

# Incident Report

09-Apr-13

**IncidentNo** 4250

**Activity Location:** 69 12 CHALLIS STREET

**Suburb:** DICKSON

**BlockNo**

**SectionNo**

## Complainant

[REDACTED]

### Address:

[REDACTED]

DICKSON

### Home Phone:

### Business Phone:

### Mobile:

[REDACTED]

## Action Officer

ROBIN BROWN

## Date Entered

17/01/2012 8:59:51 AM

Complaint received from CC.

PC from complainant 160112 15:30

Complainant confirmed details of complaint.

Complaint process was described to complainant and complainant was told that letter would be sent and to call back after 7 days if still affected at time of noise.

Letter sent

STEVE THOMAS

06/12/2012 1:25:29 PM

[REDACTED] contacted me to discuss [REDACTED] noise complaint regarding Bollywood. After checking the database, I noted that the complaint has laid dormant for many months. Emailed [REDACTED] and advised [REDACTED] of EPA policy.

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STEVE THOMAS

07/12/2012 9:13:56 AM

At 19.07 on Thursday 6/12/2012 [REDACTED] contacted me to discuss [REDACTED] noise issue. I explained that as there had been a gap (as indicated in an email sent earlier in the day) I would post a letter to the restaurant if [REDACTED] wished to make another formal complaint.

[REDACTED] wished to do this. I said I would post out a complaint letter the following day and if after a few days the noise continued then [REDACTED] could call up Canberra Co9nnect and register another complaint and EPA would investigate.

[REDACTED] was happy with this.

At 20.00 on 6/12/2012 [REDACTED] contacted Canberra Connect and registered a noise complaint (contrary to what [REDACTED] was advised). No action taken.

Posted complaint letter 7/12/2012.

STEVE THOMAS

11/12/2012 1:56:00 PM

[REDACTED] contacted the after hours switchboard at 22.01 on 8/12/2012 to complain about excessive noise from activities at the Bollywood restaurant [REDACTED] [REDACTED] said it happened every night.

I was in attendance at another call out but able to pone [REDACTED] to discuss. The noise had stopped when I called. NFA at this time.

STEVE THOMAS

13/12/2012 11:12:52 AM

[REDACTED] contacted the after hours switchboard at 20.06 on 10/12/2012 to complain about excessive noise from the Bollywood Restaurant. I contacted [REDACTED] and we discussed [REDACTED] complaint. [REDACTED] wanted a noise measurement done for compliance with the noise standard so I attended.

When I arrived I met with [REDACTED] who lead me to [REDACTED] unit. I met [REDACTED] and they both explained the noises in more detail. I explained the action that I could take if the noise was present. I explained that I needed to assess the noise over a 10 minute period. They said the noise was consistent over 10 minutes and often started between 9.30pm and 10.00pm and went on for over an hour at a time. The noise affects them when they try to sleep.

I explained that as the noise was at a constant time of day then if emailed a request to me I could seek approval to arrive at a set time and measure the noise as it occurred. [REDACTED] [REDACTED] said [REDACTED] would do this. I then left.

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STEVE THOMAS

13/12/2012 11:24:46 AM

██████████ emailed me a request to investigate the noise at 9.30pm on 11/12/2012. I sought and received approval room EP Manager to carry out the requested noise measurement.

I arrived at 9.00pm and set up the sound level meter on a tripod at 1.2 metres from the floor. I measured the calibrator while discussing the issue with both persons in the Unit. I saved the record and reset the meter.

I positioned the meter and tripod in the open area of the living space and waited for the noise to commence measuring. I was requested to place the equipment in the bedroom as this is where the occupants said they felt most affected and where they believed the noise was loudest.

After some time the noise was still not present but the outside traffic was the dominant noise. ██████████ asked if the measurement could taken in the bathroom with the door closed to eliminate the noise of the traffic. I relocated the sound level meter to the bathroom and closed the door. The air was hot and there was no air movement. However, when they indicated to me the noise was present I commenced measuring. I measured for a continuous 10 minute period and saved the record. The dominant noise during this measurement was a shower that was running upstairs. Occasionally the noises from moving furniture and washing dishes was audible and peaked at time louder than 30 dB(A). However, over the 10 minute period the L10 30.5 dB(A) was and the L90 was 25.2 dB(A). I saved the record and reset the meter. I measured the calibrator for one minute and saved the record.

The measured noise level indicated that this complaint was not validated. We discussed the outcome and options and ██████████ said he will FOI request the measurement in writing. I then left. NFA at this time.

STEVE THOMAS

13/12/2012 11:45:54 AM

At 11.00am on 13/12/2012 I received a phone call from ██████████ of the Body Corporate that handles issues within ██████████ apartment block. ██████████ explained that ██████████ had contacted ██████████ and he wanted to discuss with me what the regulations were. I explained that I had attended and assessed the noise that ██████████ had complained about.

I explained that I was not able to validate ██████████ complaint but the noise level of the noises from the restaurant was audible at times. I explained that if he visited ██████████ apartment then he could assess the noise himself. He said he would report back to the other executives of the Body Corporate. NFA at this time.

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ROHAN PEEK

20/12/2012 4:07:12 PM

On 17-12-12 at 22.35 I received an AH call regarding noise from the restaurant. I called [REDACTED] and advised we would attend. I contacted EPO Nilsen and asked him to attend. We arrived at 23.15 and spoke to [REDACTED] who advised the restaurant wouldn't be making any noise as they were finished for the night. I advised we could arrange with management to be on site to do a reading

AH reading approved by EPO Dix on 19-12-12 EPO Nilsen contacted [REDACTED] who said [REDACTED] would be out for the evening so there was no point.

TAKE BACK UP OFFICER

STEVE THOMAS

17/01/2013 1:57:59 PM

17/1/2013 I received a call from the Owner of Bollywood Restaurant who wanted to discuss noise complaints made about his restaurant. He said that his neighbour who lives above the restaurant has been approaching him and his staff regarding the noise. He does not believe there is a noise issue and wanted the noise measured. I explained this has been done and the reason he did not know about it was that the noise did not exceed the allowable and therefore there was not a valid complaint and hence no reason to speak to the Restaurant.

He wanted this in writing and I mentioned he could apply for FOI which he said he will. Emailed him link to FOI request.