

Section 267B Protection of the Environment Operations Act 1997

# Notice requiring payment of reasonable costs and expenses – noise control notice

«AcctPartyName»  
«AcctPartyTradingName»  
«AcctPartyACN»  
«PostalAddressStreet»  
«PostalAddressSuburb» «PostalAddressState» «PostalAddressPostcode»

Attention: <insert contact name>

Notice Number «NoticeNumber»

File Number "FileNumber"

Date «NoticeIssueDate»

## Notice requiring payment of reasonable costs and expenses – noise control notice

### Why is the <insert regulatory authority name> writing to you?

The <insert authority name> issued noise control notice «LinkedNoticeNo» (the **noise control notice**) to you on «LinkedNoticeIssuedDate» and has incurred costs and expenses in connection with <monitoring/compliance/other associated matters [delete as appropriate]>. The <insert authority name> is requiring repayment of the reasonable costs and expenses in accordance with s 267B of the *Protection of the Environment Operations Act 1997* (the POEO Act).

### What are you required to do?

Please read this notice carefully and make payment to the <insert authority name> by the date required. If you have any queries about this matter, please contact <insert contact name> on <insert contact number>.

### Background

1. The <insert relevant authority> has responsibility for enforcement of the POEO Act.
2. Section 267B of the POEO Act enables the <insert relevant authority>, where it has issued a noise control notice under s 264 to a person, to require that person to pay all or any reasonable costs associated with <monitoring action under the notice/ensuring compliance with the notice/other associated matters – delete as appropriate >.
3. «AcctPartyName» was the <occupier of the premises / person who carries on or proposes to carry on an activity at the premises / person who uses or operates/proposes to use or operate an article at any premises – delete as appropriate> at the time that the noise was emitted.

- 4. The <insert authority name> issued a clean-up notice to «AcctPartyName» on «LinkedNoticeIssuedDate» in relation to <insert address>.
- 5. The <insert authority name> undertook the following <monitoring actions / compliance action / associated action – delete as appropriate >:
  - a. <list monitoring/compliance/associated action>
  - b. <list monitoring/compliance/associated action>
  - c. <list monitoring/compliance/associated action>.
- 6. The <insert authority name> has incurred the following costs and expenses:

Quantity	Description	Unit Price (inc. GST)	Total (inc. GST)
		\$	\$
		\$	\$
<b>Total (inc. GST)</b>			\$

### Requirement to pay reasonable costs and expenses

The <insert authority name> requires «AcctPartyName» («AcctPartyACN») to:

- 7. Pay the following costs and expenses incurred by the <insert authority name>, which the <insert authority name> considers to be reasonable in the circumstances:  
\$<total amount inc. GST if applicable> in connection with the <monitoring/compliance/associated [delete as appropriate]> actions carried out by the <insert authority name> by <insert date – specify an exact day/month/year, at least 14 days from date of notice; can be longer for larger payments>.
- 8. Make payment to the <insert authority name> by either [include as appropriate]:
  - a. sending a cheque for the total amount to:  
<insert authority name>  
<insert authority postal address>  
OR
  - b. depositing the total amount into the following bank account:  
Account name:  
BSB:  
Account No:  
OR
  - c. [specify alternative means of payment].

.....  
<NoticelssuingOfficer>  
<NoticelssuingOfficerTitle>  
<NoticelssuingOfficerSection>  
(by Delegation)

## Information about this notice

This notice is issued under section 267B of the *Protection of the Environment Operations Act 1997*.

### What you can do if you are not the polluter

If you comply with this compliance cost notice but you are not the person who caused the noise to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the noise.

### Non-compliance with this notice

If you do not pay the costs and expenses set out in this notice by the due date specified in the notice, the <insert authority name> will consider taking legal action to recover the amount owing.

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