

RESPONSES TO PUBLIC SUBMISSIONS
SUPERYACHT MARINA

Prepared for: Urban Perspectives
Superyacht Marina

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BENBOW ENVIRONMENTAL

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ATTACHMENTS

Attachment 1: Meeting Minutes





1. INTRODUCTION

This report provides the responses to the public submissions on the noise aspects relating to the proposed Sydney Superyacht Marina.

Each of the responses is examined in a separate section of this report.

There were two submissions that did not raise new issues relating to noise and reference is made to these for completeness without comments being presented.



2. GLEBE POINT RESIDENTS GROUP – RESPONSES DATED 03/03/11

This discussion deals only with the comments made under noise in this submission.

Many of the issues raised can be dealt with in the Noise Management Plan. These include:

- Hours of operation for any outdoor entertainment;
- Where the musicians would be located;
- Restrictions on the number of musicians and type of music to be played;
- Control of the PA equipment; and
- Provision of noise barriers to reduce music levels at residences to an agreed noise level.

For outdoor balcony areas "party activity" that can result in loud conversations will be of concern to residents and is only able to be limited by restricting hours of activity allowed on the balconies, limiting the size of these balconies, covering them in substantially or by providing walls around the balconies of glass or polycarbonate that will be typically 3 m high to provide effective noise barriers. Noise modelling to design the walls will be necessary.

Response by a resident of an apartment at 501 Glebe Point Road further endorsed the comments relating to noise made in the above submission and are not separately addressed as a result.



3. DR. JUDY CASHMORE AO – RESPONSE DATED 23/02/11

The response by Dr. Judy Cashmore AO refers to the reviews by Dr. Martin Lawrence and Dr. Fergus Fricke. These will be addressed separately.

The hours of operation presented in our noise report stated *"24 hours a day, 7 days per week"*. The activities that can be undertaken during the various times of the day would as a result of the consultation with the community be specified in a Noise Management Plan.

As a result of a public meeting held on 28 February 2011 the hours of operation of various activities have been altered by the Directors of Sydney Superyacht Marina who attended the meeting – refer to Attachment 1.

These operational requirements would be detailed in a Noise Management Plan.



4. RESPONSE BY MARTIN LAWRENCE, PHD

Noise that is Tonal, Impulsive or Intermittent in Character

No corrections have been made for these characteristics as these characteristics are not expected to be predominant in the music levels that will result after noise controls are in place.

From our experience monitoring music from large scale concerts, the music does not contain tones or intermittency of sufficient occurrence to warrant being considered. The presence of impulsive characteristics have been identified from the music simulation noise testing and these would be removed by the restrictions on the types of musical instruments that could be played and by the provision of noise controls.

There is increased sensitivity to music and loud conversations from activities at the site. The ability to reduce this sensitivity is being evaluated in the design of the noise controls.

Wind Enhancement of Music

The NSW Industrial Noise Policy is the document that is applied in establishing the modelling factors to be used for weather enhancing noise conditions. This is the source of the 3 m/sec used in the modelling. With higher wind speeds present it is reasonable to say that background noise levels will increase. Therefore the background noise levels at higher wind speeds could be used to determine the project specific noise limits for periods with wind speeds higher than 3 m/sec. It is not correct to model for higher wind speeds and not compare these noise levels to higher background noise levels.

The background noise levels used are those without weather effects, again as defined in the NSW EPA Industrial Noise Policy. The noise criteria are established based on the minimum L_{A90} background noise levels that were present for the three time periods considered – day, evening and night. We have proposed to undertake noise logging over 7 days at two apartments at 501 Glebe Point Road, Glebe to establish current background noise levels and assess whether lower project specific noise levels are required.

Two apartments would be needed – one on the ground floor and one at a higher level. Tentative arrangements have been made and noise logging would be undertaken over at least 7 days and may be longer if weather conditions are outside of the parameters set in the NSW EPA Industrial Noise Policy.

The data obtained from the noise logging would be explained in a supplementary report and the music levels needed to protect the amenity of the apartments at all levels above ground would be shown on the graphs of the noise data. These findings would then be added into the Noise Management Plan and used to advise the extent of the noise controls needed for the outdoor activities.



Water Reflection

The Sound Plan model enables water to be included in the ground effects. The simulation of the music was conducted so that the significance of this factor could be measured for the relative locations of the Superyacht Marina and the apartments at higher floor levels.

The effects were expected to show music noise levels enhanced further than the modelling may show. The noise model for this project will be able to be calibrated for these effects so that the calculations are more accurate than just relying on the parameters set in Sound Plan. This approach will provide more surety for residents.

The land form varies between hard reflective water and then a grassed area. This combination of surface types will cause different effects depending on the height of the apartment receiving the noise from the site.

