



CITY OF  
ADELAIDE

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Enquiries: John Hatzipavlos 8203 7820  
Reference: 3099858

Date: 09/04/2026

John Lelli  
Built Pty Ltd  
L1/10 Franklin Street,  
Adelaide SA 5000

### NOTICE OF EXEMPTION

Section 19, *Local Nuisance and Litter Control Act 2016*

Dear John, (the Applicant & Responsible Person)

Pursuant to section 19 of the *Local Nuisance and Litter Control Act 2016* (the Act) I hereby declare that, subject to the conditions outlined herein, the Applicant is exempt from the application of section 18 of the Act in respect to the activity described below ("the Activity") that is to be carried out at the property located at, and in the immediate vicinity of, **Sir Samuel Way Building, 241–259 Victoria Square, Adelaide SA 5000** (the Land).

**The Activity:** Construction activities in connection with the Samuel Way Building Façade including the erection & removal of scaffolding.

#### Conditions:

1. The exemption granted by this notice applies during the period and times indicated below:

**Start Date: 26/04/2026**

**End Date: 15/05/2026**

#### Sunday's

**Start Time: 5:00pm**

**Finish Time: 1.30am**

#### Monday's to Thursday's (into Friday mornings)

**Start Time: 7:00pm**

**Finish Time: 1.30am**

**Start Date: 18/05/2026**

**End Date: 26/07/2026**

**Monday's to Friday's (into Saturday mornings)**

**Start Time:** 7:00pm

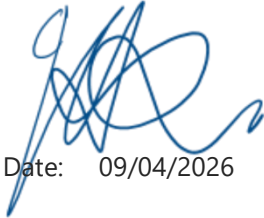
**Finish Time:** 1.30am

2. The Applicant must deliver correspondence to the Council's reasonable satisfaction notifying nearby residents and businesses of the scheduled early works on the Land in connection with the Activity in respect of each of the properties within the area marked blue in **Appendix A** no later than **5pm, a minimum seven (7) days prior to any scheduled Activity**. The correspondence must include the Applicant's and or Responsible Person's contact details for the purpose of stakeholder contact for the duration of the Activity and invite stakeholders to raise any complaints relating to the Activity direct with the Responsible Person
3. Provide the Council with a copy of the correspondence delivered in accordance with condition 2 above via email to [c.officers@cityofadelaide.com.au](mailto:c.officers@cityofadelaide.com.au)
4. Provide the Council with a copy of any complaints received during the duration of the activity via email to [c.officers@cityofadelaide.com.au](mailto:c.officers@cityofadelaide.com.au)
5. Immediately notify the Council if there are any changes to the Activity, including time, date, or works proposed to be conducted via email to [c.officers@cityofadelaide.com.au](mailto:c.officers@cityofadelaide.com.au)
6. Notify Council when the activity has concluded via email to [c.officers@cityofadelaide.com.au](mailto:c.officers@cityofadelaide.com.au)
7. The Activity must be undertaken in accordance with the steps identified in Appendix B provided at the time of application for minimising, managing, and monitoring the effects of potential local nuisance on potentially affected persons.
8. The Activity must be undertaken in accordance with any directions issued by an authorised person of the Council, including in relation to the management of any complaint received by a stakeholder.
9.
  - The following noise nuisance reduction strategies must be implemented at all times when the Activity is being undertaken. so far as reasonably practicable, any noisy works must be restricted between **7:00pm - 6:00am**.
  - Using new and well-maintained equipment only, no idling of equipment or vehicles when not in use;
  - no loud music, radios, yelling, or any other unnecessary noise is permitted to occur;
  - the Pre- start meeting must include noise reduction and mitigation instructions to all persons involved in the Activity;
  - utilise vehicles fitted with broad band reversing alarms wherever possible; and
  - all other proposed strategies for minimising, managing and monitoring local nuisance effects as set out in the Site Nuisance Management Plan accompanying the Application for exemption.

This declaration has been made on the basis that I am satisfied that:

- a) There are exceptional circumstances that justify the making of the declaration. Due to the Courts Authority of Australia (located inside the Sir Samuel Way Building), not allowing construction work noise during court proceedings, (Business Hours, 8:30am – 5:00pm), as this may lead to a mistrial of a particular court proceeding. As a result, the Courts Authority of Australia have stated that the works to the Sir Samuel Way Façade be undertaken outside of business their hours.; and
- b) the Applicant's Site Nuisance Management Plan adequately outlines the measures to prevent, minimise, or address any anticipated adverse effects on the amenity value of the area concerned.

