

## EPA nuisance complaints data

Issued August 2015

*EPA 1076/15: This information sheet presents data analysis of environmental nuisance complaints received by the Environment Protection Authority between 2011–12 and 2013–14.*

### 1 Introduction

This information sheet provides analysis of nuisance complaints received by the Environment Protection Authority between 2011–12 and 2013–14. It contains detailed analysis of the types of nuisances that are most prevalent in the community, giving useful guidance as to where to focus legislative reform and provide improved mechanisms to manage these issues.

This information has been prepared to provide data on nuisance complaints. This data may be useful for anyone preparing a response to the EPA's request for submissions on the draft *Local Nuisance and Litter Control Bill 2015*. The aim of the draft bill is to reduce the prevalence of nuisance complaints through a greater understanding of nuisance, better consideration of nuisance in development assessment, and improved methods of resolution, and to lower the prevalence of litter across South Australia, particularly in tourist and shopping precincts. The draft Bill seeks to formalise the roles of State and local government in managing local minor nuisances, to establish consistency across the state in the way nuisance is managed and to provide the community with effective local management of nuisance complaints.

### 2 EPA nuisance complaints process

The EPA currently processes environmental nuisance complaints through a staged process.

- *Stage 1 response:* record the complainant's contact details, address and details of the alleged source, record these details in a letter template and write to both the complainant and the alleged source.
- *Stage 2 response:* If a further complaint is received another letter is sent to the alleged source and in most cases a complaint diary is sent to the complainant.
- *Stage 3 response:* If the matter has still not been resolved by the parties and further complaints are made, an authorised officer of the EPA will investigate the alleged source to assess the situation.

### 2 Stage 1 Responses

#### 2011–12 nuisance complaints data

The EPA recorded 638 Stage 1 responses in 2011–12. Of the 638 Stage 1 complaints, 23 (3.6 percent) progressed to a Stage 3 response.

There was a higher occurrence of complaints in metropolitan Councils than in regional Councils, with 549 complaints (86 percent) received for metropolitan and 89 complaints (14 percent) for regional. The complaints received came from

residents of 44 of the 68 Council areas across the state. Within these 44 councils, the number of complaints received from each Council area varied considerably. The spread of complaints across Council areas is depicted in Appendix 1.

As demonstrated in Figure 1, the majority of Stage 1 responses were for noise complaints. The total number of noise-related complaints was 420, which accounts for 65 percent of all received complaints. The majority of these noise complaints were related to construction, industrial and general noise. The high occurrence of noise complaints may be attributed to the fact that less than half of Councils surveyed manage noise complaints (other than dog barking) in their local area.

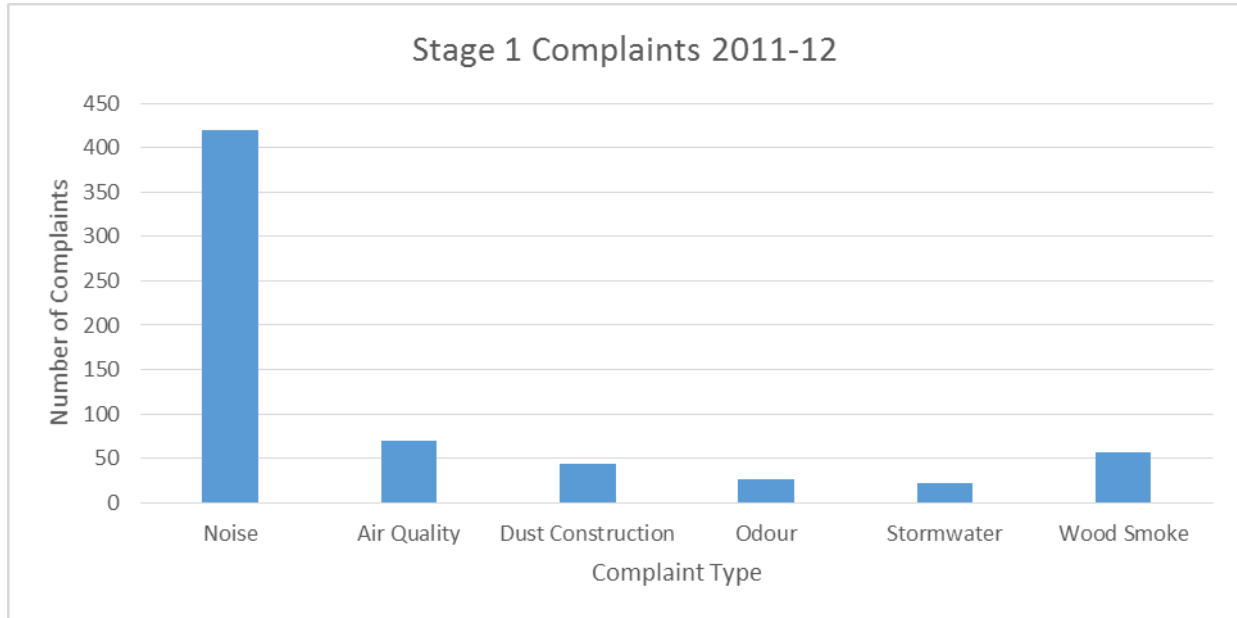


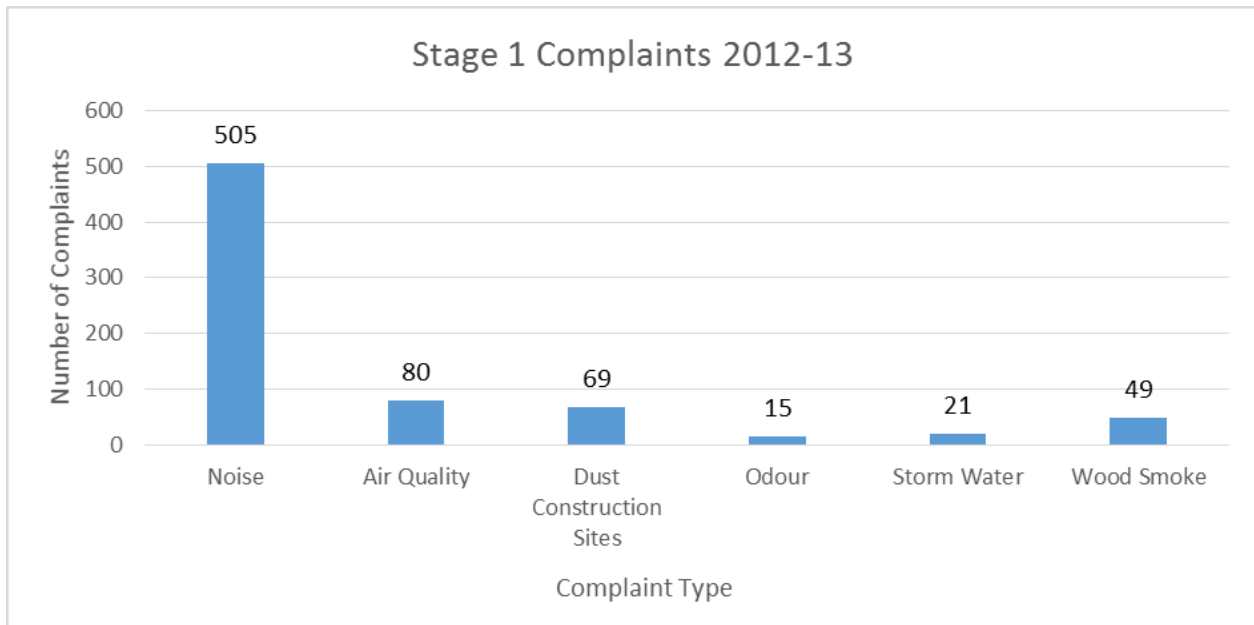
Figure 1 Stage 1 complaints for 2011–12

### 2012–13 nuisance complaints data

The EPA recorded 739 Stage 1 responses in 2012–13. Of the 739 Stage 1 incidents, 47 (6.3 percent) continued to a Stage 3 response. The 2012–13 financial year experienced a 15.8 percent increase in Stage 1 complaints compared with 2011–12 data.

