

Enquiries: 8203 7203
Reference: s10/22/2015

Date 12/02/19

Ben Coley
71 Flinders Lane
MELBOURNE
VIC 8009

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*

To Ben Coley

Pursuant to section 19 of the *Local Nuisance and Litter Control Act 2016* (the Act) the 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 of the activity described below (the Activity) that is to be carried out at the property located at 21 Austin Street, ADELAIDE (the Land).

The Activity: Level 8 continuous concrete pour and all associated activities, including but not limited, to concrete agitator truck operations and movements on the site and in the adjacent public realm, concrete pump usage, and finishing works.

CONDITIONS:

1. The exemption granted by this notice applies at the following times only:
 - 10.00pm 11.59pm 19 February 2019, and
 - 12.00am to 7am 20 February 2019.
2. The Applicant must deliver the proposed correspondence included with their application (version 2) notifying residents and businesses of the works on the Land to each of the properties identified in the attached list no later than 5pm 18 February 2019.
3. The Applicant must ensure that:
 - all relevant nuisance limiting or mitigating provisions set out in their Construction Management Plan- Stage 2 (Construction) are complied with; and
 - noise cancelling earplugs and eye masks are distributed to the Mansions Hotel (sufficient for use by their guests) and any other stakeholder that requests those items no later than 5pm 18 February 2019.

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;
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: 12 February 2019

RESIDENTS AND BUSINESS LIST PER CONDITION 2 OVERLEAF

Address	COMPANY
228 North Terrace Austin St	Urbanest
232 North Tgerrace	Tick Tock Loans
235 North Terrace	Aus Fashion Labels
233 North Terrace	Scots Church and uniting church
2 - 32 Pure Funk Dance	Pure Funk Dance
29 Austin St	Hide and seek coffee shop
25 Austin St	Hair dressor head office
21 Austin Street	Maxcon Constructions
27 Pultney Street	Cherry Blossom Sushi
28 Pultney Street	Dumpling Spot
29 Pultney Street	Hairpresso
21 Pultney St	Mansions/Bunker
10 Pultney St	UNISA student hub
160 Pultney St	BNKR Fashion store
160 Rundle Mall	UNISA House
148 Rundle Mall	Boost Juice
146 Rundle Mall	Silk Salon
144 Rundle Mall	Valley Girl
130 Rundle Mall	Hotel Richmond
22 Rundle Street	Target

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 & Health

