



CITY OF
ADELAIDE

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Enquiries: Emma Watkins
Reference: 2601313

Date: 31 May 2021

Nick Bartetzko
Built
Level 1 / 10 Franklin St
ADELAIDE SA 5000

NOTICE OF EXEMPTION

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

Dear Nick Bartetzko (the Applicant) Ryan O'Sullivan (the 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, 60 King William Street, Adelaide (the Land).

The Activity: Bulk out spoil from 60 King William Street during basement excavation i.e. load out of demolition refuse from the Land and associated vehicle movements. The Activity does not include demolition, or any general construction works.

Conditions:

1. The exemption granted by this notice applies at the following times only:
 - 7pm - 1am – 17 June 2021 until 31 August 2021
2. The Applicant must deliver correspondence notifying residents and businesses of the works on the Land to each of the properties identified in **Appendix A** no later than **5pm 11 June 2021**. The correspondence must include the Applicant'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. The activity must be undertaken in accordance with the proposed strategy in the document provided at the time of application **Appendix B** for minimising, managing, and monitoring the effects of the local nuisance on potentially affected persons
5. 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 7pm – 1am
 - Using new and well-maintained equipment only
 - No layover of vehicles in the city area or North Adelaide. All vehicle layovers to occur outside of the city, no closer to the Land than the Park Lands roads, e.g. Sire Donald Brandman Drive.
 - 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
6. The Exemption will be reviewed monthly or as required to ensure exemption conditions are still applicable.
7. The Applicant must provide a report on the following dates of all complaints received during the that period. Reports must be sent to c.officers@cityofadelaide.com.au **no later than 5pm Friday:**
- 2 July 2021
 - 16 July 2021
 - 30 July 2021
 - 13 August 2021
 - 27 August 2021

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: *Watkins*

(as delegate of the Council)

Date: 31/05/2021



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

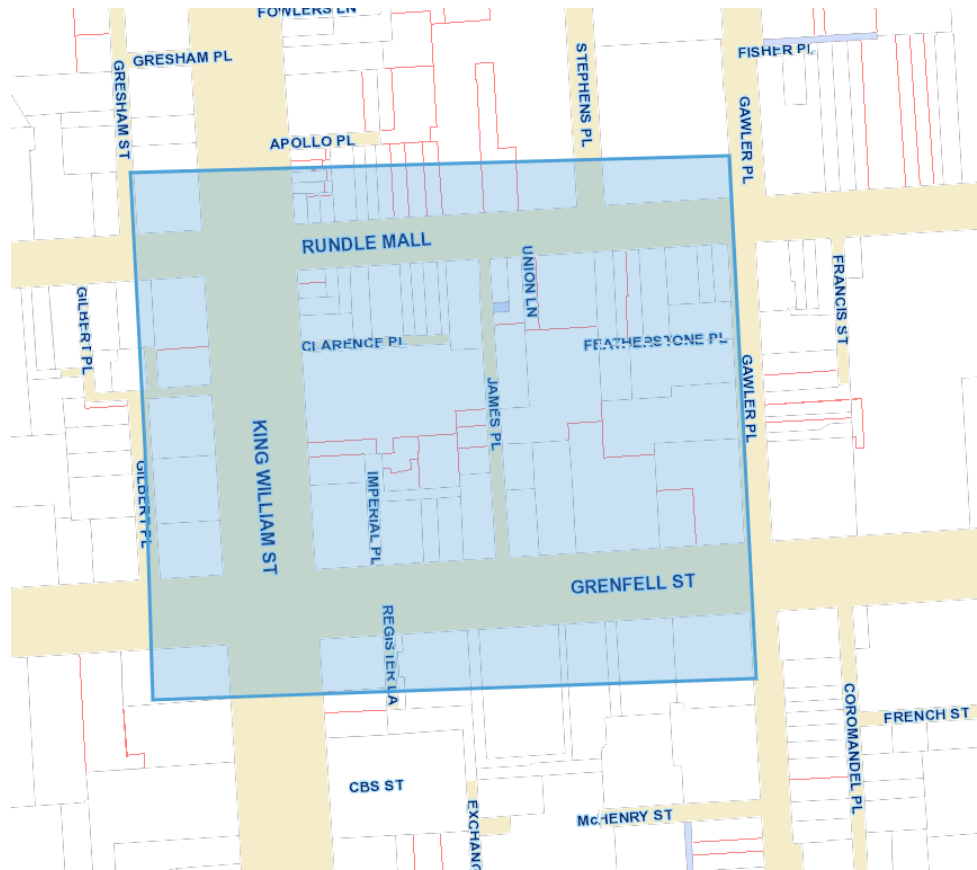
Kind regards



Emma Watkins
Team Leader Community Safety



Appendix A



Appendix B

-Dust Generated by Excavators - Managed with water to wet spoil (activity during winter months, dust is expected to be minimal)

-Engine Noise from Trucks & Equipment - Managed by shutting down idling equipment

-Noise Generated From loading material into Semi Trailers - Managed by lowering excavator bucket to as low as possible to trailer and not tipping from elevated positions

-Noise Generated from Reversing Equipment - Drive in / Drive outs established to limit reversing as much as practical

-Noise Generated by workers communicating - Site hand held radios used for communicating & tool box talks to inform workers about noise generation