There was, again, a higher occurrence of complaints in metropolitan Councils than in regional Councils, with 636 complaints received for metropolitan and 103 for regional. The complaints received came from residents of 45 of the 68 Council Areas across the state. Within these 45 Councils, the number of complaints received from each Council area varied considerably. The spread of complaints across Council areas is depicted in Appendix 2.

Like the 2011–12 period, the majority of Stage 1 responses were for noise complaints (see Figure 2). The total number of noise-related complaints was 505, which accounts for 68 percent of all complaints. The majority of these noise complaints were related to construction, industrial and general noise.



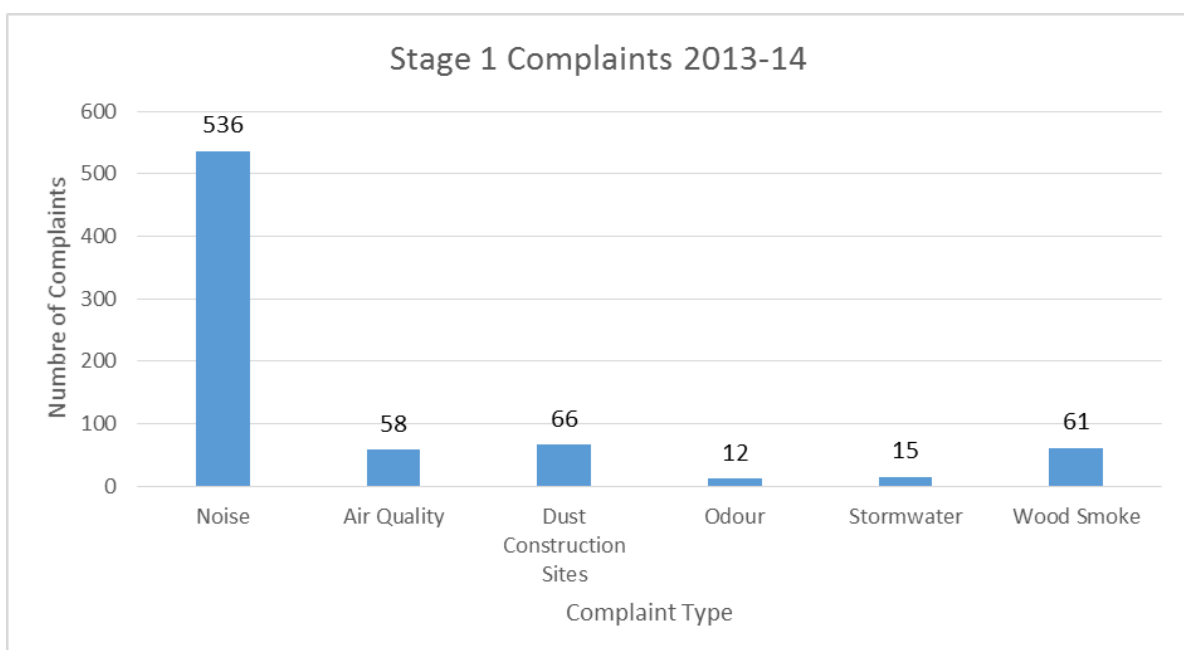
**Figure 2 Stage 1 complaints for 2012–13**

### 2013–14 nuisance complaints data

The EPA recorded 748 Stage 1 responses in 2013–14. Of the 748 Stage 1 incidents, 37 (5 percent) continued to a Stage 3 response. The 2013–14 financial year experienced a 17 percent increase in Stage 1 complaints compared with the 2011–12 financial year and a 1.2 percent increase compared with the 2012–13 financial year.

Like the two previous periods, there was a higher occurrence of complaints in metropolitan Councils than in regional Councils, with 658 complaints (88 percent) received for metropolitan and 90 (12 percent) for regional. The EPA received complaints from residents of 47 of the 68 Council Areas across the state. Within these 47 councils, the number of complaints received from each Council area varied considerably. The spread of complaints across Council areas is depicted in Appendix 3.

The majority of Stage 1 responses were for noise complaints (see Figure 3). The total number of noise-related complaints was 536, which accounts for 71% of all complaints. The majority of these noise complaints were related to construction, industrial and general noise (see Figure 5).

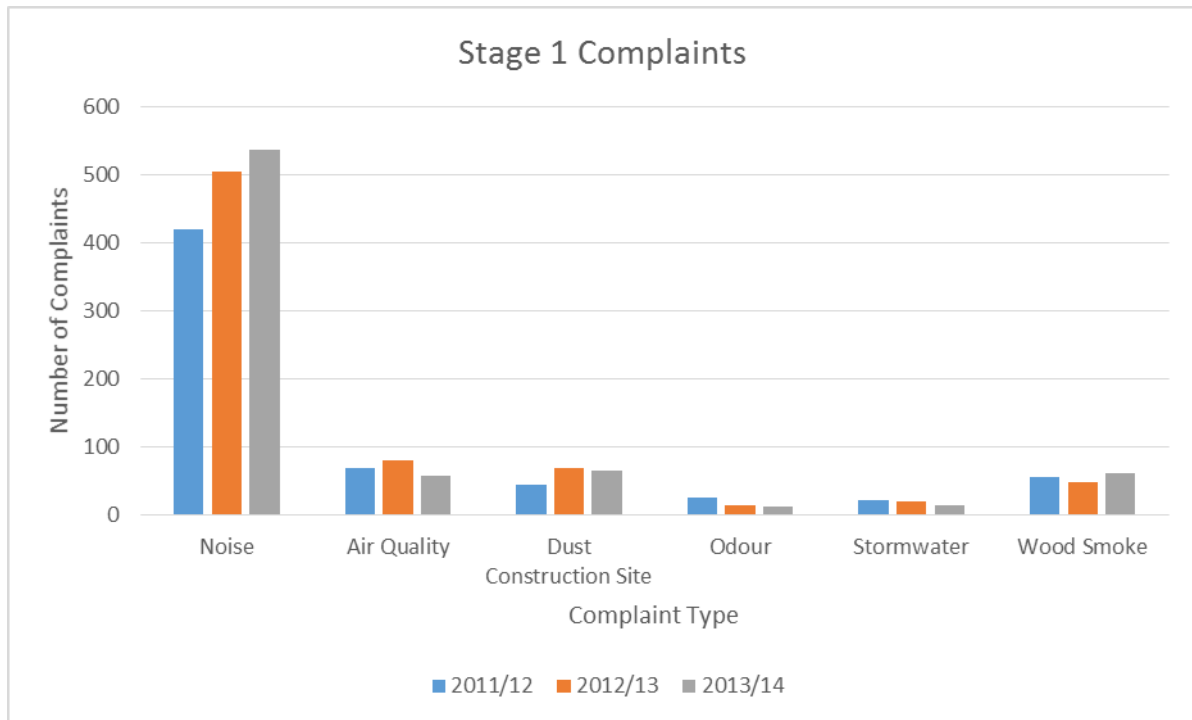


**Figure 3 Number of Stage 1 complaints for 2013–14**

## Discussion

Stage 1 noise complaints have increased over the past three years (see Figure 4). As demonstrated in Figure 5, construction noise received the most complaints over the three year period. The number of construction noise complaints received in 2013–14 increased by 55 percent from the 2011–12 financial year. This may be attributable to certain major projects occurring over that period.

