

Enquiries: John Hatzipavlos
Reference: 2857432

Date: 24/11/2023

Glenn Whyte
Tandem Building Group (SA) Pty Ltd
L1 253-255 Sturt Street
ADELAIDE SA 5000

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

T (08) 8203 7203
F (08) 8203 7575
W cityofadelaide.com.au

ABN 20 903 762 572

NOTICE OF EXEMPTION

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

Dear Glenn (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 vicinity of, **Development Site 88 O'Connell Street, North Adelaide SA 5000** (the Land).

The Activity:

6am – 7am construction activities on the construction site including:

- Entry and exit of personnel at the construction site.
- Prestart site meetings and toolbox meetings
- Operation of personnel hoist from 6:30am, personnel are permitted to utilize the personnel hoist for movement between floors, allowing staff to access their designated floors in preparation for the commencement of construction activities from 7am.

Personnel are not permitted to engage in construction-related activity which generate construction noise, such as the operation of power tools, hand tools, machinery, or any activities that may result in a local nuisance prior to 7am.

Please note: this exemption does not extend to construction activities such as concrete pouring unless an additional Local Nuisance Exemption has been formally granted.

Conditions:

1. The exemption granted by this notice applies at the following days and times only:

Start Date: 04/12/2023

End Date: 04/03/2024

Monday to Saturday's

Start Time: 6.00am

Finish Time: 7.00am

Please note that this exception does not apply on Sundays.

2. The Applicant must deliver correspondence notifying residents and businesses of the works on the Land to each of the stakeholders identified in **Appendix A** no later than **5pm, Wednesday, 29 November 2023**. 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.
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
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
5. Notify Council if there are any changes to the activity, including time, date, or actual activity via email to c.officers@cityofadelaide.com.au
6. Notify Council when the activity has concluded via email to c.officers@cityofadelaide.com.au
7. The activity must be undertaken in accordance with the proposed strategy in the **Appendix B** provided at the time of application for minimising, managing, and monitoring the effects of the local nuisance on potentially affected persons.
8. The activity must be undertaken in accordance with the following noise nuisance reduction strategies.
 - The operation of the personal hoist is not to commence operation before **6.30am**
 - Further restricting, so far as reasonably practicable, any noise, moving of tools and equipment, opening, and closing of gates etc. between **6am and 7.00am**
 - 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.

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: 24/11/2023

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



Steph Paprzycki-Baker
Team Leader Community Safety



Appendix A

City of Adelaide



Appendix B

- Must take all reasonable and practical measures to minimise noise resulting the activity and to minimise its impact.
- Operation of personnel hoist from 6:30am, personnel are permitted to utilize the personnel hoist for movement between floors, allowing staff to access their designated floors in preparation for the commencement of construction activities from 7am.
- Personnel are not permitted to engage in construction-related activity which generate construction noise, such as the operation of power tools, hand tools, machinery, or any activities that may result in a local nuisance.
- exemption does not extend to construction activities such as concrete pouring or the early arrival and idling of vehicles before 7am, unless an additional Local Nuisance Exemption has been formally granted.