines their performance is unsatisfactory. In this case, the proponent will be forced to terminate the acoustics advisors' contract.

The Department will consider the previous performance of an acoustics advisor for any future engagements.

Appendix A. Indicative monthly report structure

This section gives an example structure for an acoustics advisor's monthly report. It shows the information the Department requires for each part of the monthly report.

Acoustics advisors can use their own report template, but it must include all the information specified in the example structure.

Acoustics advisor monthly report – Month/Year

Project name (SSI-XXXX)

For period:	Month Year	Authorisation:	
Prepared by:	Name of acoustic advisor	Signature of	
Date of issue:	Day Month Year	acoustic advisor	

Document review

Document	Reviewed (Y/N)	Endorsed/Approved Date
Package (if relevant)		
Document name and details		

Inspections/site visits

Date & Time	Location/s	Details
		<i>Include acoustic advisor name. Document main findings of the inspection. List any actions needed to rectify issues and responsible parties. Note if this was a standard inspection or an out-of-hours one. Include relevant photographs in this section.</i>

Project performance

Noise and vibration issues, incidents, recommendations		
Date & Time	Location/s	Details
		<i>Include details of any issues detected during inspections. Incidents that occurred during the month. List any recommendations arising from inspections.</i>

Examples of good practices (if relevant)		
Date & Time	Location/s	Details
		<i>Remove this section if not relevant</i>

Current works

This section should include a description of the works done in the reporting period to provide context for the associated noise and vibration risks.

Give details of the activities carried out, locations of the works, the hours that the works were done and the contractor carrying out the works.

Make clear whether works have been done during standard hours or outside standard working hours. If out-of-hours works were carried out, this section should state:

- where the out-of-hours works were done
- when the out-of-hours works were done (evening, night, weekend)
- how long the out-of-hours works are proposed to continue (days/evenings/nights per week/month/year).

Upcoming works and discussion of risks

This section should include information about works proposed for the coming month (or further ahead if appropriate).

Include a discussion about what noise- and vibration-related risks there are for these works and what the acoustics advisor is doing or proposes to do to reduce them.

Complaints and consultation

Complaints and feedback

Provide a brief discussion of any noise- and vibration-related complaints or feedback received during the reporting period that are relevant to the role of the acoustics advisor. Include a brief description of each complaint that considers quantitative and qualitative issues.

Example

During February 2024, 27 complaints were received, of which 11 related to noise and vibration or consultation and notification. This is lower than for the previous month, where 16 complaints were received for January 2024, of which 7 related to noise and vibration or consultation and notification.

Location

Provide a discussion of the location of the complaints and the works being done at the time. For example:

- West Station: 4 complaints (3 from one resident)
- North Street: 4 complaints (3 from hotels on behalf of guests)
- South Suburb: 2 complaints, one each regarding trenching works.

Noise-management measures

The acoustics advisor should note whether all feasible and reasonable noise-management measures were carried out in line with the relevant approval documents.

This section should also give details of any improvements to works that were initiated by the acoustics advisor for the reporting period. Include a discussion as to whether these improvements should also be incorporated into any other out-of-hours works proposed.

This information can be shown in a table or written form.

Declaration

I certify that:

- this report has been prepared for the NSW Department of Planning, Housing and Infrastructure, in accordance with the Acoustics Advisor Protocol and is accurate at <<day//month//year>>
- the proponent has provided me with all the information I requested to allow me to prepare this report
- there are no matters that have impaired the objectivity of this report.