

Declaration under Section 19 Local Nuisance and Litter Control Act 2016

Salisbury (or delegate) can exempt a person from the application of Section 18- Causing a local nuisance, in respect of a specified activity if the Council for the area (or delegate) in which the activity is to be carried on declares, by notice in writing, in accordance with this the Act section, that the person is so exempt.

This declaration has been considered and issued to the **Applicant** for the purposes of the following specified activity:

- **construction or demolition works.** (concrete pour at 5am on the 1st of April 2025 and 10th April 2025)

This declaration can be unconditional or subject to conditions, including (but not limited to) conditions relating to—

- (a) the permitted times or periods of time for carrying on the activity; or
- (b) the manner of carrying on the activity.

Reference: 145/LNLCA

Applicant

Name:	Luis Simoes
Address:	155 Port Road, Hindmarsh 5007 SA
Contact Email	Luis.simoes@mossop.com.au
Contact Phone	0421957049

Responsible Person in Relation to the Activity

Name:	Luis Simoes
Address:	155 Port Road, Hindmarsh 5007 SA
Contact Email	Luis.simoes@mossop.com.au
Contact Phone	0421957049

Activities for Which an Exemption is Being Sought, namely:

Activities for Which an Exemption is Being Sought, namely:	Tick Applicable
Construction or Demolition Works	✓
Other (describe)	

Description or nature of the activity:

Due to the large amount of concrete required and the slow concrete supply from 8am causing irreversible damage to the structural integrity of the concrete slab if no poured constantly, we are planning to start at 5am to set up the concrete pump and start pouring at 5:30am, the concrete finishing will continue until around 4-5:00pm, Also affecting school pick-ups if we don't start this early as well as working well past 7pm if we cant start at 5am.

Location of the activity:

Name or Identifier of site	Bethany Christian School
Address	Common Property, 27-37 Countess Street, Paralowie SA 5108



The anticipated sources and kinds of local nuisance generated by the activity:

Noise from trucks, other construction activities & local access to (Byron Bay Drive). Note that traffic management will be engaged to assist. (Please refer to attached traffic management plan)
 Heavy machinery, equipment and concrete trucks movement, which may generate noise and traffic disruptions in the surrounding area.
 Lighting that may cause glare or light spillage.
 Please refer to attached documents.

The period for which the declaration is sought:

Date(s):	1st of April 2025 and 10th April 2025
Times (duration)	5am to 7pm

The proposed strategy for minimising, managing and monitoring the effects of the local nuisance on potentially affected persons;

A letterbox drop off will be completed ahead of pour day to notify neighbouring properties of the disruption.
 Traffic management will also be engaged with locals and the school to ensure safety and traffic flow – (Please refer to attached traffic management plan)
 Please refer to attached documents.

Refer to any attached plans as required in Attachments

The proposed communication strategy for communicating with potentially affected persons;

All neighbouring properties have been notified to contact our site manger & safety representative for any site related issues. MOSSOP Construction will mitigate all potential disputes to the best of our ability.
 Please refer to attached documents.

The proposed communication strategy of any unforeseen incidents with council;

Although every effort will be made to ensure that there will be no adverse impacts on neighbours and the surrounding community, Mossop Construction+ Interiors have in place a procedure for recording and managing complaints.

When a member of the community lodges a complaint with Council or Mossop Construction+ Interiors, the issue shall be dealt with as soon as possible after being reported. If it cannot be rectified or resolved immediately, then a solution will be implemented as soon as practicable.

All complaints will be recorded in the HSE 038 - Communications Register.

As a minimum, temporary control measures will be put in place to prevent any adverse consequences until such time that the issue can be satisfactorily resolved.

The responsible Site Manager or Safety Supervisor is to assess the situation within their level of authority and either:

- A. initiate an immediate temporary control and manage the issue, or
- B. Escalate the issue to the Project Manager to resolve the issue.

Resolutions are to be documented in the HSE 038 - Communications Register and the community member is to be informed of actions taken.

