

Enquiries: John Hatzipavlos  
Reference: 2869836

Date: 28/12/2023

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### NOTICE OF EXEMPTION

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

Dear Anthony (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 176 Waymouth Street, Adelaide SA 5000** (the Land).

**The Activity:** Undertake concrete slab pour – Level 6. This activity does not include any demolition or general construction activity.

#### Conditions:

1. The exemption granted by this notice applies at the following days and times only:  
**23 January 2024 (Contingency Dates: from 27 January 2024 to 9 February 2024)**  
**25 January 2024 (Contingency Dates: from 27 January 2024 to 9 February 2024)**  
**Start Time:** 5.00am  
**Finish Time:** 7.00am  
**Excludes Sundays & Public Holidays**
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, Friday, 12 January 2024 & also as soon as possible if using a contingency date**. 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](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. 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)
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 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
  - Further restricting, so far as reasonably practicable, any noisy works between **5am and 7.00am.**
  - 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:

28/12/2023

#### 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

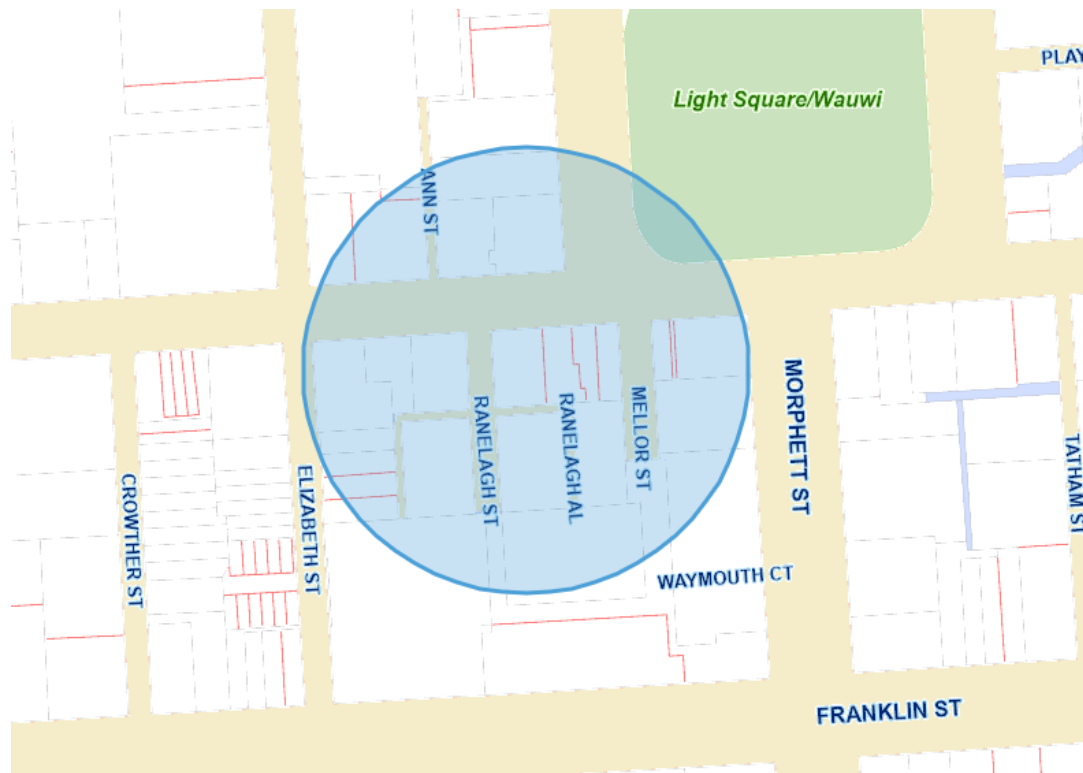
Kind regards



Stephanie Paprzycki-Baker  
Team Leader Community Safety



## Appendix A



## Appendix B

- Workers will be limited to the work site as to minimise the risk of any noise effecting the surrounding neighbours.
- Squawkers will be used on all vehicles where possible to reduce on-site vehicle noise.
- Personnel onsite monitoring activity and or to address any on the day concerns. - Notify residents of affected public transport services;
- Trucks will be unloaded and will not remain in idle unless loading and or loading.
- Machinery and or equipment will be limited to use after 7am and no later than 7pm (Unless Night Shift) where possible
- Machinery to be operated only when required;
- Trucks and specific machinery were possible will be used at the farthest distance to any potentially affected stakeholders.