



28th July 2020

NSW Government Department of Planning Industry and Environment
c/o University of Sydney
27 Codrington Street
Darlington NSW 2008

Dear Karen Harragon,

**RE: University of Sydney – Engineering & Technology Precinct Modification 1 (SSD-8636-Mod-1),
Response to Submissions**

In accordance with clause 82(2) of the Environmental Planning and Assessment Regulation 2000, this letter details the response to the issues raised in the five submissions received for the Modification Report detailed above. The below submissions were received, and each response addresses the concerns raised and recommendations made.

City of Sydney

It was noted by the City of Sydney that the façade installation is '*recommended to occur during existing approved construction hours between 7am and 6pm to reduce acoustic impacts on surrounding developments*'. In response to the recommendation raised, the University of Sydney and the Contractor (Laing O'Rourke) have altered the proposal and restricted façade installation to the current approved construction working hours. No façade will be installed out of hours in the noted Modification Report.

NSW EPA

NSW EPA have noted that '*the requested hours do not align with those allowed by the Ministerial Order...the applicant does not provide evidence of community support for the preferred hours of construction*'. In response, it is noted that of the 200 notification letters delivered to the Darlington residents' homes, two objections have been received. One of the noted objections was received from Brian Osterio, whose concerns are further addressed below.

NSW EPA noted '*the Notification letter had proposed 24 hours works, and community submissions on this modification would be an important consideration for this assessment*'. As stated above, two objections have been received in a total of 200 notification letters delivered. In addition, the proposed Modification Report has been significantly reduced from the initial 24 hours works and associated letter notification. The current Modification Report, and further change in scope as a result of the Response to Submissions (this letter response), includes internal service installation and internal fit out works only, from 6am to 10pm, Monday to Friday. It was noted by NSW EPA that '*internal service installation and internal fitout works would be undertaken behind the installed façade that would provide additional attenuation and would have a negligible impact to surrounding residential and other receivers*'.

NSW EPA identified '*the main noise generating works out of hours would be from the façade installation...and it is noted that exceedances are below the highly noise affected level of 75dB(A)*'. To further reduce any acoustic impacts on surrounding developments, the University of Sydney and the Contractor have altered the proposal and restricted façade installation to the current approved construction working hours. No façade will be installed out of hours.

NSW EPA noted that '*delayed deliveries must still be made before 6pm on weekdays*'. For clarification, the Modification Report did not include any deliveries out of hours. All deliveries were noted to be undertaken in the current construction working hours.

In summary, two recommendations were made by NSW EPA. Firstly, '*detailed information will need to be provided to the community, so they can understand what construction activities will take place*'. In response, the University of Sydney will renotify to the same 200 Darlington residents the final approval determined by DPIE, identifying the construction activities, approved working hours and location of works. Given the current COVID-19 pandemic, the re-notification will be undertaken via a letter notification delivered to those same 200 Darlington homes.

The second recommendation noted '*the extended hours should only be allowed to extend of the life of the Ministerial Order*'. The University of Sydney and the Contractor acknowledge this recommendation, however to ensure the noted reduction in construction time and consequential minimised impact to the community, the proposed extended working hours for internal service installation and internal fitout works only are for the duration of the project until completion. It must be restated that façade installation out of hours has been removed from the Modification Report proposal.

Molly Hansard

Molly Hansard, resident of 56 Ivy Street Darlington expressed concern that '*residents living in the household have differing work schedules that include late night rosters*' and may have trouble sleeping during the day. The resident is located in NCA4 and there are no exceedances for the out of hour NMLs identified in the Acoustic Assessment for the out of hours' proposal. However, to further reduce any impact to all residents in the Darlington area, façade installation has been removed from the proposal and the proposal includes internal services installation and internal fitout works only.

Name Withheld

A name-withheld resident of Darlington raised concern of additional noise affecting their sleep as '*the façade installation could exceed the OOH NML's for daytime and evening at the Shepard Street residences in NCA4*'. As identified above, to further reduce any impact to all residents in the Darlington area, façade installation has been removed from the proposal and the proposal includes internal services installation and internal fitout works only.

Brian Osterio

Brian Osterio, resident of 21 Boundary Street Darlington, raised concern around the construction noise generation as a result of the proposed out of hours works. A range of statements made by Mr Osterio refer to Darlington being an '*amphitheatre for noise*', and the Modification Proposal scope of works including '*deliveries and construction noise on the ETP site, with power tools operating anywhere onsite*'. As identified in the Acoustic Assessment, with the removal of the façade installation, there will be no exceedances in OOH work NMLs across all four NCAs. There are no deliveries proposed as a part of the Modification Proposal, and any works undertaken out of hours will be internal to the building with noise mitigation measures in place.

Mr Osterio noted that '*residents have not been consulted about this proposal*'. A notification letter was delivered to the resident, which summarised the scope of works and Modification Proposal. Since the initial letter notification, the scope has been reduced significantly. It must be noted given the current COVID-19 pandemic, the letter notification to 200 residents was deemed the safest and most appropriate form of community consultation for the Modification Proposal.



The final point of concern raised by Mr Osterio noted '*the application infers the proposal is comparable to another construction site (Susan Wakil Health Development) ... this is false*'. It must be noted that within the University of Sydney Camperdown campus surrounding the Susan Wakil Health Building (SWHB), there are multiple residential students' colleges, the closest being Wesley College of more than 200 student residents located approximately 40 metres from the SWHB. Other residential colleges include The Women's College and St Andrews' College. It is noteworthy that the total residents in the 3 closest colleges to SWHB total at least 670 (not including on-site residential staff) being a significant number of adjacent residents, in comparison with the 200 residences in the NCAs of Darlington which extends well beyond 200 metres from the Engineering and Technology Stage 1 building project on the University of Sydney Darlington Campus.

In summary, the Engineering and Technology Stage 1 building project has addressed all noted issues raised in the five submissions received. In response and to address the recommendations received, it is noted the Modification Report (SSD-8636-Mod-1) will exclude the consideration of façade works out of hours, and the scope of out of hours works will apply to internal service installation and internal fit out works only. In turn there will be no exceedances to the OOH work NMLs for the four NCAs in Darlington and an overall reduction in any potential impact to the community.

Following approval determined by DPIE, the University of Sydney will renotify the 200 residents via a letter notification identifying the reduced scope of out of hours works in line with the approved Modification Report. This is in addition to any notification done by DPIE if it sees fit.

Yours faithfully,

Juliette Churchill
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