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Attn: Eliza Potter

Harbourside - SSD 49295711 - Modification Assessment

This letter has been prepared to support the proposed modification to Conditions G19-21 within SSD 49295711 for the Harbourside development. The conditions relate to noise emissions from entertainment sources of noise (ground floor/podium retail uses). Proposed wording and specific changes to the above conditions are detailed in the associated planning report, whilst this letter details the previously developed acoustic strategy for the precinct and current conflicts with the conditions imposed.

An acoustic report was submitted to support the application for Podium and Tower elements of the development – *Harbourside – SSDA Acoustic Assessment* (ref: 20220030.1/3110A/R3/LA, dated 31/10/2022).

With respect to the acoustic design and requirements proposed for the project within the submitted acoustic assessment, the design was as follows:

- For future residents within the Harbourside development, internal acoustic amenity achieved with façade closed. Internal noise level requirements have been established in line with Conditions C18, C19 & C20 of Part C of the SSD-7874.
- For existing residents, primarily to the west, standard Liquor & Gaming requirements (applicable at the time of application), which provide an allowable exceedance to the background noise level during the period of 7am to 12am, and inaudibility during the night time period.
- Section 8.2 of the submitted acoustic report detail specifics of this proposal

The above strategies were developed to provide a balance between acoustic amenity (both for existing residents and future residents within the development) and vibrant retail operation, as detailed in the approved acoustic report.

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Conditions G19-21 of the development consent identify ongoing conditions for entertainment noise emissions from the site. In relation to these conditions:

- G19 provides similar requirements to the nominated noise requirements to external receivers as detailed in the approved acoustic report, i.e. L&G standard noise conditions.
- G20 provides an additional internal noise requirement, which is at a lower level than G19. This level and assessment location has not been identified within the approved acoustic report
- G21 provides requirements for the period between 12am and 7am, which are similar to the more general 'inaudibility' requirements identified in the approved acoustic report to external receivers.

Critically, the wording of the above conditions are ambiguous as to whether they would apply to only residents *external* the site, or new residential towers in addition. If the new residential towers are to be assessed to this criteria, this would represent a fundamental change to the SSDA stage assessment framework. Alternatively, if conditions G19-21 are not applicable to the tower, then there is no ongoing criteria identified in the consent for the residential component of the development.

The proposed modifications to the consent seek to clarify the above inconsistencies within the consent by:

- Confirming that G19-21 apply only to uses *outside* of the development.
- Introducing an additional condition which applies to residents *within* the development, being the internal noise levels identified within the approved acoustic report.

The above changes would provide further certainty around the applicable acoustic criteria for the project.

Please contact us should you have any further queries.

Yours faithfully,



Acoustic Logic Pty Ltd
Alex Washer