



Request for exemption - Out of hours construction works

Please read before completing this application

This form is a request for exemption from Section 18 of the *Local Nuisance and Litter Control Act 2016* - out of hours construction works.

It is an offence to carry on an activity (intentionally, recklessly or otherwise) that results in local nuisance.

This form applies to construction activity* proposed to be carried out:

- on Sunday or any public holiday
- After 7pm or before 7am on any other day

For construction activity that is to take place over a period **not exceeding 24 hours** – an application needs to be submitted to council at least **2 weeks prior** to the commencement of the activity.

For construction activity that is to take place over a period of **24 hours or longer** – an application needs to be submitted to council at least **4 weeks** prior to the commencement of the activity.

If an application for a declaration is not lodged within these timeframes, Council may refuse to consider the application.

The council cannot make a declaration unless they are satisfied that exceptional circumstances exist and they have enough information to make a decision.

*Construction Activity includes –

- (a) Demolition work, site preparation work and building maintenance or repair work; and
- (b) The operation of vehicles within, entering or leaving, a construction site; and
- (c) Any activities, at or within the immediate vicinity of a construction site, of persons who perform work at the site, or work connected with work at the site;

Permit Application Fee \$54.00

1. APPLICANT CONTACT DETAILS

First Name: Last Name:

Business/company name:

Phone: Mobile:

Email address:

Postal Address:

2. ACTIVITY CONTACT DETAILS

This person must be contactable for the duration of the activity and in the event that the MBDC receives any queries relevant to this application.

First Name: Last Name:

Phone: Mobile:

Email address:

Postal Address:

Office Use Only

Receipt No: Amount Received: \$

Date of Receipt:

Application Lodgement Date:

RC: 700 Account No: 1750: 875: 595. (Civil Compliance Fees & Charges)

3. ACTIVITY

Start date for which the exemption is sought:

End date for which the exemption is sought:

Time of day construction activities will be undertaken:

Address of activity:.....

Suburb.....

Summary of the activity (include the nature of the activity and a brief description)

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Exceptional circumstances for which the exemption is sought (explain the reasons why the activity can't be carried out during legislated hours)

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4. SUMMARY OF ANTICIPATED SOURCES OF LOCAL NUISANCE GENERATED BY THE ACTIVITY

All reasonable measures must be taken to minimise the impacts of local nuisance in the form of dust, odour, noise, vibration, smoke and fumes. It is the responsibility of the persons undertaking this activity to minimise nuisance and communicate with those potentially impacted.

For small scale construction activity, completion of the following section will be taken to constitute a Site Nuisance Management Plan.

Please include a map on the next page showing the following:

- the proposed location of the activity
- the likely fixed sources of local nuisance
- the location of premises occupied by persons potentially affected by the nuisance and
- the distance of these premises from those sources.

Map

5. ASSESSMENT OF THE POTENTIAL FOR LOCAL NUISANCE

On the table below, summarise the sources of local nuisance (as identified on the map) and the communication strategy to

Source of local nuisance	Strategies to minimise and manage nuisance	Strategies to monitor nuisance	Identification of potentially affected premises	Distance from source**	Communication Strategy	Timeframe
<i>Eg Concrete truck</i>	<i>Park trucks as far away from neighbour's property as possible</i>	<i>During the concrete pour, worker to check noise levels outside neighbour's property</i>	<i>2 Egbert Place</i>	<i>50m</i>	<i>Letter drop to resident</i>	<i>Two days before proposed concrete pour</i>

** Distance from the source – should be measured from the source of the noise to a place on the noise affected premises that is within or near, and at the same approximate elevation as, an area frequented by persons residing, working or sleeping at the premises.

6. COMMUNICATION

Please detail how you will keep council informed about the activities related to this application.

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Please detail how you will manage complaints, those received directly and those referred from council – consider using the attached complaints management table.