HSE 038 - Communications Register will be kept on site and will include records of all comments, inquiries and complaints received on the project. Refer to Attachment for sample register

The issue and outcomes are also to be communicated to all relevant employees and subcontractors, using toolbox meetings and noticeboards.

Please refer to attached documents.

The attached notice forming part of the communication strategy shall be delivered to all affected premises as shown in the attached plans (refer attachments)

Please refer to attached documents.

Name and Contact Details of the Person Who May Be Contacted by Potentially Affected Persons Regarding Concerns or Complaints in Relation to the Activity

Name:	Luis Simoes
Address:	155 Port Road, Hindmarsh 5007 SA
Contact Email	Luis.simoes@mossop.com.au
Contact Phone	0421957049

Recording details about complaints

contact details for each complainant
the date and time of the complaint
a description of the complaint
the nature of the activity giving rise to the complaint
any action taken to address the complaint

Council contact:

Team Leader Environmental Health 08 84068222 or email healthandfood@salisbury.sa.gov.au

Conditions

As per attached Traffic Management and site plan by TGA (Traffic Group Australia). Traffic management will also be engaged to ensure that locals and school have safe access in & out of their properties.
Identify any strategy to reduce noise impacts
Provide advance notifications to residents and neighbouring properties of the project activities, timing, duration, potential disruptions and the purpose of early morning concrete pours via a letterbox drop off as per attached highlighted potentially affected properties.
Have a direct contact to MOSSOP Construction site supervisor to raise any issues.
Avoid using loudspeakers or radios on site and communicate instructions to workers directly to
Schedule concrete truck arrivals in staggered intervals to reduce traffic noise and prevent vehicles, from idling near residential areas.

Declaration Expiry Date: **10th April 2025, 7pm**

Date: 25th March 2025

Position: Environmental Nuisance Officer

Acting under Delegated Authority

Note: Measurement procedures for determining presence of local nuisance

For the purposes of section 21(d) of the Local Nuisance and Litter Control Act 2016, if, in determining the presence of local nuisance, section 17(1) of the Act (including a provision referred to by that section) requires an authorised officer to form an opinion about a matter, the officer may form the opinion based on the officer's own senses.

Further information contact City of Salisbury Environmental Health on 8406 8222 or email environmentnuisance@salisbury.sa.gov.au

City of Salisbury
ABN 82 615 416 895
34 Church Street
PO Box 8
Salisbury SA 5108
Australia

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Attachments

Potentially Affected premises



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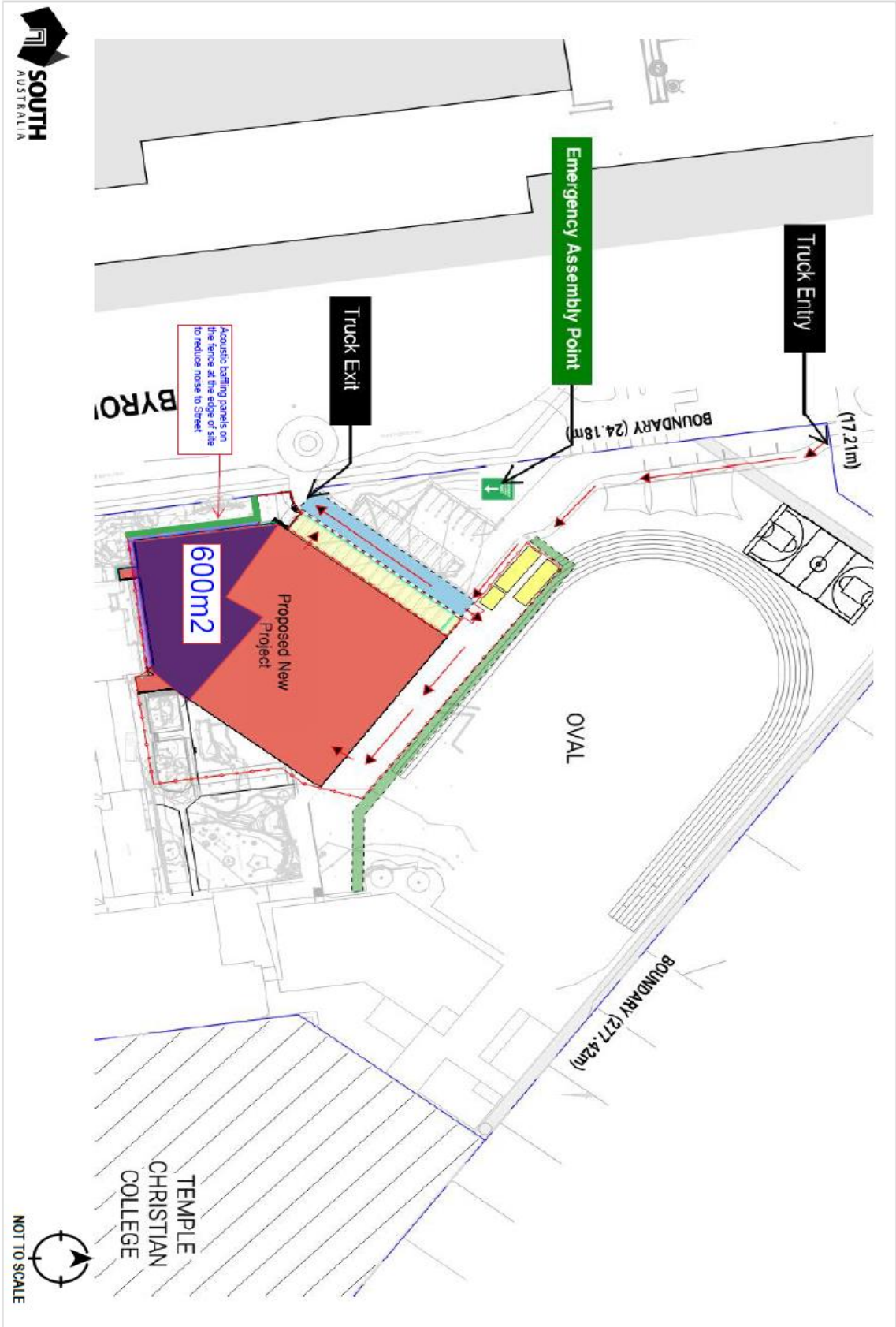
	Client: Mossop Construction		TGS Number: 23			Drawn By: Teagan Fry			
	Contact: Jono Kelly		Contact Number: 0438 093 155			Initial Plan Drawn: 18/03/2025			
	Job Location: Jono Kelly					Revisions			
	Council Area: City of Salisbury					No.:	By:	Date:	Description:
	Start Date: 18/03/2025	End Date: 18/04/2025	Start Time: 07:00	End Time: 15:00		A			
24hr Works: No	Bus Route: No	Plan: 1 of 1	D.I.T. Road: No	B					
Traffic Controller to notify Traffic Management Centre 15 minutes prior to starting. D.I.T.: 1800 019 313 SAPOL: 13 14 44				TCP drawn in conjunction with: AS 1742.3-2019 SA Standards Version 7.3 2023 SA Field Guide Version 9.1 2021		PLAN NOT TO SCALE			
This plan remains the property of Traffic Group Australia and is only valid for regulatory approval when submitted by Traffic Group Australia.				PLAN SUBJECT TO CHANGE		Disclaimer: This plan has been prepared as a guide for Traffic Management purposes. Traffic Group Australia disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages, and costs you might incur as a result of the information being inaccurate or incomplete in any way, and for any reason.			

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SITE MANAGEMENT PLAN
37 COUNTESS ST, PARALOWIE SA 5108



BETHANY CHRISTIAN SCHOOL NEW GYMNASIUM AND SPORTS FACILITY



Neighbour Notification & Community Consultation

Managing Neighbour and Community interfaces with the construction process is an important part of the process of environment interaction. The following processes will be undertaken by Mossop Construction+ Interiors to inform neighbours and the surrounding community of the work as well as provide a contact point:

1. Site Sign will be erected giving contact details of the Project Manager, Site Manager and Safety Supervisor to be contacted for any concerns/queries regarding the construction works
2. Letters will be issued to all immediate neighbours with Mossop Construction+ Interiors contact details as well as an indicative start and duration of construction activities.
3. Discussions with adjoining land owners/neighbours and the community who may be affected by the project.
4. All monitoring, management and reporting documents required under the development consent shall be publicly available upon individual request

Community Consultative Committee has been created prior to Mossop Construction+ Interiors involvement in the project. Mossop Construction+ Interiors are willing to assist / contribute as required to this working group where required.

Complaints Handling

Although every effort will be made to ensure that there will be no adverse impacts on neighbours and the surrounding community, Mossop Construction+ Interiors have in place a procedure for recording and managing complaints.

When a member of the community lodges a complaint with Council or Mossop Construction+ Interiors, the issue shall be dealt with as soon as possible after being reported. If it cannot be rectified or resolved immediately, then a solution will be implemented as soon as practicable.

All complaints will be recorded in the HSE 038 - Communications Register.

As a minimum, temporary control measures will be put in place to prevent any adverse consequences until such time that the issue can be satisfactorily resolved.

The responsible Site Manager or Safety Supervisor is to assess the situation within their level of authority and either:

- A. initiate an immediate temporary control and manage the issue, or
- B. Escalate the issue to the Project Manager to resolve the issue.

Resolutions are to be documented in the HSE 038 - Communications Register and the community member is to be informed of actions taken.

HSE 038 - Communications Register will be kept on site and will include records of all comments, inquiries and complaints received on the project. Refer to Attachment for sample register

The issue and outcomes are also to be communicated to all relevant employees and subcontractors, using toolbox meetings and noticeboards.

Luis Simoes
QHSE Coordinator



NOISE MANAGEMENT PLAN

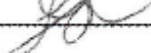
REDUCING RISK OF CAUSING ENVIRONMENTAL NUISANCE

Mossop our staff and sub-contractors at the Bethany Christian School Project agree to:

- Ensure site workers will show any attending Authorised Office (eg; Police Officers) this Noise Management Plan.
- Have clearly displayed on site a "Sign" stating "All workers engaged in activities relating to this site will ensure they comply with the requirements of this sites Noise Management Plan".
- Keep on site at all times a copy of this document and any related documents.
- Prepare and distribute written notification (copies kept onsite) to immediate residences & residences within 80 meters of the noisy activity, including;
 - The reason why we need to create the noise at the proposed time
 - The duration of the proposed noisy activity
 - A site plan showing the location of any noisy activity (eg; concrete pumps, other equipment and delivery vehicle staging points)
 - The name and phone number of an on-site contact person for any complaints to be lodged with before, during and after the event.
- Prepare and keep onsite a Complaints & Communication Register that includes:
 - Contact details of all complainants
 - The time and date complaints are received
 - A description of the activities occurring which gave rise to the complaint
 - Action taken to resolve the complaint stating resolution start and end times
- Ensure all workers are informed they are not to retaliate by using abusive language or threatening behaviour towards any complainant.
- Ensure workers will shut or throttle down equipment and vehicles when not in use.
- Ensure workers don't operate equipment if maintenance or repair is required to eliminate or significantly reduce a characteristic of noise that would be likely to cause complaint.
- Inform workers to only use equipment if noise reduction devices such as quiet mufflers are fitted and are operating effectively.
- Ensure workers keep out of hours noisy activities to a minimum.
- Ensure site workers arriving and departing the site in vehicles do so quietly and also avoid using loud voices or music when on site.
- Schedule completion of activities such as steel work or shuttering the day before during normal permitted hours for making noise.

