

**Request for exemption from Section 18 of the *Local Nuisance and Litter Control Act 2016* - out of hours construction works**

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

This form applies to construction activity<sup>1</sup> 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.

**1. APPLICANT CONTACT DETAILS**

Name: \_\_\_\_\_

Business or company name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

Postal Address: \_\_\_\_\_

**2. ACTIVITY**

Commencement 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 the activity: \_\_\_\_\_

<sup>1</sup> 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;



**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 following section will be taken to constitute a Site Nuisance Management Plan.

**Map**

Include a map 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.

### 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 assist Council’s assessment.

Source of local nuisance	Strategies to minimise and manage nuisance	Strategies to monitor nuisance	Identification of potentially affected premises	Distance from source <sup>2</sup>	Communication Strategy	Timeframe
<i>Eg Concrete truck</i>			<i>2 Egbert Place</i>	<i>50m</i>	<i>Letter drop to resident</i>	<i>Two days before proposed concrete pour</i>

<sup>2</sup> 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.

**Communication Strategy for council**

(Detail how council will kept informed about the activities related to this application)

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**Complaints Management**

(Detail how complaints will be managed – both those received directly and those referred from council – consider using the attached complaints management table)

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Appendix (if required)