General noise received the second highest number of total complaints over the three year period. However, the number of general noise complaints has decreased steadily since the 2011–12 financial year (see Figure 5). In contrast, power tools and industrial noise complaints have steadily increased each year. Air quality complaints decreased in the 2013–14 period, yet wood smoke complaints increased. Dust construction site complaints increased over the 2011–12 and 2012–13 period, then plateaued. Odour complaints have gradually decreased.



**Figure 4 Stage 1 complaints for 2011–12, 2012–13 and 2013–14**

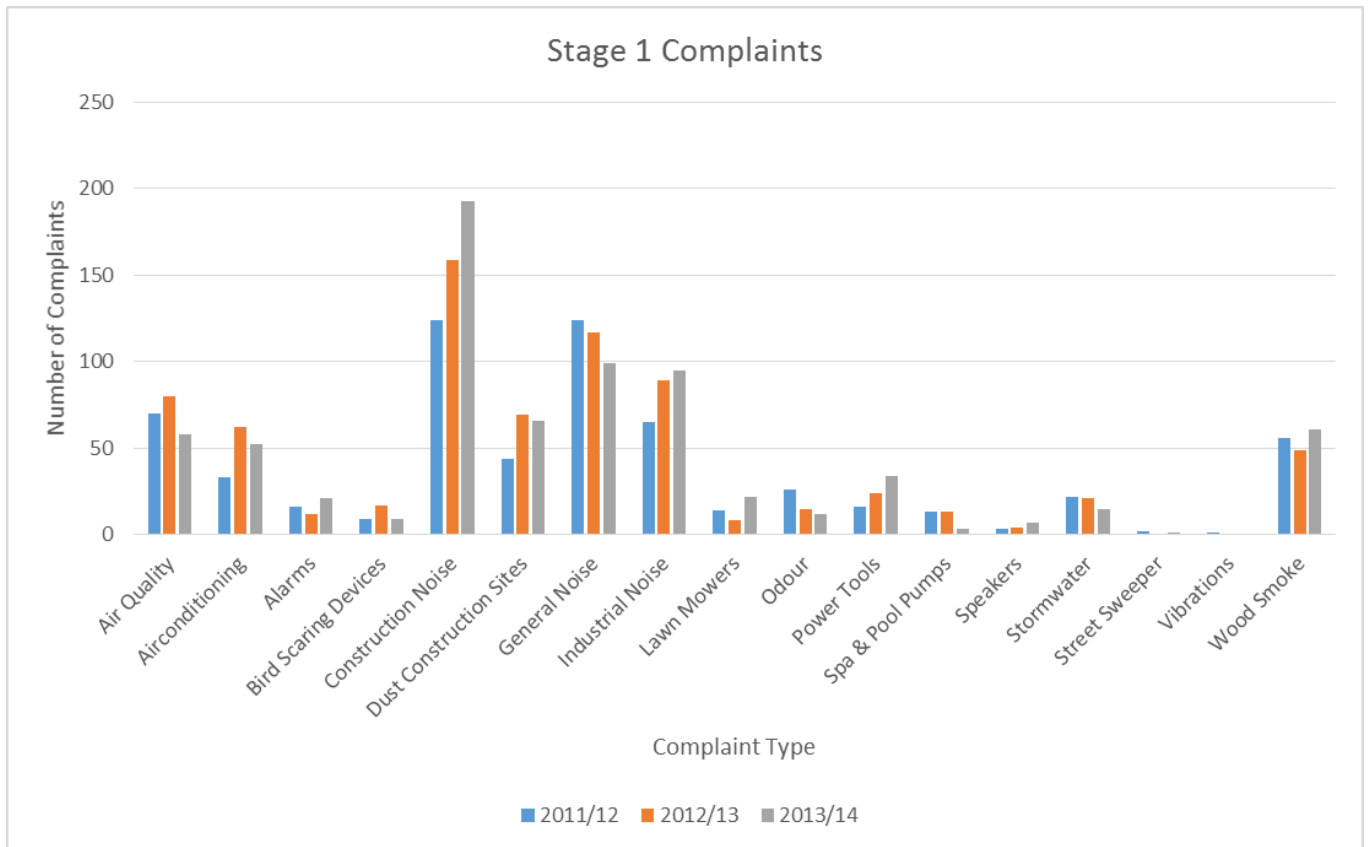


Figure 5 All Stage 1 complaints for 2011–12, 2012–13 and 2013–14

### 3 Stage 3 Responses

#### Transition from Stage 1 to Stage 3

As demonstrated in Figure 6, only a relatively low number of Stage 1 incidents progress to a Stage 3 level. Reasons for the low numbers include:

- parties were able to resolve their nuisance dispute
- offender stopped creating the relevant nuisance (ie the completion of construction works)
- offender took steps to mitigate nuisance activity
- complainant sought help elsewhere (ie local Council, mediation, legal recourse)
- complainant decided to tolerate the nuisance

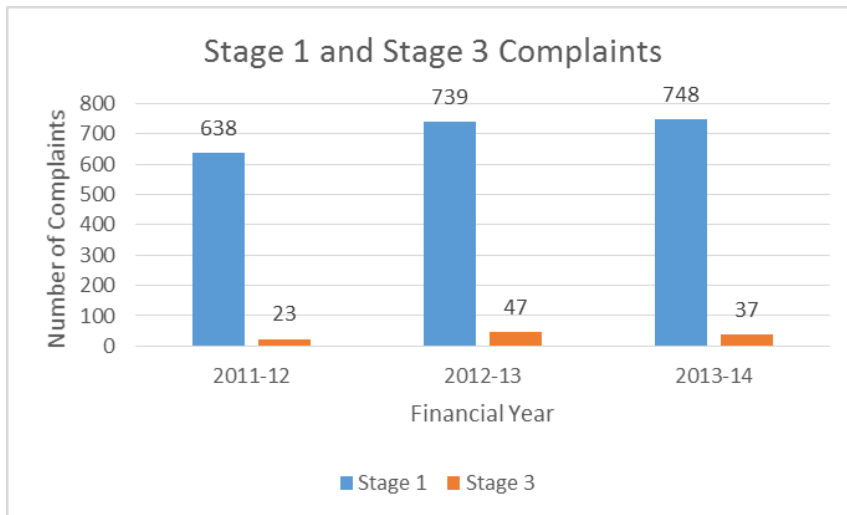


Figure 6 Stage 1 and Stage 3 complaints for 2011–12, 2012–13 and 2013–14

### 2011–12 nuisance complaints data

From the 638 Stage 1 incidents, only 23 (3.6 percent) progressed to a Stage 3 response. The 23 Stage 3 responses occurred over 13 Council areas and the majority were within metropolitan Councils, at a rate of 87 percent. The majority (76 percent) of Stage 3 responses were noise complaints. Air conditioning received six Stage 3 complaints and industrial noise closely followed with five complaints (see figure 7).

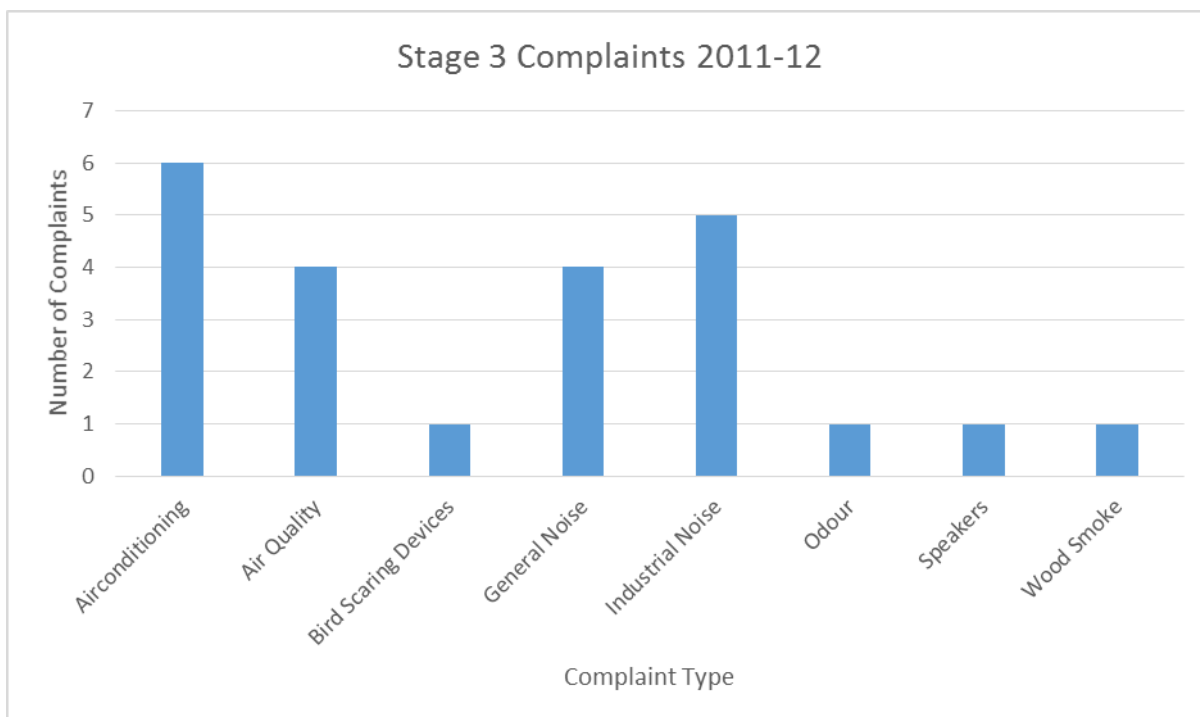


Figure 7 Stage 3 complaints for 2011–12

### 2012–13 nuisance complaints data

From the 739 Stage 1 incidents, 47 (6.3 percent) progressed to a Stage 3 response. The 2012–13 financial year experienced a 15.8 percent increase in Stage 1 complaints compared with 2011–12 data.

The 47 Stage 3 responses occurred over 18 Council areas, and the majority were within metropolitan Councils, at a rate of with 96%. The majority (76%) of Stage 3 responses were noise complaints, with industrial noise receiving 16 complaints, followed by air conditioning receiving eight complaints (see Figure 8).

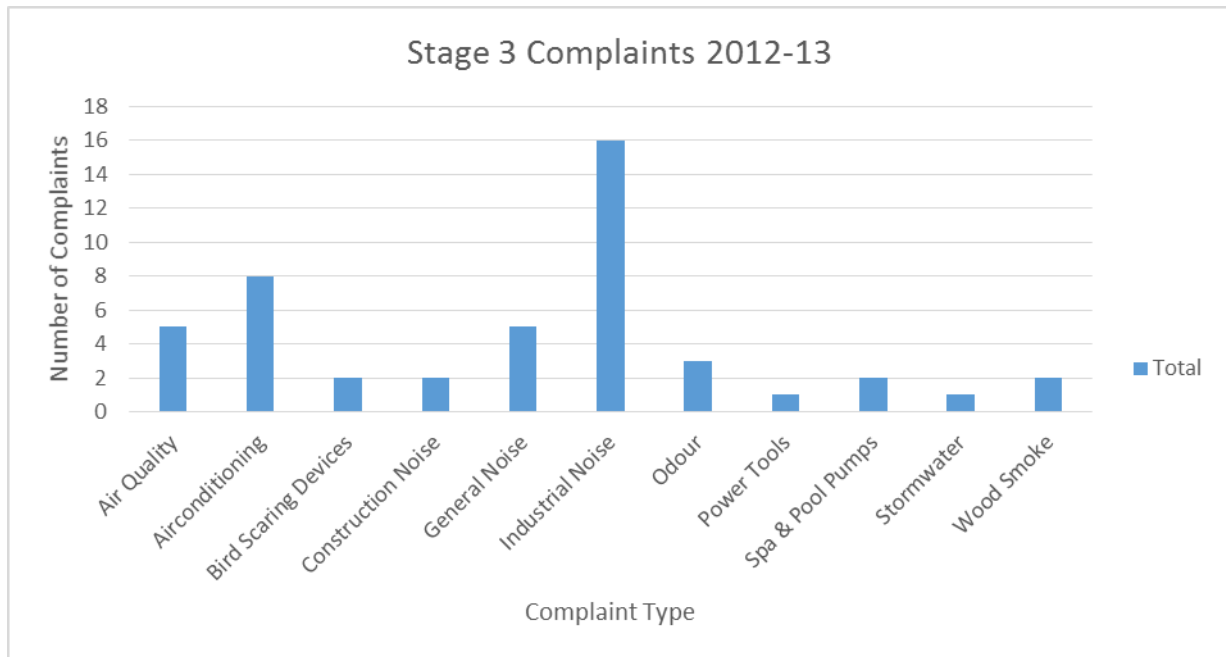


Figure 8 Stage 3 complaints for 2012–13

### 2013–14 nuisance complaints data

From the 748 Stage 1 incidents, 37 (5 percent) continued to a Stage 3 response. The 2013–14 financial year experienced a 61 percent increase in Stage 3 complaints compared with the 2011–12 financial year, and a 21 percent decrease compared with the 2012–13 financial year.

The 37 Stage 3 responses occurred over 21 Council areas and the majority were within metropolitan Councils, at a rate of 74 percent. The majority (81 percent) of Stage 3 responses were noise complaints, with industrial noise receiving 14 complaints, followed by 12 air conditioning complaints (see figure 9).

