



OUT OF HOURS CONSTRUCTION POLICY

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Policy Type: Administrative
Responsible Officer: Chief Executive Officer
Department: Executive

Version	Decision Number or CEO Approval	Decision Date	Status / History
1	GRC 099 OM-012/22	23 February 2022	Review 2025
2			
3			
4			
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1. BACKGROUND

Council aims to manage construction works to minimise noise by communicating and cooperating with those involved in, or affected by, construction noise. It does this by monitoring and regulating noise from building work and construction sites.

It is the responsibility of developers, builders and contractors to ensure noise impacts on nearby properties are minimal, and that construction hours or building work times are complied with. If it is necessary to conduct construction activities outside of the prescribed hours of 6.30am to 6.30pm Monday to Saturday, operators can apply to Council for an out of hours construction approval.

2. ELIGIBILITY

To be eligible for an out of hours construction approval there must be a legitimate reason why the construction works cannot be undertaken during the prescribed daytime or evening hours (6.30am to 6.30pm Monday to Saturday). Such reasons might include worker safety, health or traffic impacts, climatic conditions and construction constraints. If this requirement is not met Council cannot accept an out of hours construction application, meaning construction activities must be conducted during the prescribed hours in accordance with the *Environmental Protection Act 1994 (EP Act)*.

When considering an application, Council will take into account the time and circumstances in which the work will be carried out, weather forecast, Occupation Health & Safety issues, intensity and duration of the noise levels that will be emitted by the proposed work. Noise includes airborne, ground-borne, vibration and blasting.

3. EXEMPTIONS

There are some circumstances when an approval for out of hours work will not be required. Such exemptions are set out in the *EP Act* and include the following government activities and public infrastructure works:

- maintenance State-controlled road, railway or other public transport infrastructure.
- emergency maintenance on a public road, public infrastructure facility, including for water, sewerage, telecommunications or electricity.
- performing a function under the *Disaster Management Act 2003* (Qld) or
- Queensland Government or Council preventing, removing, or reducing risk to public health under the *Public Health Act 2005*.

4. PUBLIC NOTIFICATION

As part of your application, you are required to conduct public notification before the works commence. The following steps are required:

1. public notification is to be carried out prior to lodging your application;
2. any objections to the proposal or absent land owners are to be advised to Council as part of the application; and
3. the application must include affected immediate neighbouring properties if such properties are located within a 100m radius of the construction site.

A copy of property addresses that have been notified are to be included in the application lodged with Council. You must also keep a record of the notification you undertake.

5. APPLICATION AND APPROVAL

When planning your application, it is important to consider:

- Out of hours' approvals will not be issued for Sundays or public holidays.
- Carrying out construction works, out of hours without approval may result in a Penalty Infringement Notice (PIN) being issued, which includes a monetary penalty.
- Only the works specified in the out of hours approval, are allowed to be undertaken during the permitted times.
- The approval does not override the requirements of the *EP Act*. Further noise emitted outside the requirements of the *EP Act* are not authorised under this approval.
- Due to the potential impact on sensitive uses, high noise-generating activities will not be permitted during the night-time period of 8pm to 6.30am. It is considered that such activities are more suitable during the daytime/early evening periods. Activities that generate a high level of noise include but are not limited to:
 - o jack-hammering filling & compacting house pad material
 - o demolition excavating footing piers or trenches
 - o blasting concrete/bitumen cutting
 - o pile driving pipe cutting
 - o rock breaking Welding/metal fabrication work

6. HOW TO APPLY

To submit an application, complete Council Out of Hours Construction Application.

To support your application, you will need to submit a:

- site-specific Construction Noise Management Plan;
- copy of the notification letter that will be provided to premises/residents who are likely to be affected, which must include:
 - after hours contact name and phone number for a company representative;
 - date and times the construction activities will take place; and
 - type of construction activity to take place, and
 - Details of any objections raised by any residents during the notification program.

Once you have submitted all required information, Council will assess your application and provide a decision within five (5) business days.

Out of Hours Construction Application

This application must be submitted to Council at least five (5) business days prior to the earliest date you are requesting to work.

Council takes no responsibility for delays resulting from a permit not being issued in time for planned works to commence.

Existing Council Application Numbers (ROL/MCU/OPW) & Building Approval

Application type

New application Amendment to existing permit

Detailed description of the amendment (for amendment applications only)

Applicant Details

Name/s (individual or company name in full)

Responsible person on site

Postal address

Suburb	<input type="text"/>		
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State	<input type="text"/>	Postcode	<input type="text"/>
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Country	<input type="text"/>		
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Contact telephone number Site Foreman

Mobile number (mandatory requirement)

Email address

By providing your email address, you consent to receiving all correspondence in relation to this application, electronically.

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**Individual or Company's
ACN/ARBN**

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Property description

Lot number		Registered plan number	
Property Address			
Project Type			
Building approval number			
MCU approval number			

Details of the proposed Work

Date requesting to start work		Finish Date	
Requested start time		Requested finish time	
Description of work (include details on how you intend to minimise impact on neighbours e.g. noise, light, traffic etc)			
Reasons why this work cannot be carried out during normal hours			
What equipment will be used (e.g. crane, compressor, lights, cutting/drilling, power tools)			

Do you have a noise assessment from a qualified acoustic engineer? (If yes, you must provide a copy of the assessment)		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
What is the dBA rating of the equipment at the source?		
What is the dBA of the equipment at the nearest recipient premises?		
Do you have a road closure permit (if the work is been carried out on the road)?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		Permit Number:
Other Authorities contact details (e.g. Telstra, Energex, Water etc.)		
Authority Name	Contact Person	Contact details
Community stakeholder notification letter drop		
Proposed date for letter drop		
Copy of notification letter attached with application		

(Note: Minimum of 5 day notification required prior to works commencing. Must be delivered to all immediate neighbours if such properties are located within a 100m radius of the construction site)

Checklist

Requirement Checklist

- All sections of application complete
- Community stakeholder notification letter prepared and submitted with application

Map showing delivery area of community stakeholders

Applicant's Declaration

<input type="checkbox"/>	By ticking this box and making this application, I declare that all information in this application is true and correct. <i>Note: it is unlawful to provide false or misleading information.</i>		
Name		Date	
Company name			
Signature			

Submit

- in person at Council's [Customer Service Centres](#)
- by mail, LMB 7 Inglewood Qld 4387
- by email to mail@grc.qld.gov.au.

Information Privacy Act 2009 – Goondiwindi Regional Council is collecting your personal information in order to process this application. The information will only be used by authorised Council Officers for the purpose of this application and ensuring our records are accurate. Your information will not be given to any other person or agency unless you have given us permission or we are required by law to do so.