Signed: John Hatzipavlos (as delegate of the Council)



Date: 09/04/2026

#### **TAKE NOTE**

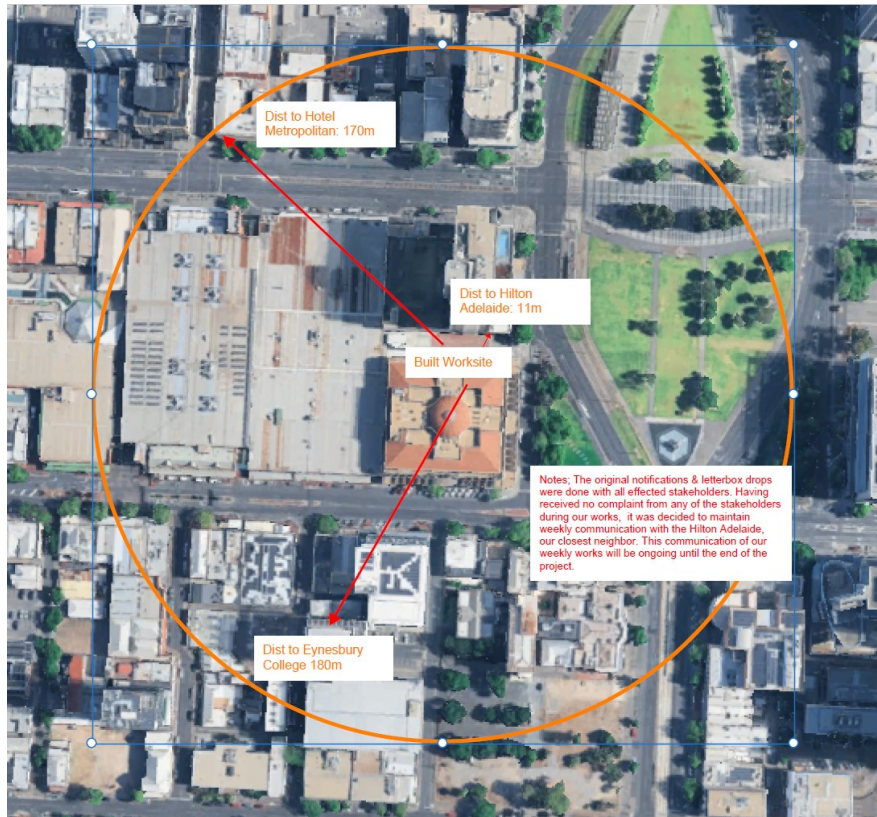
- A declaration means an exemption
- The Council may, by further notice in writing, vary or revoke this declaration under section 18 of the Act.
- This declaration has effect from the date specified in the declaration and remains in force according to its terms for a period not exceeding 3 months, or as specified in the declaration, or until revoked (in writing) by the Council.
- It is an offence under section 18 of the Act to carry on an activity that results in a local nuisance (as defined under section 17 of the Act). The Applicant must take all reasonable steps to ensure that activities on the Land that are conducted outside of the terms of this exemption do not give rise to a local nuisance.
- Pursuant to section 19(7) of the Act this declaration has been published on the Council's website

Kind regards



John Hatzipavlos  
Senior Community Safety Officer

## Appendix A



### Map of the area that potentially persons may be affected to be notified

## Appendix B

- Minimise plant & machinery movement as possible to assist in reducing the effect on surrounding residential & commercial properties.
- Whenever practicable, any excessively loud activities will be scheduled to be completed by 10pm.
- Ensure that equipment and machinery are regularly maintained and kept in good working condition.
- Monitor activities and conduct regular meetings to discuss any concerns and explore any further strategies to reduce any noise or other local nuisances.
- Built will use a decibel metre to monitor construction noise.
- Endeavour to explore quieter machinery where possible.
- Turn off machinery when not being used.
- Conduct toolbox meeting with all trades and staff to make ensure they are aware of the environment and to abide by our site management plan.