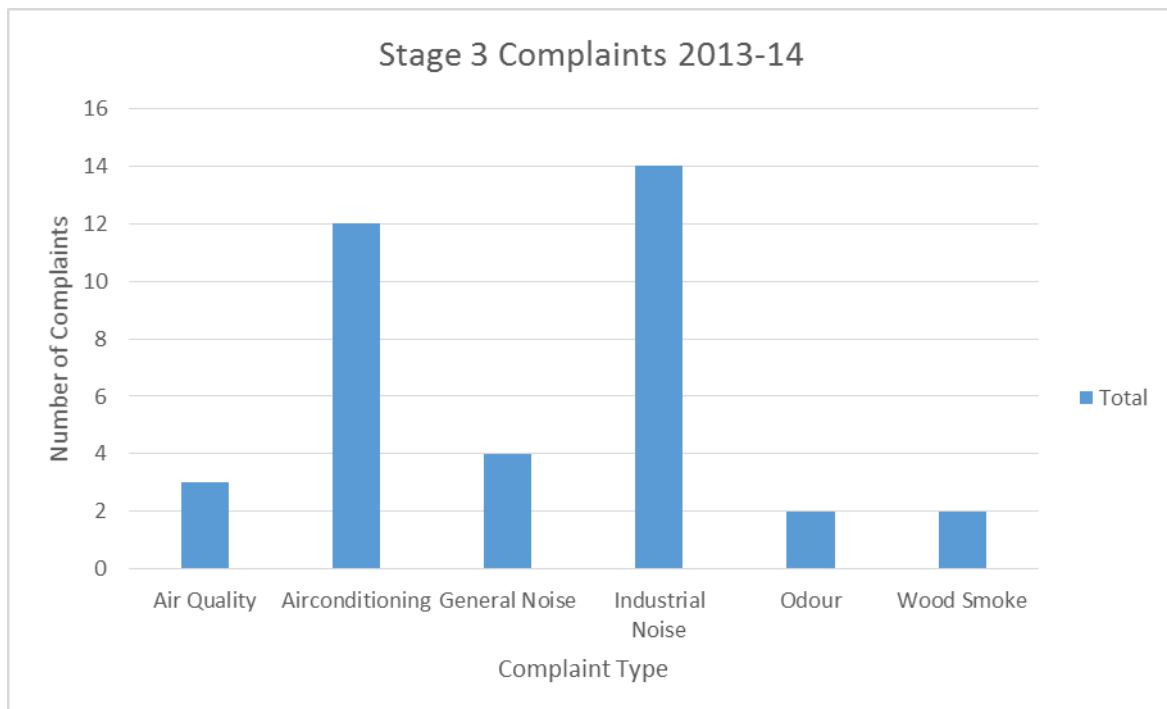


Figure 9 Stage 3 Complaints for 2013–14

## Discussion

Noise complaints formed the majority of all Stage 3 complaints over the three year period (see Figure 10). In the 2012–13 and 2013–14 financial years, the industrial noise received the most Stage 3 complaints (see Figure 11). Industrial noise complaints spiked in 2012–13 when 16 complaints were received, compared to 5 in the previous year. As depicted in Figure 11, air conditioning complaints have steadily risen each year, as have bird scaring device complaints and wood smoke complaints. Interestingly, despite construction noise receiving the most Stage 1 complaints over the three year period, only two complaints (1.8 percent) progressed to a Stage 3 response.

In the 2011–12 financial year, air quality saw the highest percentage of Stage 1 complaints progress to a Stage 3 response. Of the 70 Stage 1 air quality complaints, four progressed to stage 3, equating to 5.7 percent. The noise category which encompasses air conditioning, industrial noise, general noise, construction noise, bird-scaring devices, alarms, lawn mowers, power tools and speakers received 420 complaints, yet only 17 progressed to a Stage 3 response (four percent).

In the 2012–13 financial year, the collective noise category saw the highest percentage of Stage 1 complaints progress to Stage 3. Of the 505 Stage 1 complaints, 36 progressed to a Stage 3 (7 percent). Air quality received 80 Stage 1 complaints, of which, five progressed to Stage 3 (6.2 percent).

In the 2013–14 financial year, odour saw the highest percentage of Stage 1 complaints progress to the Stage 3 level. Of the 12 Stage 1 complaints, two progressed to Stage 3 (16 percent). The collective noise category received 536 Stage 1 complaints, of which, 30 progressed to Stage 3 (5.5 percent).