Each of the apartment levels at 501 Glebe Point Road would be modelled to assess the extent of the noise controls that would be needed to meet the acoustic criteria.

Distance to Nearest Residence

The apartments used in the noise modelling will be shown on a diagram with exact distances displayed.

Experience

The comments made by the residents are of extreme importance. To ensure that the situation raised in reference to Liquidity in the past is not repeated is one of the objectives arising from the public meeting.

The restrictions on the activities of the proposed development to preserve the acoustic amenity of the residents would be detailed in the Noise Management Plan and would apply for the life of the development "as approved" i.e. as detailed in the conditions of consent.



5. RESPONSE BY DR. FERGUS FRICKE

Item 1: Background Noise Levels

Noise logging is recommended and is proposed to be undertaken at the nearest apartments in 501 Glebe Point Road.

Two apartments have been selected, both with direct line of sight to the Marina. One apartment is at ground level, the other at a higher level. Noise logging would be undertaken over at least 7 days. The findings would be used to set project specific noise limits based on current environmental noise levels.

Item 2: Source of the Industrial Noise

During the noise logging discussed above, attended noise measurements would be conducted on several occasions for the three periods of the day i.e. daytime, evening and night time outside the ground floor area adjacent to the apartment building so these sources can be identified. The findings will be presented in detail.

Item 3: Inclusion of Scale Map Showing Situation of Noise Loggers

A scale map will be included.

Item 4: Sound Power Levels, Spectrum of Sound, Temperature Inversion, Building Shape

These comments will be evaluated further in the noise modelling of the controls that are envisaged.

Item 5: Use of Sydney City Council's Noise Criteria as Opposed to the Industrial Noise Policy

These comments are being considered. This approach would provide the residents greater protection from potential noise nuisance from the activities that could occur on balconies as well as from music from outdoor areas.

We also favour restricting the hours of activities allowed on the balconies, or enclosing part or all of the balconies.



6. RESPONSE BY THE GLEBE SOCIETY INC.

Comments presented in this response relating to noise have been addressed in the earlier discussion.

This concludes the report.

Yours faithfully,
for Benbow Environmental

A handwritten signature in black ink, appearing to read 'R T Benbow'.

R T Benbow
Principal Consultant



7. LIMITATIONS

Our services for this project are carried out in accordance with our current professional standards for site assessment investigations. No guarantees are either expressed or implied.

This report has been prepared solely for the use by Urban Perspectives, as per our agreement for providing noise assessment services. Although all due care has been taken in the preparation of this study, no warranty is given, nor liability accepted (except that required by law) in relation to the information contained within this document.

Urban Perspectives is entitled to rely upon the findings in the report within the scope of work described in this report. No responsibility is accepted for the use of any part of the report in any other context or for any other purpose.

Opinions and judgements expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal opinions.

ATTACHMENTS



Following a public meeting on 28 February 2011 with residents of Glebe and members of the Glebe Society, the Directors of Sydney Superyacht Marina Pty Ltd makes the following commitments:

- The number of outdoor bands would be restricted to two bands playing at any one time.
- The hours that outdoor bands could play would be restricted to 11:00hrs to 20:00 hrs. During special events¹ the hours would be 9:00hrs to 20:00 hrs.
- Outdoor bands would only play on the ground level.
- Sub-tenants would be required to arrange outdoor bands with the facility manager
- All doors and windows would be closed after 20:00hrs for tenancies playing indoor music.
- Sydney Superyacht Marina Pty Ltd would set up a Community Liaison Group, which would include Sydney Superyacht representatives, NSW Maritime and representatives of the affected community.
- Prior to submitting a Preferred Project Report to Department of Planning, Sydney Superyacht Marina Pty Ltd would engage Benbow Environmental to conduct music simulations from the Superyacht Marina Site and noise monitoring at the nearest residents. The volume of music would be incrementally increased until it is audible at the nearest residence. The acceptable criteria for amplification of music would be set below the measured audible recognition level.
- Sydney Superyacht Marina Pty Ltd would prepare a Noise Management Plan for the construction and operation phases of the development.
- The Noise Management Plan would address site management issues such as booking of bands, restriction on type of amplifiers that can be used on site, liaison with the community, compliant response, compliance monitoring and contingency measures.

The above commitments would be included in the preferred project report and form part of the proposed project.

Tony Ellis
Director
Sydney Superyacht Marina

Brian James
Director
Sydney Superyacht Marina

Justin James
Director
Sydney Superyacht Marina

¹ Special Event Days are Christmas Day, Boxing Day, New Years Eve, New Years Day, Australia Day, plus five additional days per calendar year provided 21 days notice is provided to the Department of Planning and NSW Maritime.