

2 October 2018

218192
CPo/SM/MR

Carolyn McNally
Secretary
Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Attention: Joel Herbert (Planning Officer – Planning Services)

Dear Joel,

RESPONSE TO SUBMISSIONS – MOD 11 MP08_0238 1 DENISON STREET, NORTH SYDNEY

We write on behalf of Multiplex in relation to the Section 4.55(1A) modification application being MOD 11 to Project Approval MP08_0238 for the construction of a new commercial building at 1 Denison Street, North Sydney (the site).

MOD 11 to Project Approval MP08_0239 seeks to amend the approved construction hours for the project in order to streamline the construction process. The application was placed on public exhibition between 25 July 2018 to 7 August 2018 and received one submission from North Sydney Council (Council) and one submission from a member of the general public.

1.0 Response to Submissions

The submissions generally raised concerns in relation to acoustic privacy to neighbouring residential properties and the impact of extended construction hours on local traffic conditions. We note that the submission from Council objected to the proposed extension of standard construction hours on Saturdays, as well as the use of cranes outside of standard construction hours. Council did not raise any objection to the extension of standard construction hours to 6:00pm Monday-Friday.

In response to Council's submission, the proposed extension to standard construction hours on Saturdays has been removed from this application (see **Section 2**) and further detailed acoustic assessment in relation to the use of cranes is provided at **Attachment A** and discussed at **Section 3**.

Issues relating to traffic management have been previously addressed in the updated Construction Management Plan submitted with this application.

2.0 Amendment to Proposed Modifications

The above response to submissions necessitates minor updates to the proposed modifications to conditions (as lodged) to reflect the amended modification application.

A consolidated list of conditions proposed to be modified in this application is provided below. Words proposed to be deleted are shown with ~~**bold-strike through**~~ and words to be inserted are shown in ***bold italics***.

A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No. 08_0238 and the Environmental Assessment dated May 2009 prepared by JBA Urban Planning, except where amended by the Preferred Project Report dated October 2009 and as amended by:

- (a) the S75W Modification Application (MP08_0238 MOD 1) and accompanying Environmental Assessment dated August 2010 and October 2010 and June 2014 and June 2014 prepared by JBA Urban Planning and additional information, plans and reports provided with the Preferred Project Report and S75W;*
- (b) the S75W Modification Application (MP08_0238 MOD 2) and accompanying Environmental Assessment dated 31 May 2011 prepared by JBA Urban Planning;*
- (c) the S75W Modification Application (MP08_0238 MOD 3) and accompanying Environmental Assessment dated 9 November 2011 prepared by JBA Urban Planning and Response to Submissions dated 12 January 2012 and 23 February 2012;*
- (d) the S75W Modification Application (MP08_0238 MOD 4) and accompanying Environmental Assessment dated 12 June 2014 prepared by JBA Urban Planning;*
- (e) the S75W Modification Application (MP08_0238 MOD 5) and accompanying Environmental Assessment dated 12 June 2014 prepared by JBA Urban Planning and Response to Submissions dated 20 November 2014;*
- (f) the S75W Modification Application (MP08_0238 MOD 7) and accompanying Environmental Assessment dated 11 November 2016 prepared by JBA Urban Planning and Response to Submissions dated 2 March 2017, 18 April 2017 and 26 April 2017;*
- (g) the S75W Modification Application (MP08_0238 MOD 8) and accompanying Environmental Assessment dated 27 June 2017 prepared by JBA Urban Planning;*
- (h) the S75W Modification Application (MP08_0238 MOD 9) and accompany Environmental Assessment dated 21 December 2017 prepared by Ethos Urban, and Response to Submissions dated 9 March 2018 prepared by Ethos Urban; and*
- (i) The Section 4.55(1A) modification application (MP08_0238 MOD 11) and accompanying Environmental Assessment prepared by Ethos Urban dated 13 July 2018 and Response to Submissions dated 2 October 2018***

D1 Construction Hours

Building construction shall be restricted to the hours of 7.00am to ~~5.00pm~~ **6.00pm** Monday to Friday and on Saturday to within the hours of 8.00am to 1.00pm inclusive, with no work on Sundays and Public Holidays.

....