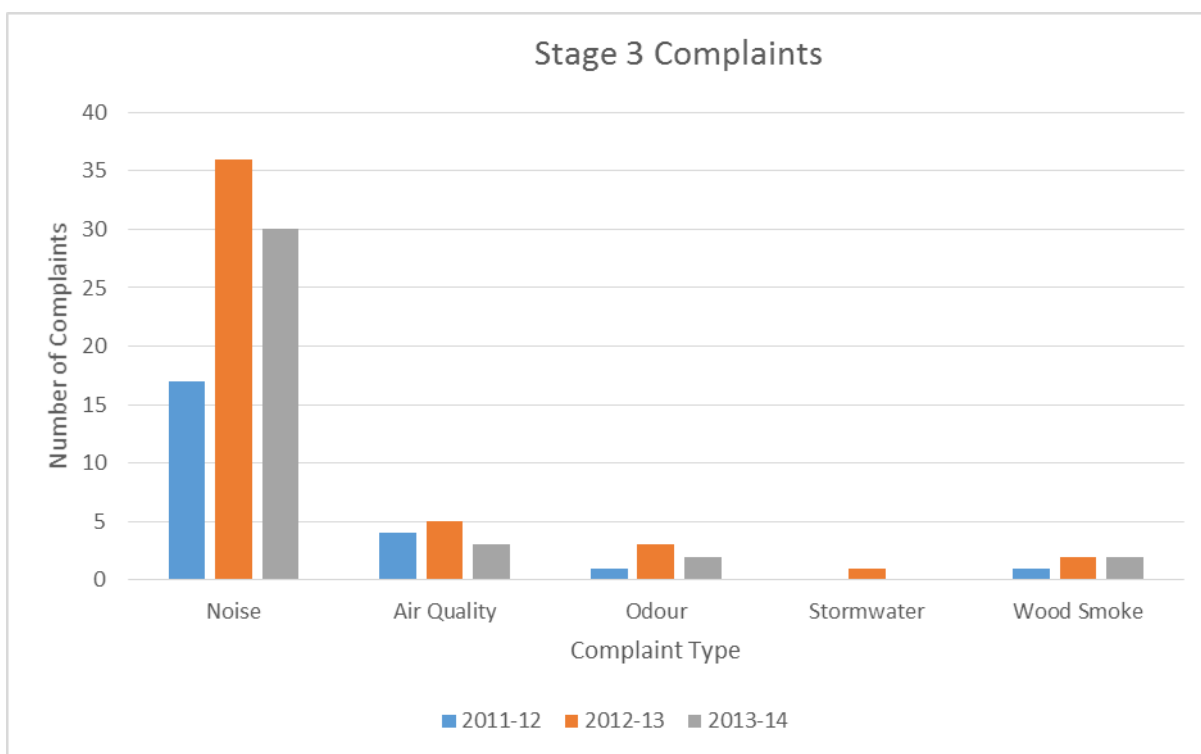


Figure 10 Stage 3 complaints for 2011–12, 2012–13 and 2013–14



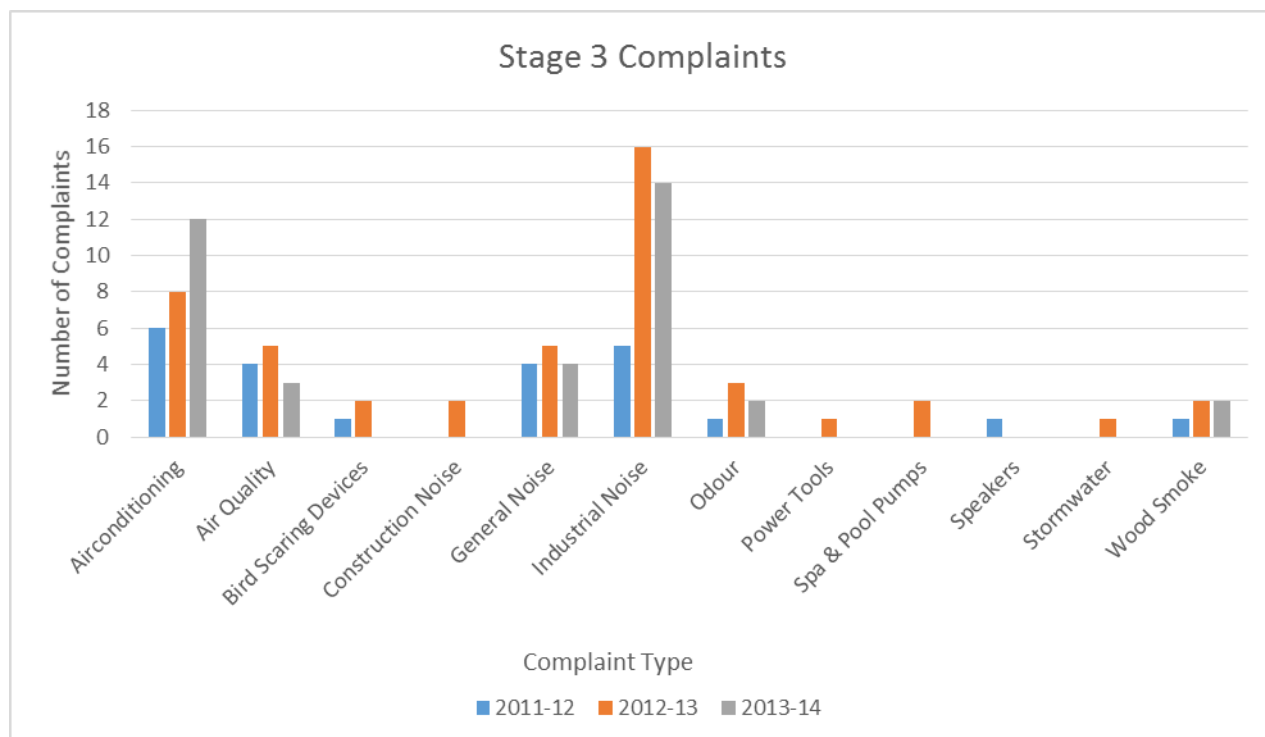


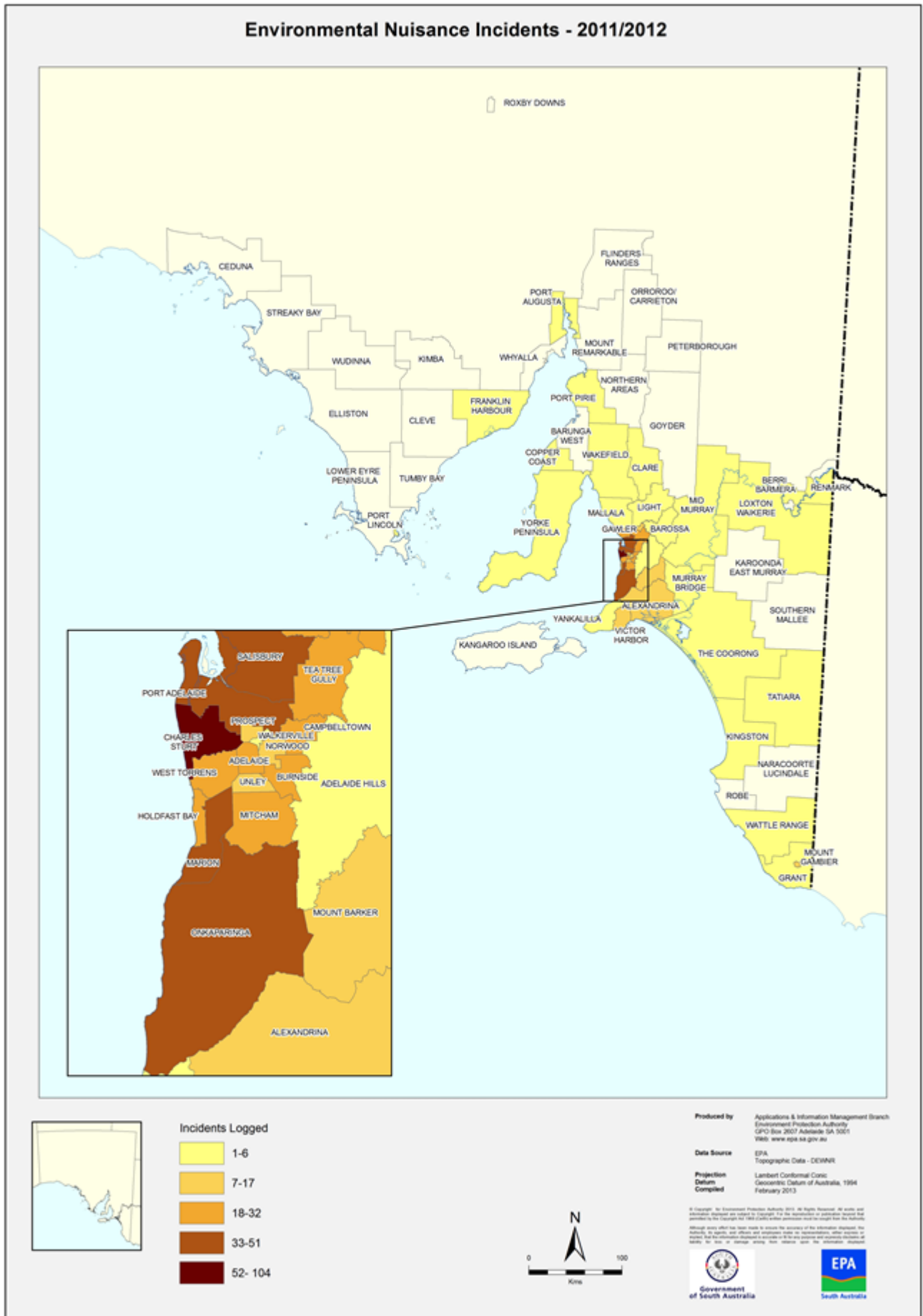
Figure 11 Stage 3 complaints for 2011–12, 2012–13 and 2013–14

## Summary

The number of Council areas represented has slightly increased each year. The highest number of complaints recorded for one Council area is 112, which took place in 2012–13. The average number of complaints per Council (of those represented) reached its peak in 2012–13 (16.8 complaints), which then decreased in 2013–14 (15.9 complaints). The average number of complaints per Council (counting all Councils) has steadily increased from 9.4 in 2011–12, to 10.9 in 2012–13, to 11 in 2013–14.

EPA nuisance complaints analysis	2011–12	2012–13	2013–14	Avg
Stage 1 complaints (total complaints received)	638	739	748	708
• Metropolitan area	549 (86%)	636 (86%)	658 (88%)	614 (87%)
• Non-metropolitan areas	89 (14%)	103 (14%)	90 (12%)	94 (13%)
Stage 3 escalations (those needing physical investigation)	23 (3.6%)	47 (6.4%)	37 (4.9%)	37 (5.2%)
Number of council areas where complaints are received	44	45	47	–
Highest number of complaints in an individual council area	105	112	83	–
Average complaints per council (those represented)	14.5	16.8	15.9	15.7
Average complaints per council (all councils)	9.4	10.9	11	10.4
Median complaints received by a council (those represented)	5	6	6	–
Median complaints received by a council (all councils)	2	1.5	2	–

