

# LOCAL NUISANCE - EXEMPTION APPLICATION FORM

## DETAILS OF APPLICANT

Name of applicant: (Exempt person)

Address:

Business name:

ABN:

Business address:

Applicant phone:

Email:

Name of responsible person:

Address:

Phone:

Email:

Site location (Please attach supporting documentation to occupy site/area)

Council may declare an activity exempt from section 18 of the Local Nuisance and Litter Control Act\* if the Council considers exceptional circumstances exist. Please outline your reasons for this exemption, the nature of the activity and the anticipated sources and kinds of local nuisance generated by the activity ie noise, dust, smoke etc (please attach further documentation if required):

Period for which declaration is sought: (Date from)

to

Times of day or periods of time: From

am/pm to:

am/pm

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## ATTACHMENTS:

- A scaled site map - detail area/s relevant to the exemption
- Site nuisance management plan
- Approval to occupy site/area
- Communication strategy
- Any current permits, licences or consents ie Development Approval, liquor licence
- Other (including supporting documentation)

### **Site Nuisance Management Plan:**

For the purposes of section 19(2)(2) of the Local Nuisance and Litter Control Act a Site Nuisance Management Plan must accompany this application and include the following information:

1. an assessment of the potential for local nuisance and the number of residential and commercial premises occupied by persons likely to be affected by the local nuisance;
  2. a map showing —
    - the proposed location of the activity and the likely fixed sources of local nuisance (for example, in the case of a concert, the location and orientation of stages and speakers);
- and
- the location of premises occupied by potentially affected persons and the distance of the premises from those sources;
  3. the name and contact details of the responsible person in relation to the activity;
  4. the proposed strategy for minimising, managing and monitoring the effects of the local nuisance on potentially affected persons;
  5. the proposed communication strategy for communicating with potentially affected persons;
  6. a copy of the notice (forming part of the communication strategy) proposed to be given to those persons to notify them of the activity, which must include the following details:
    - the nature of the proposed activity;
    - the start and finish dates for the activity;
    - the daily start and finish times for the activity;
    - the anticipated sources of local nuisance generated by the activity;
    - the proposed measures to be implemented to minimise the local nuisance;
    - the name and contact details of the person who may be contacted by potentially affected persons regarding concerns or complaints in relation to the activity;
    - such other details as the relevant council may require;

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## Site Nuisance Management Plan:

7. the proposed communication strategy with the relevant council, including reporting by the exempt person or progress of the activity and the site nuisance management plan and any unforeseen incidents;

- the proposed process for recording details about complaints, including
- contact details for each complainant; and
- the date and time of the complaint; and
- a description of the complaint; and
- the nature of the activity giving rise to the complaint; and
- any action taken to address the complaint.

A plan prepared in accordance with the guidelines entitled Construction environmental management plans (2016) published by the Environment Protection Authority as in force from time to time may, subject to any requirements of the relevant council, have effect as if it were a site nuisance management plan in relation to an activity comprised of construction or demolition works.

**Note: exempt person**, in relation to an activity, means the person declared to be exempt from the application of section 18 of the Act in respect of the activity by notice under section 19(1) of the Act;

**Responsible person**, in relation to an activity, means the person designated by the exempt person —

- a. to be present on the premises at which the activity is being conducted; and
- b. to receive and deal with complaints about any local nuisance generated by the activity and to inform or direct persons accordingly.

## PROPOSED COMMUNICATION STRATEGY:

Notify affected person by:                      Council Example letter                      Other letter enclosed

Other method:

Proposed date:

Number of business/residents:

Enclosed map of business/residents to be notified

Yes

No

Other information:

Signed by applicant:

Date:

Signed by responsible person:

Date: