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Re: Overseas Passenger Terminal, Shade structures to Tenancy 5 (SSD 9334) - Construction noise assessment

Dear James,

1 Introduction

Jimmy's On The Mall Pty Ltd is developing an approved restaurant, bar and micro-brewery at Terminal 5 of the Overseas Passenger Terminal (OPT) (the development area), Circular Quay West in The Rocks NSW. The development approval (DA), granted in August 2017, excluded external suncreening to the northern outdoor area. It is now proposed to erect shade structures on the northern side of the development.

EMM Consulting Pty Limited (EMM) has been engaged by Mantle Group Hospitality on behalf of Jimmy's On The Mall to assess whether the construction of these shade structures will comply with the requirements of the NSW Environmental Protection Authority's (EPA) Interim Construction Noise Guideline (ICNG) and Industrial Noise Policy (INP), relevant City of Sydney (CoS) guidelines criteria and the Secretary's Environmental Assessment Requirements (SSD 9334) issued on 4 June 2018.

2 Previous preliminary investigation (2016)

EMM Consulting Pty Limited (EMM) previously prepared an acoustic assessment to support the DA application for the development of the restaurant, bar and micro-brewery (*EMM 2016, Overseas Passenger Terminal - Tenancy 5, Acoustic Assessment, v2, 8 November*).

2.1 Statutory context

The acoustic assessment (EMM 2016) assessed both the construction and operational noise impacts that the development may impose on the surrounding environment, in accordance with relevant EPA and CoS requirements, as well as the development consent (SSD 7683).

The following guidelines, policies and standards apply to this proposal:

- City of Sydney, General Noise Guideline;
- Environmental Protection Authority (2000), *Industrial Noise Policy*;
- City of Sydney, *Entertainment Noise Guideline*;
- Office of Liquor, Gaming and Racing noise criteria;

- City of Sydney (1992), Code of Practice *“Construction Hours/Noise within the Central Business District”*; and
- Department of Environment and Climate Change NSW (2009), *Interim Construction Noise Guideline*.

2.2 Project description

The acoustic assessment (EMM 2016) considered the following development of Tenancy 5 as an indoor and outdoor restaurant and bar (incorporating a micro-brewery) as detailed below:

- fitout, alterations and additions of Levels 1 & 2 for use as a restaurant and bar;

External amendments to the OPT building including:

- replacement of existing glazing on the northern and eastern elevations, with new window and door openings;
- new Level 1 balcony on the western elevation;
- new outdoor decks on Level 1 on the east and north elevations and within the tower drum providing additional outdoor seating;
- new retractable awning/sun shading structure to proposed outdoor seating areas;
- landscaping of outdoor areas; and
- new micro-brewery within a pod structure located outside the OPT building.

The acoustic assessment assumed that there would be minor excavations in the area surrounding the OPT as part of the development, including for the sun shading structure to proposed outdoor seating areas.

We understand that subsequent to the preparation of acoustic assessment, the awnings for the outdoor seating areas were not approved as part of the application.

2.3 Previous conclusion

The acoustic assessment (EMM 2016) concluded:

The proposed development will not alter or add to any existing mechanical plant at the OPT and therefore it is expected that industrial noise criteria will continue to be satisfied at all assessment locations.

The predicted noise levels from the operation of the proposed development do not exceed the CoS entertainment noise criteria for all assessment locations. Noise from the facility will likely be masked by the relatively elevated noise levels in such a vibrant environment. Such venues and activities are not uncommon in this district and provide a social benefit to the community.

Construction noise levels are predicted to satisfy the ICNG criteria at all residential assessment locations, with minor exceedances at some commercial assessment locations. It is expected that if these exceedances do occur they will be temporary due to the dynamic nature of construction work. Nonetheless, the proponent will manage construction noise using the universal work practices outlined in Section 7.2.

Further, during the construction period, long term noise and vibration monitoring was conducted on site. The results of this analysis showed that noise and vibration was managed effectively throughout the construction period. No noise or vibration complaints were lodged during this time.

Operational noise was assessed, and further commissioning testing was performed of the loudspeaker system in order to ensure that operational noise from the venue did not exceed levels specified in the development consent.

3 Current proposal

Development approval is now sought for the following shade structures:

- two free-standing shade structures in the outside area immediately north of the OPT building; and
- two retractable awnings fixed to the OPT building.

The two free-standing shade structures will be rectangular steel frames (8.6 m x 5 m and 7.1 m x 7.0 m) with retractable fabric sunscreening. The awnings will have steel legs which will extend into, or be connected to, footings. Minor excavation will be required for the footings.

The previous acoustic assessment (EMM 2016) assessed construction noise for minor excavations in the outdoor seating area, so the acoustic assessment remains applicable for the current application (SSD 9334).

It is expected that construction noise generated from works associated with the construction of the shade structures would be no greater than the works assessed in the previous acoustic assessment (EMM 2016).

Further to this, the installation of the sun shades would not adversely affect the operational noise of the site, and if anything would help to reduce offsite noise emissions.

4 Conclusion

Construction noise levels from the current proposal are expected to be no greater than those previously assessed (EMM 2016). If high noise construction activity is undertaken, this will be managed in accordance with the site's Construction Environmental Management Plan (CEMP) prepared by Xenia Construction (NSW) Pty Ltd (dated 1 August 2017).

Yours sincerely



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