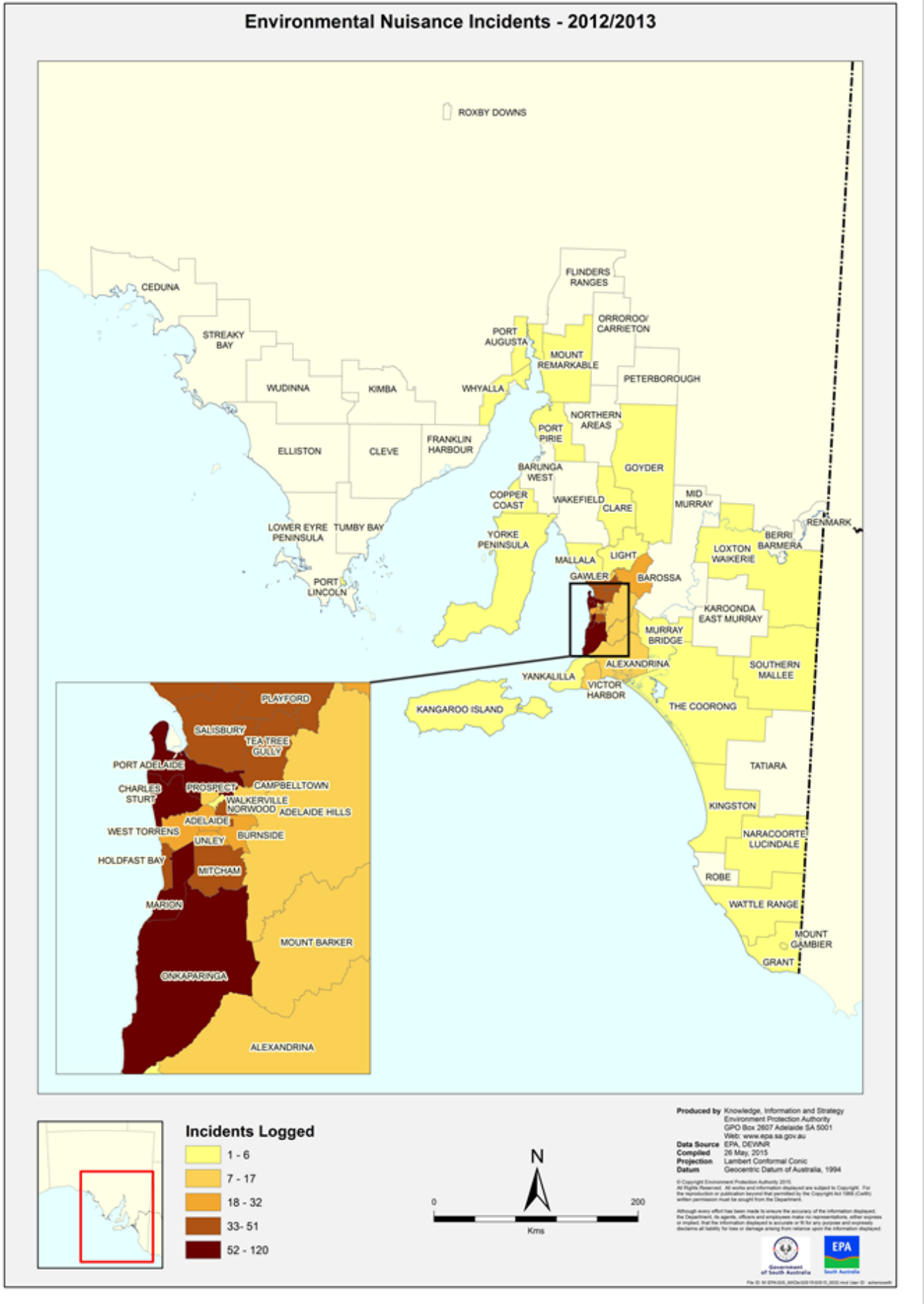
# Appendix 1 2011-12 complaints data spatial distribution



**Environmental Nuisance Incidents - 2011/2012  
Stage 1 (Stage 3)**

ADELAIDE HILLS, 5 (0)	MURRAY BRIDGE, 2 (1)
ADELAIDE, 20 (1)	NARACOORTE LUCINDALE, 0 (0)
ALEXANDRINA, 11 (0)	NORTHERN AREAS, 0 (0)
BAROSSA, 4(0)	NORWOOD PAYNEHAM AND ST PETERS, 17 (0)
BARUNGA WEST, 0 (0)	ONKAPARINGA, 51 (5)
BERRI BARMERA, 3 (0)	ORROROO/CARRIETON, 0 (0)
BURNSIDE, 24 (0)	PETERBOROUGH, 0 (0)
CAMPBELLTOWN, 25 (0)	PLAYFORD, 29 (0)
CEDUNA, 0 (0)	PORT ADELAIDE ENFIELD, 47 (2)
CHARLES STURT, 104 (1)	PORT AUGUSTA, 1 (0)
CLARE AND GILBERT VALLEYS, 2 (0)	PORT LINCOLN, 1 (0)
CLEVE, 0 (0)	PORT PIRIE, 1 (0)
COOBER PEDY, 0 (0)	PROSPECT, 11 (0)
COPPER COAST, 1 (0)	RENMARK PARINGA, 2 (0)
ELLISTON, 0 (0)	ROBE, 0 (0)
FLINDERS RANGES, 0 (0)	ROXBY DOWNS, 0 (0)
FRANKLIN HARBOUR, 1 (0)	SALISBURY, 47 (1)
GAWLER, 8 (0)	SOUTHERN MALLEE, 0 (0)
GOYDER, 0 (0)	STREAKY BAY, 0 (0)
GRANT, 1 (0)	TATIARA, 1 (1)
HOLDFAST BAY, 24 (1)	TEA TREE GULLY, 32 (0)
KANGAROO ISLAND, 0 (0)	THE COORONG, 2 (0)
KAROONDA EAST MURRAY, 0 (0)	TUMBY BAY, 0 (0)
KIMBA, 0 (0)	UIA RIVERLAND, 0 (0)
KINGSTON, 2 (1)	UIA WHYALLA, 0 (0)
LIGHT, 3 (0)	UNLEY, 14 (3)
LOWER EYRE PENINSULA, 0 (0)	VICTOR HARBOR, 10 (0)
LOXTON WAIKERIE, 3 (0)	WAKEFIELD, 2 (0)
MALLALA, 2 (0)	WALKERVILLE, 6 (0)
MARION, 37 (4)	WATTLE RANGE, 1 (0)
MID MURRAY, 2 (0)	WEST TORRENS, 27 (1)
MITCHAM, 21 (1)	WHYALLA, 0 (0)
MOUNT BARKER, 16 (0)	WUDINNA, 0 (0)
MOUNT GAMBIER, 11 (0)	YANKALILLA, 1 (0)
MOUNT REMARKABLE, 0 (0)	YORKE PENINSULA, 3 (0)

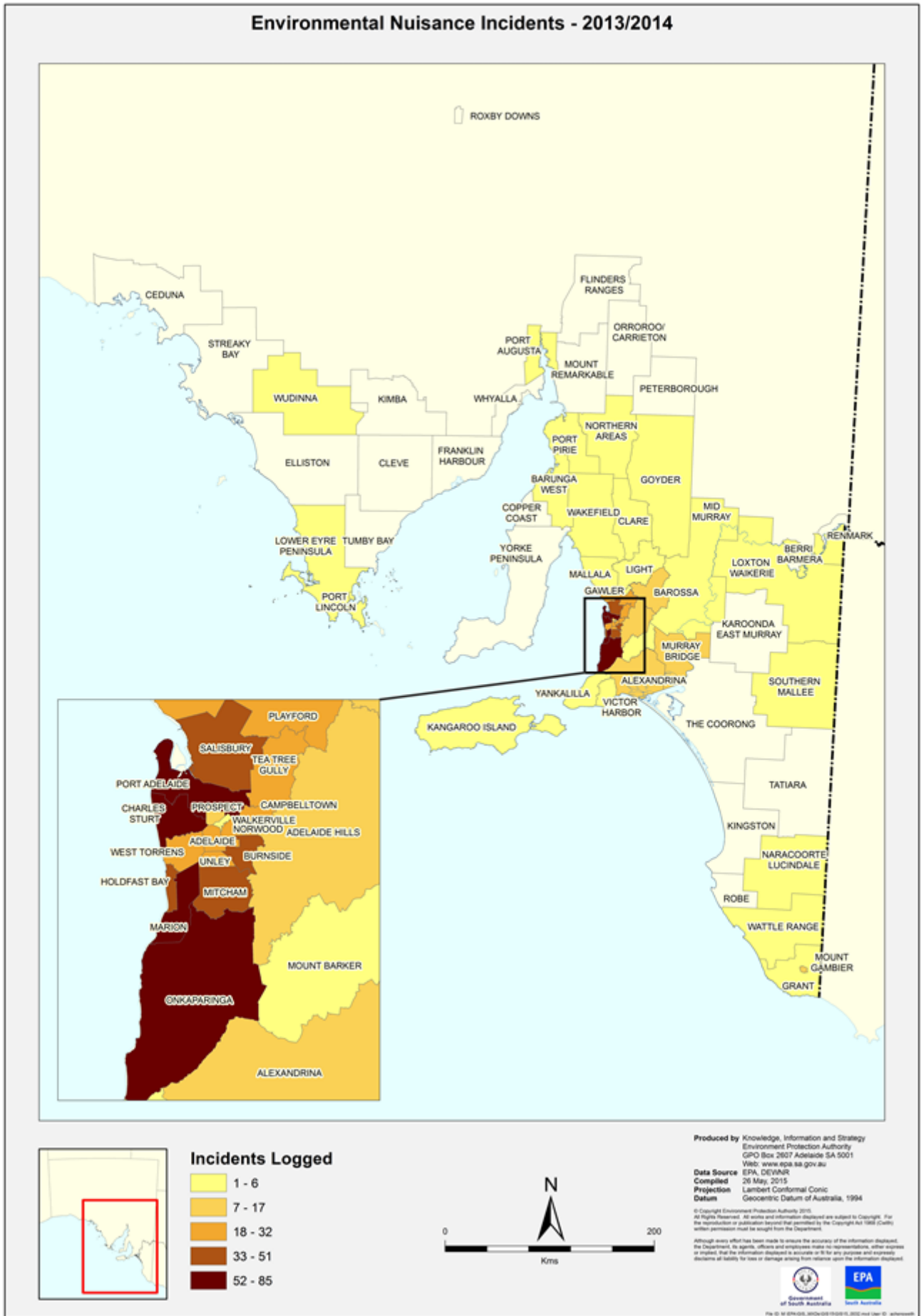
## Appendix 2 2012–13 complaints data spatial distribution