D1A Internal Fitout Works

(a) Permissible building works between the hours of 6.00pm to 10.00pm, Monday to Friday and 1.00pm to 10.00pm on Saturdays is limited to internal fitout works only and shall be wholly contained within the sealed building's facade. Work that is permissible to be undertaken from 6.00pm on weekdays and from 1.00pm on Saturdays is limited to the following:

- installation of plasterboard ceilings and walls:
- painting:
- joinery:
- tiling:
- laying of carpet: and
- installation of internal services and fittings.

No external building works, any deliveries to the site or use of the external elevator shall be undertaken outside the standard construction hours of 7.00am to ~~5.00pm~~ **6.00pm** Monday to Friday and 8.00am to 1.00pm on Saturdays.

(aa) Notwithstanding (a) above, the following works are permissible to be undertaken between the hours of 1.00pm to 5.00pm on Saturday:

- ***services installation,***

- *jumpform and reinforcement installation,*
- *concrete finishing works,*
- *survey,*
- *basement blockwork installation,*
- *substation works in basement,*
- *podium and lobby works,*
- *façade installation,*
- *plantroom and lift works,*
- *finishing trades, and*
- *electric and diesel crane usage*

...

(e) All building construction works in (a) **and (aa)** above shall be subject to the maximum noise levels of 5dB(A) above the background.

...

(g) The Proponent shall prepare a Parking Management Plan that shall specify the parking arrangements for workers after 6.00pm Monday to Friday and after 1.00pm Saturday this shall include the total number of vehicles and the proposed location where these vehicles will be parking. All vehicles associated with extended construction hours are to park on site within the basement parking area. This Plan should also address noise abatement measures that will be in place to minimise disturbance to local residents when workers are leaving the site after the extended hours. This Parking Management Plan shall be provided to Council for approval prior to the commencement of extended construction hours.

(h) The Proponent shall prepare a Complaint Resolution Plan to ensure that all complaints from surrounding residents with regard to work carried out on site after 6.00pm on weekdays and after 1.00pm on Saturday are promptly attended to and resolved. This Complaint Resolution Plan shall be provided to Council for approval prior to the commencement of extended construction hours.

3.0 Environmental Assessment

Additional acoustic assessment of the crane noise emissions on Saturday between 1pm to 5pm has been prepared by Acoustic Logic to address the issues raised in the submission from Council and is included at **Attachment A**.

This assessment considers the potential noise impacts from the operation of the electric crane and diesel crane between 1:00pm and 5:00pm on Saturdays on the residential and commercial receivers within close proximity to the site. Acoustic Logic has reported that the electric crane does not generate any noise impact as it generates little noise and is located further from the most sensitive receiver, however additional noise measurements have been completed to assess the impact diesel crane usage.

Noise measurements of the existing crane operations were undertaken on Saturday 15th of September 2018 between 12:00pm and 1:00pm. The crane noise level was measured with the boom rotated so that the exhaust faced the measurement point, as well as with the exhaust facing away from the measurement point, with the engine idling and during lifting. The likely diesel crane noise level at the most affected residential receiver has been based on a 15 minute work cycle based on the following:

- 50% of the time the crane exhaust is facing the Beau Monde, and 50% not facing the Beau Monde
- 50% of the time the crane is lifting and 50% of the time the crane is idle.

This work cycle generates a 15 minute noise level of 62dB(A), compliant with the noise objective to remain less than 5dB(A) above the most conservative background noise level of 57dB(A). As works progress, and the crane height

increases, noise impacts will lessen further because background noise levels have been found to increase with building height, and these background noise levels will be higher than adopted in this assessment.

Acoustic Logic therefore determine that the operation of cranes between 1:00pm and 5:00pm on Saturdays would not adversely impact on surrounding properties.

4.0 Conclusion

Multiplex, and its expert project team have considered the submissions made in relation to the public exhibition of MOD 11 to MP 08_0238. In response to these submissions the application has been amended and a consolidated list of conditions proposed to be modified as part of this application is provided at **Section 2**.

The exhibited Section 4.55 (1A) addresses the potential impacts of the overall proposed modifications to MP08_0238 in MOD 11. The proposed modifications to the application do not alter the original assessment against the relevant plans, policies and guidelines.

We trust the above information is sufficient to allow a prompt assessment of the modification. Should you have any queries about this matter, please do not hesitate to contact me on 9409 4971 or smiller@ethosurban.com.

Yours sincerely,



Candice Pon
Urbanist
cpon@ethosurban.com



Samantha Miller
Principal, Planning
smiller@ethosurban.com