Note: By not meeting the above requirements too much noise might be created causing Environmental Nuisance. This is likely to result in individuals and/or the company receiving expiation notices or legal proceedings being instigated. Refer over page.

Position Title: **HSE Manager**

Signed: 

Date: 6/01/2015



Legislative Advice:

In brief Environment Protection (Noise) Policy 2007

Construction Noise that will have an adverse impact on the amenity of an area must not occur:

- *On a Sunday or public holiday or on any other day between 7pm & 7am the next day.*

However noise is allowed on Sunday or public holiday between 9.00am and 7.00pm, or on any other day commencing before 7.00am or after 7.00pm under special circumstances:

- *To avoid an unreasonable interruption of vehicle or pedestrian traffic; or*
- *If other grounds exist that the Environment Protection Authority (EPA) or another administering agency determines to be sufficient eg;*
 - *Concrete pour needing to be completed prior to air temp reaching 32 C.*
 - *Work needs to be done in commercial / office premises before workers arrive.*
 - *Asbestos removal at commercial / office premises*

Environmental Nuisance

Sect 82. (1) A person who causes an environmental nuisance by polluting the environment intentionally or recklessly and with the knowledge that an environmental nuisance will or might result is guilty of an offence.

Sect 82. (2) A person who by polluting the environment causes an environmental nuisance is guilty of an offence.

Penalties

Sect 82 (1)	If you're a business - including directors	\$60,000
	Not a business but an ordinary person	\$30,000
Sect 82 (2)	If you're a business - including directors	\$15,000 \$300 – Expiation fine
	Not a business but an ordinary person	\$4,000 \$300 – Expiation fine

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OFFICIAL: Sensitive

1 April 2025



Dear Resident

Re: Bethany Christian School Gym

This letter is a courtesy to let you know a concrete pour will be occurring on Tuesday 1st of April

Due to the large amount of concrete required and the slow concrete supply from 8am causing irreversible damage to the structural integrity of the concrete slab if no poured constantly, we are planning to start at 5am to set up the concrete pump and start pouring at 5:30am, the concrete finishing will continue until around 4-5:00pm.

The anticipated sources of noise will be a concrete boom pump, the concrete supplying trucks and the workers working on completing these works producing 96-100(db.)

Proposed measures to minimize the noise:

- Ensure workers will shut or throttle down equipment and vehicles when not in use.
- Inform workers to only use equipment as required and shut down if not in use.
- Ensure workers while on site prior to 7am maintain a level of noise and talking to a minimum and at all costs avoid shouting.
- Ensure site workers arriving and departing the site in vehicles do so quietly and also avoid using loud voices or music when on site.
- Schedule the concrete delivery trucks as required, next trucks will await outside of this area to avoid unnecessary noise

In the event that you would like to discuss any matters of concern please do not hesitate to contact any of the below parties and / or scan the QR code below and provide us with your feedback and we will get back to you.

Trent Kerslake 08 8268 8699
Travis String 0421 849 230 (Site Manager)
Jono Kelly 0438 083 155 (Safety Supervisor)

We apologize for any inconvenience caused.

Yours sincerely
MOSSOP CONSTRUCTION + INTERIORS

Trent Kerslake
Project Manager



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OFFICIAL: Sensitive

10 April 2025



Dear Resident

Re: Bethany Christian School Gym

This letter is a courtesy to let you know a concrete pour will be occurring on Thursday 10th of April

Due to the large amount of concrete required and the slow concrete supply from 8am causing irreversible damage to the structural integrity of the concrete slab if no poured constantly, we are planning to start at 5am to set up the concrete pump and start pouring at 5:30am, the concrete finishing will continue until around 4-5:00pm.

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Jono Kelly **0438 083 155** (Safety Supervisor)

We apologize for any inconvenience caused.

Yours sincerely
MOSSOP CONSTRUCTION + INTERIORS

Trent Kerslake
Project Manager