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Complaints management table

Date and time	Complainant name	Contact details (address and phone number)	Description of the complaint	Nature of the activity causing the complaint	Action taken to address complaint

SUBMITTING AN APPLICATION TO COUNCIL:

- In Person
Present the application form with payment at the Customer Service Centre, Mount Barker District Council at Level 1/6 Dutton Road Mount Barker SA 5251 (Homemaker Centre). EFTPOS and credit card facilities are available.
- By Email
Email the application form with payment (complete below credit card payment details) to permits@mountbarker.sa.gov.au
Please ensure that you include all relevant documentation and a current public liability certificate of currency for an amount of \$20 million.

PAYMENT METHODS

- In Person
Present the application form with payment at the Customer Service Centre, Mount Barker District Council at Level 1/6 Dutton Road Mount Barker SA 5251 (Homemaker Centre). EFTPOS and credit card facilities are available.
- By Mail (Cheque or mail order)
Make cheque or mail order payable to: Mount Barker District Council and mark "Not Negotiable". Mail payments to: Mount Barker District Council, PO Box 54 Mount Barker SA 5251

CREDIT CARD PAYMENT BY POST (American Express & Diners are not accepted)

Complete your credit card details along with the total payment amount and sign where indicated. Once completed, return to Mount Barker District Council at Level 1/ 6 Dutton Road Mount Barker SA 5251, Or; PO Box 54 Mount Barker SA 5251.

☐ Visa ☐ MasterCard

Card Number:

_____/_____/_____/_____

Expiry Date: ____/____

CW Number: _____

Payment Amount: \$_____

Name of Cardholder _____ Contact Number _____
(Payment cannot be processed unless signed by cardholder)

Signature: _____

Applicants Name On Application Form: _____

Address of Proposed Location: _____

(RC: 700 Account No: 1750: 875: 595. (Civil Compliance Fees & Charges)

COUNCIL USE ONLY

This form is for Council use (as per Regulation 6 of the *Local Nuisance and Litter Control Act 2016*) to ensure that all the relevant information has been provided and a declaration can be made by the council.

Administrative details The application should provide the following information.

Application received via (tick) ☐ in person ☐ email ☐ post ☐ fax

Date application received:

Date activity proposes to start:

Proposed duration of the activity:

Was the application received?

- For an activity to take place over a period not exceeding 24 hours, at least 2 weeks prior? ☐ Yes ☐ No
- For an activity to take place over a period of 24 hours or longer, at least 4 weeks prior? ☐ Yes ☐ No

If this application was not received within the regulated timeframes, Council can refuse the exemption.

Checklist of Information Received

(Council can request any of the below information if not submitted with the application)

Mandatory info	Yes	No	Detail/comment
Name and contact details of the applicant			
Name and contact details of the responsible person in relation to the activity			
The exceptional circumstances for which the declaration is sought and justification as to why the activities cannot take place within legislated timeframes.			
The nature of the activity			
Anticipated sources and kinds of local nuisance generated by the activity			
The period for which the declaration is sought			
The times of day or periods of time during which the activity is proposed to be carried on (eg. Sunday 11/09 - 8pm to 12pm)			
Location of activity/s (address and landmarks if applicable)			
Site Nuisance management plan: (which contains all of the following information)			
A map showing: <ul style="list-style-type: none"> • location of the activity and likely fixed sources of local nuisance • location of premises occupied by potentially affected persons • distance of premises occupied by potentially affected persons and the sources of nuisance 			
The name and contact details of the responsible person in relation to the activity			
A strategy for minimising, managing and monitoring the effects of the local nuisance on potentially affected persons			
A communication strategy for communicating with potentially affected persons			

Site Nuisance management plan: (which contains all of the following information)			
A copy of the notice to be given to potentially affected persons to notify them of the activity			
A communication strategy with the relevant council			
A method for recording complaints			

Further Information

Was a request for further information sent to the applicant? ☐ Yes ☐ No

Date sent:

What information was requested?

Further information received? ☐ Yes ☐ No

Assessment

Name of **officer** undertaking assessment:

☐ Approved ☐ Declined

Comments:

Name of **team leader/manager** undertaking assessment:

☐ Approved ☐ Declined

Comments:

Name of **delegate**:

☐ Approved ☐ Declined

Comments:

