



COMPLAINT FORM
NOISE
Environmental Protection (Noise)
Regulations 1997
FORM 94

Date stamp

Part 1 Complainant Details

Complainant Name

Date of Incident

Address

Email

Fax

Phone

Mobile

Part 2 Details of Person(s) responsible for Noise Emission

Name (if known)

Business Name (if known)

Address

Email

Fax

Phone

Mobile

Part 3 Nature of Complaint (additional space provided overleaf if required)

Part 4 Signature of Complainant

I hereby declare that the information provided on this form is true and correct.

Signature of Applicant

Date

Name

Part 5 OFFICE USE ONLY Action Taken

Complainant Notified

Copy of Letter Attached

Date Letter Sent

Yes No

Yes No

Further comment

Signed by Environmental Health Officer

Officer No

Date

NOISE COMPLAINT *Information Sheet*

A significant number of noise complaints are received and investigated by Council officers each year. The complaints are most commonly related to loud music, machinery, building activities, industrial or commercial activities.

All complaints are dealt with confidentially, however complainants should be aware that in all cases a written complaint will be required prior to any action being taken.

Should a matter subsequently involve legal action, a written statement and/or court appearance by the complainant may be required. In all cases, the Council officer will endeavour to negotiate a solution to the situation without recourse to enforcement actions, however in some circumstances, the regulatory tools under the Protection of the Environment Act 1997 may be utilized.

In general, noise should not be created prior to 7.00am Monday to Saturday and not prior to 9.00am on Sundays or Public Holidays. Evening noise should be limited by 7.00pm Monday to Saturday with all unreasonable noise ceased by 10.00pm. These levels vary slightly depending on the zoning of the land.

A common factor that contributes to noise complaints is conflicting land uses. This may be the interface between rural and residential areas, or areas where dwellings are located near industry or commercial precincts. Managing noise complaints that result from land use conflicts is often time consuming and complex.

A critical step in formally assessing a noise emission is gathering of evidence and formal complaints. The complaint form (attached) once completed will assist staff in building a profile of the noise emission and level of exposure experienced.

There are some noise emissions that are specifically exempt from the Noise Regulations – These are;

- Noise from vehicles (engines and brakes) whilst on public roads.
- Noise from trains and aircraft
- Noise from safety warning devices – in situations where it is a written (law) requirement to have the safety warning device fitted.

These emissions are exempt as the emissions are either covered under other statutes (Road Traffic Act 1974) or are required for public safety (warning sirens on emergency service vehicles or buildings).

The Local Government (and DEC) has several options when considering enforcement action, from issuing Environmental Protection Notices through to Issuing Infringement Notices and Warnings. The enforcement action is largely driven by the nature and extent of the noise emission.

In some situations the Local Government, after investigating the noise emissions, may not be in a position to take enforcement action. In these circumstances an individual or group of people may initiate a legal case against the noise emitter. Council staff can offer advice on this process if necessary.

The attached Noise Complaint Form is provided to you to assist staff in gathering evidence. Your assistance in completing this form is appreciated. Please return the form in the envelope provided or you may choose to forward your concerns via email records@dardanup.wa.gov.au

If you have any queries or require assistance please do not hesitate to contact the Shires Environmental Health Section on 9724 0000.