

REQUEST FOR SECTION 19 EXEMPTION

Local Nuisance and Litter Control Act 2026

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

This form applies to construction activity which 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;

Which is proposed to be carried out:

- **on Sunday or any public holiday**
- **After 7.00 pm or before 7.00 am on any other day**

An application for an exemption should be made **two (2) weeks** prior to commencing the activity. Staff will endeavor to process the application as quickly as possible.

Where less than two weeks' notice is given, staff cannot guarantee that the application will be processed.

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

Please email completed application form to development@barossa.sa.gov.au

1. APPLICANT CONTACT DETAILS

Name: _____

Business or company name: _____

Phone: _____ **Email:** _____

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:

Summary of the Activity:

(Include the nature of the activity and a brief description)

Exceptional Circumstances for Which the Exemption is Sought:

(Discuss the reasons why can't this be carried out during legislated hours)

3. ACTIVITY CONTACT DETAILS

This person must be contactable for the duration of the activity.

Name: _____

Phone: _____

Email: _____

Postal Address: _____

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.

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.

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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 ¹	Communication Strategy	Timeframe
<i>Eg Concrete truck</i>			<i>2 Abcde Street</i>	<i>50m</i>	<i>Letter drop to resident</i>	<i>Two days before proposed concrete pour</i>

¹ 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 be kept informed about the activites related to this application)

Complaints Management

(Detail how complaints will be managed – both those received directly and those referred from Council)

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Complaints Management

Date and Time	Complainant Name	Contact Details (address and phone number)	Description of the Complaint	Nature of the Activity Causing the Complaint	Action Proposed/Taken to Address Complaint

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THIS FORM IS FOR 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:

Format Written Application Received: In Person Fax Post Email
(Please circle One)

Date Application Received: _____

Date Activity Proposes to be Commenced: _____

Proposed Duration of the Activity: _____

Was the Application Received for an Activity to:

Take place over a period not exceeding 24 hours, at least two weeks prior? Yes No
(Please circle One)

Take place over a period of 24 hours or longer, at least four weeks prior? Yes No
(Please circle One)

(If not received within regulated timeframes, council can refuse the exemption)

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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 it is essential the nominated construction activities should occur outside of permitted times.			
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 – 8.00 pm to 12.00 pm)			
Location of activity/s (address and landmarks if applicable).			
Site Nuisance management plan: (which contains all of the following information)			
A map showing: - location of the activity and likely fixed sources of local nuisance.			

(Continued)

Mandatory info	Yes	No	Detail/comment
- 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			
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
(Please circle)

Date Requested Further Information Sent: _____

What Information was Requested? _____

Has Further Information been received? Yes No
(Please circle)

Assessed by Officer:

Name of Officer: _____ Approved ☐ Declined ☐

Comments: _____

Assessed by Team Leader/Manager:

Name of Officer: _____ Approved ☐ Declined ☐

Comments: _____

Assessed by Team Leader/Manager:

Name of Officer: _____ Approved ☐ Declined ☐

Comments: _____