## Environmental Nuisance Incidents - 2012/2013 Stage 1 (Stage 3)

ADELAIDE HILLS, 8 (0)	MURRAY BRIDGE, 5 (0)
ADELAIDE, 24 (1)	NARACOORTE LUCINDALE, 2 (0)
ALEXANDRINA, 14 (1)	NORTHERN AREAS, 0 (0)
BAROSSA, 18 (0)	NORWOOD PAYNEHAM AND ST PETERS, 33 (2)
BARUNGA WEST, 0 (0)	ONKAPARINGA, 60 (2)
BERRI BARMERA, 0 (0)	ORROROO/CARRIETON, 0 (0)
BURNSIDE, 26 (1)	PETERBOROUGH, 0 (0)
CAMPBELLTOWN, 13 (0)	PLAYFORD, 32 (3)
CEDUNA, 0 (0)	PORT ADELAIDE ENFIELD, 65 (4)
CHARLES STURT, 112 (8)	PORT AUGUSTA, 1 (0)
CLARE AND GILBERT VALLEYS, 4 (0)	PORT LINCOLN, 1 (0)
CLEVE, 0 (0)	PORT PIRIE, 4 (1)
COOBER PEDY, 0 (0)	PROSPECT, 17 (0)
COPPER COAST, 1 (0)	REMARK PARINGA, 0 (0)
ELLISTON, 0 (0)	ROBE, 0 (0)
FLINDERS RANGES, 0 (0)	ROXBY DOWNS, 0 (0)
FRANKLIN HARBOUR, 0 (0)	SALISBURY, 37 (3)
GAWLER, 7 (1)	SOUTHERN MALLEE, 1 (0)
GOYDER, 2 (0)	STREAKY BAY, 0 (0)
GRANT, 1 (0)	TATIARA, 0 (0)
HOLDFAST BAY, 35 (2)	TEA TREE GULLY, 35 (3)
KANGAROO ISLAND, 1 (0)	THE COORONG, 2 (0)
KAROONDA EAST MURRAY, 0 (0)	TUMBY BAY, 0 (0)
KIMBA, 0 (0)	UIA RIVERLAND, 0 (0)
KINGSTON, 1 (0)	UIA WHYALLA, 0 (0)
LIGHT, 4 (0)	UNLEY, 23 (3)
LOWER EYRE PENINSULA, 0 (0)	VICTOR HARBOR, 11 (0)
LOXTON WAIKERIE, 1 (0)	WAKEFIELD, 0 (0)
MALLALA, 2 (0)	WALKERVILLE, 2 (0)
MARION, 52 (5)	WATTLE RANGE, 1 (0)
MID MURRAY, 0 (0)	WEST TORRENS, 21 (3)
MITCHAM, 34 (3)	WHYALLA, 2 (0)
MOUNT BARKER, 16 (0)	WUDINNA, 0 (0)
MOUNT GAMBIER, 5 (0)	YANKALILLA, 2 (0)
MOUNT REMARKABLE, 1 (0)	YORKE PENINSULA, 0 (1)

### Appendix 3 2013-14 complaints data spatial distribution





## Environmental Nuisance Incidents - 2013/2014 Stage 1 (Stage 3)

ADELAIDE HILLS, 13 (0)	MURRAY BRIDGE, 11 (0)
ADELAIDE, 21 (2)	NARACOORTE LUCINDALE, 2 (0)
ALEXANDRINA, 7 (1)	NORTHERN AREAS, 1 (0)
BAROSSA, 7 (0)	NORWOOD PAYNEHAM AND ST PETERS, 25 (0)
BARUNGA WEST, 2 (0)	ONKAPARINGA, 78 (3)
BERRI BARMERA, 1 (0)	ORROROO/CARRIETON, 0 (0)
BURNSIDE, 44 (3)	PETERBOROUGH, 0 (0)
CAMPBELLTOWN, 22 (2)	PLAYFORD, 31 (1)
CEDUNA, 0 (0)	PORT ADELAIDE ENFIELD, 75 (3)
CHARLES STURT, 83 (2)	PORT AUGUSTA, 1 (0)
CLARE AND GILBERT VALLEYS, 4 (1)	PORT LINCOLN, 5 (1)
CLEVE, 0 (0)	PORT PIRIE, 2 (1)
COOBER PEDY, 0 (0)	PROSPECT, 13 (1)
COPPER COAST, 0 (0)	REMARK PARINGA, 2 (1)
ELLISTON, 0 (0)	ROBE, 0 (0)
FLINDERS RANGES, 0 (0)	ROXBY DOWNS, 0 (0)
FRANKLIN HARBOUR, 0 (0)	SALISBURY, 47 (1)
GAWLER, 2 (0)	SOUTHERN MALLEE, 1 (0)
GOYDER, 3 (1)	STREAKY BAY, 0 (0)
GRANT, 3 (0)	TATIARA, 0 (0)
HOLDFAST BAY, 34 (3)	TEA TREE GULLY, 25 (1)
KANGAROO ISLAND, 1 (0)	THE COORONG, 0 (0)
KAROONDA EAST MURRAY, 0 (0)	TUMBY BAY, 0 (0)
KIMBA, 0 (0)	UIA RIVERLAND, 0 (0)
KINGSTON, 0 (0)	UIA WHYALLA, 0 (0)
LIGHT, 2 (0)	UNLEY, 21 (3)
LOWER EYRE PENINSULA, 2 (0)	VICTOR HARBOR, 6 (0)
LOXTON WAIKERIE, 1 (0)	WAKEFIELD, 2 (0)
MALLALA, 2 (0)	WALKERVILLE, 6 (0)
MARION, 61 (2)	WATTLE RANGE, 1 (0)
MID MURRAY, 1 (0)	WEST TORRENS, 23 (3)
MITCHAM, 34 (1)	WHYALLA, 0 (0)
MOUNT BARKER, 6 (0)	WUDINNA, 1 (0)
MOUNT GAMBIER, 12 (0)	YANKALILLA, 1 (0)
MOUNT REMARKABLE, 0 (0)	YORKE PENINSULA, 0 (0)

## Further information

### Legislation

[Online legislation](#) is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet  
Adelaide Service SA Centre  
108 North Terrace  
Adelaide SA 5000

Telephone: 13 23 24  
Facsimile: (08) 8204 1909  
Website: <[shop.service.sa.gov.au](http://shop.service.sa.gov.au)>  
Email: <[ServiceSAcustomerservice@sa.gov.au](mailto:ServiceSAcustomerservice@sa.gov.au)>

### General information

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Adelaide SA 5001

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