

Enquiries: John Hatzipavlos  
Reference: 2838955

Date: 13 December 2023

Matt Baxter  
City of Adelaide  
10-24 London Road  
Mile End South SA 5031

25 Pirie Street, Adelaide  
GPO Box 2252 Adelaide  
South Australia 5001

T (08) 8203 7203  
F (08) 8203 7575  
W [cityofadelaide.com.au](http://cityofadelaide.com.au)

ABN 20 903 762 572

### NOTICE OF EXEMPTION

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

Dear Matt (the Applicant and 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 vicinity of, *City of Adelaide, Local Government Area* (the Land).

**The Activity:** Essential programmed horticultural & tree maintenance activities related to public street trees, weed spraying, medium strips maintenance including but not limited to the use of chainsaws, power saws, mulching/chipping machines and leaf blowing.

#### Conditions:

1. The exemption granted by this notice applies at the following days and times and on and only if the Activity cannot be conducted safely during allowable hours:

**Start Date:** 16 December 2023

**Finish Date:** 16 March 2024

#### **Monday to Saturday's**

**Start Time:** 4.00am

**Finish Time:** 7.00am

#### **Sunday's**

**Start Time:** 4.00am

**Finish Time:** 7.00pm

2. The Applicant must deliver correspondence where reasonable notifying residents and businesses of the works on the Land. 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 may be achieved via information displayed on the City of Adelaide website.
3. 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)
4. Notify Council if there are any changes to the activity, including time, date, or actual activity via email to [c.officers@cityofadelaide.com.au](mailto:c.officers@cityofadelaide.com.au)
5. Notify Council when the activity has concluded via email to [c.officers@cityofadelaide.com.au](mailto:c.officers@cityofadelaide.com.au)
6. The activity must be undertaken in accordance with the proposed strategy in the **Appendix A** provided at the time of application for minimising, managing, and monitoring the effects of the local nuisance on potentially affected persons
7. The activity must be undertaken in accordance with the following noise nuisance reduction strategies
  - Further restricting, so far as reasonably practicable, any noisy works between **4.00am to 7.00am** Monday to Saturday & **4:00am to 7.00pm** Sundays
  - Using new and well-maintained equipment only
  - No idling of equipment when not in use
  - No loud music radios, yelling, or any other unnecessary noise
  - Pre- start meeting to include noise reduction and mitigation instructions to all staff
  - Utilise vehicles fitted with broad band reversing alarms wherever possible

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

- a) there are exceptional circumstances that justify the making of the declaration; and
- b) the Applicant's nuisance management plan adequately sets out the measures that the person will take to prevent, minimise, or address any anticipated adverse effects from the specified activity on the amenity value of the area concerned.

Signed:



(as delegate of the Council)

Date: 13/12/2023

## 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



Stephanie Paprzycki-Baker  
Team Leader Community Safety



## Appendix A

- Deliver correspondence to potentially effected stakeholders where reasonable to notify the activities being conducted and include a 24 hour contact number for any concerns received during the duration of the activity.
- For staff where possible to limit the use of radios, loud talking, any required vehicles and or machinery are limited to being operated when in use and keeping reversing of vehicles and or machinery to a minimum and when required.
- Where possible and practicable the use of hand and battery-operated tools.