

Request for exemption - out of hours construction works

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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. The application fee must accompany this form when submitted.

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 two (2) weeks before commencing 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 four (4) weeks before commencing the activity.

If an application for a declaration is not lodged within these timeframes, the City of West Torrens (CWT) may refuse to consider the application.

Council cannot make a declaration unless it is satisfied that exceptional circumstances exist and that enough information has been provided 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.

1. Applicant contact details

First name:	Last name:
Business/company name:	
Phone:	Mobile:
Postal address:	
Post code:	
Email:	

2. Activity contact details

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

First name:	Last name:
Phone:	Mobile:
Postal address:	
Post code:	
Email:	

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Date application received:	
Fee: \$	Receipt no:

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:

Post code

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

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

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4. Summary of anticipated sources of local nuisance generated by the activity

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:

- 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				
Source of local nuisance	Identification of potentially affected premises	Distance from source **	Communication strategy	Timeframe
<i>Eg: concrete truck</i>	<i>2 Smith Place</i>	<i>50m</i>	<i>Letter drop to residents</i>	<i>Two days before proposed concrete pour</i>

** Distance from 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 people residing, working or sleeping at the premises.

6. Minimising impacts of local nuisance

For each identified source of nuisance, please provide a proposed strategy for minimising, managing and monitoring the effects on people potentially affected.

Identified source of nuisance	Minimising and managing	Monitoring
<i>Eg: noise from concrete mixing 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>

7. Communication

Detail how you will keep the City of West Torrens informed about the activities related to this application.

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Detail how you will manage complaints, those received directly and those referred from the CWT - consider using the attached complaints management table.

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7a - complaints management template					
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 the complaint

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This form is for use by the City of West Torrens to ensure that all 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

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 week 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 information	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 out (eg Sunday 11/09, 8am - 12pm)			
Location of activity(ies) - address and landmarks if applicable			

Site nuisance plan - which contains all of the following information

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 people • distance of premises occupied by potentially affected people 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 people			
A communication strategy for communicating with potentially affected people			

A copy of the notice to be given to potentially affected people to notify them of the activity			
A communication strategy for CWT			
A method for recording and dealing with complaints			
Further information			
Was a request for additional information sent to the applicant? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Date sent:			
What information was requested?			
Further information received? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Assessment			
Name of officer undertaking assessment:			
<input type="checkbox"/> Approved <input type="checkbox"/> Declined			
Comments			
Name of team leader/manager undertaking assessment:			
<input type="checkbox"/> Approved <input type="checkbox"/> Declined			
Comments			
Name of delegate:			
<input type="checkbox"/> Approved <input type="checkbox"/> Declined			
Comments			