

Declaration under Section 19 Local Nuisance and Litter Control Act 2016

Salisbury (or delegate) can exempt a person from the application of Section 18- Causing a local nuisance, in respect of a specified activity if the Council for the area (or delegate) in which the activity is to be carried on declares, by notice in writing, in accordance with this the Act section, that the person is so exempt.

This declaration has been considered and issued to the Applicant for the purposes of the following specified activity:

- **construction or demolition works.** (concrete pour at 4am on the 4th of July 2025)

This declaration can be unconditional or subject to conditions, including (but not limited to) conditions relating to—

- (a) the permitted times or periods of time for carrying on the activity; or
- (b) the manner of carrying on the activity.

Reference: 159/LNLCA

Applicant

Name: BMD Constructions

Address: 45 Greenhill Road, Wayville SA 5000

Contact Email: jack.tape@bmd.com.au

Contact Phone: 0438 434 686

Responsible Person in Relation to the Activity

Name: Jack Tape

Address: 45 Greenhill Road, Wayville SA 5000

Contact Email: jack.tape@bmd.com.au

Contact Phone: 0438 434 686

Activities for Which an Exemption is Being Sought, namely:	Tick Applicable
Construction or Demolition Works	✓
Other (describe)	

Description or nature of the activity:

Early concrete pour, general Construction for building base slab at Brahma Lodge Primary School / Kindergarten.

Location of the activity:

Name or Identifier of site	Kindergarten at Brahma Lodge Primary School
Address	49-51 Kent Ave, Brahma Lodge SA 5109

The anticipated sources and kinds of local nuisance generated by the activity:

General Construction noise associated with concrete works due to the large amount of concrete required for Kindergarten at Brahma Lodge Primary School.

Noise from concrete trucks/pumps, machinery and other construction activities, increased traffic and onsite lighting that may cause glare or light spillage which may generate noise and traffic disruptions in the surrounding area.

Please refer to attached documents.

The period for which the declaration is sought:

Date(s):	Friday 4th July 2025
Times (duration)	4am to 6pm

The proposed strategy for minimising, managing and monitoring the effects of the local nuisance on potentially affected persons;

Concrete trucks will be staggered at 15-20 min intervals to prevent trucks from idling outside the work site near residents.

Limiting high noise construction activities prior to 7am

Use low noise equipment where possible

Site personal instructed to keep noise to a minimum

Face lighting away from residential properties

Please refer to attached documents.

Refer to any attached plans as required in Attachments

Proposed communication strategy for communicating with potentially affected persons;

A letterbox drop off will be completed ahead of pour date to notify neighbouring properties of the disruption. All neighbouring properties have been notified to contact our site manger & safety representative for any site related issues. BMD Construction will mitigate all potential disputes to the best of our ability.

Please refer to attached documents.

The proposed communication strategy of any unforeseen incidents with council;

Notification of any incidents via phone call or email. Incident details recorded including any corrective actions and follow up on communications of outcomes.
Every effort will be made to ensure that there will be no adverse impacts on neighbours and the surrounding community.
If it cannot be rectified or resolved immediately, then a solution will be implemented as soon as practicable.
As a minimum, temporary control measures will be put in place to prevent any adverse consequences until such time that the issue can be satisfactorily resolved.

The attached notice forming part of the communication strategy shall be delivered to all affected premises as shown in the attached plans (refer attachments)

Please refer to attached map highlighted in [Blue](#) and Letter to surrounding residents.

8 to 13 Lillee Ave, Brahma Lodge SA 5109
41 to 67 Kent Ave, Brahma Lodge SA 5109
44 to 62 Kent Ave, Brahma Lodge SA 5109
1 to 25 Dansie Cres, Brahma Lodge SA 5109
40 to 42 Dansie Cres, Brahma Lodge SA 5109

Name and Contact Details of the Person Who May Be Contacted by Potentially Affected Persons Regarding Concerns or Complaints in Relation to the Activity

Name:	JP McIntyre
Address:	45 Greenhill Road, Wayville SA 5000
Contact Email	Jp.mcintyre@bmd.com.au
Contact Phone	0437 331 101

Recording details about complaints

contact details for each complainant

the date and time of the complaint

a description of the complaint

the nature of the activity giving rise to the complaint

any action taken to address the complaint

Council contact:

Team Leader Environmental Health 08 84068222 or email environmentnuisance@salisbury.sa.gov.au

City of Salisbury
ABN 82 615 416 895
34 Church Street
PO Box 8
Salisbury SA 5108
Australia

(08) 8406 8222
city@salisbury.sa.gov.au
salisbury.sa.gov.au



Conditions

Identify any strategy to reduce noise impacts

No restriction to street access, concrete trucks must be arriving regularly throughout the morning.

No concrete trucks will be arriving during 8am-9am or 2:30pm to 3:30pm while school drop-off is happening unless traffic controller or management plan is put in place.

Provide advance notifications to residents and neighbouring properties of the project activities, timing, duration, potential disruptions and the purpose of early morning concrete pours via a letterbox drop off as per attached highlighted potentially affected properties.

Have a direct contact to BMD Constructions site supervisor to raise any issues.

Avoid using loudspeakers or radios on site and communicate instructions to workers directly to

Schedule concrete truck arrivals in staggered intervals to reduce traffic noise and prevent vehicles, from idling near residential areas.

Declaration Expiry Date: **Friday 4th July 2025 at 6pm**

Date: 26th June 2025

Position: Environmental Nuisance Officer

Acting under Delegated Authority

Note: Measurement procedures for determining presence of local nuisance

For the purposes of section 21(d) of the Local Nuisance and Litter Control Act 2016, if, in determining the presence of local nuisance, section 17(1) of the Act (including a provision referred to by that section) requires an authorised officer to form an opinion about a matter, the officer may form the opinion based on the officer's own senses.

Further information contact City of Salisbury Environmental Health on 8406 8222 or email environmentnuisance@salisbury.sa.gov.au

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Attachments

Potentially Affected premises



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26 June 2025

Notice to Residents: Upcoming Concrete Pour

Attention: Property Owner / Occupant

BMD Constructions has been engaged to construct the new Kindergarten at the Brahma Lodge Primary school site. A concrete pour is scheduled for **Friday, 4th July 2025**, weather permitting.

Works will commence at approximately **4:00am** and are expected to continue through to **5:00pm**.

Please note the following:

- **Noise and Activity:** There will be increased noise and truck movements throughout the day as part of the construction activities.
- **Access:** Kent Avenue will **remain open** with no road closures, parking restrictions, or pedestrian detours planned.

Thank you for your understanding and cooperation.
For questions or concerns, please contact:

JP McIntyre
0437 331 101
Jp.McIntyre@bmd.com.au

Regards,

BMD Constructions

Daniel Farinola
Project Manager

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