

State Significant Development Modification Application SSD-77608714-Mod-4

Site: 136-148 New South Head Road, Edgecliff

Residential Building Affected: 170 New South Head Road

Applicant: Lendlease (One Darling Point) Pty Ltd

Position: Objection

1. My position as an affected resident

I am a resident of 170 New South Head Road, located close to the development site and within the R2 residential receiver zone identified in the applicant's Construction Noise and Vibration Management Plan which includes residential buildings exposed to construction noise and vibration. I object to the proposed modification in full.

My concerns relate to amenity, health, reasonable residential expectations, rental value, and loss of respite, based on the information provided in the exhibition documents.

2. The modification does not satisfy the test under s 4.55(1A)

Section 4.55(1A) requires that a modification must:

- be substantially the same development, and
- have minimal environmental impact.

The proposed changes significantly alter the timing, duration, and intrusiveness of construction impacts by:

- extending weekday hours from 7am-6pm to 6am-6pm,
- extending Saturday hours from 8am-1pm to 7am-6pm, and
- allowing high-impact works (rock breaking, hammering, sheet piling, pile driving) between 2pm-5pm on Saturdays.

These changes introduce new periods of impact during times normally protected for residential amenity.

The applicant's own noise report acknowledges exceedances of noise management levels for several activities. A modification that increases exceedances and expands impact periods cannot reasonably be described as "minimal environmental impact."

3. Impacts on 170 New South Head Road as a sensitive residential receiver

The applicant's noise report identifies nearby residential receivers (R1 and R2) as the most sensitive. My building at 170 New South Head Road forms part of the broader R2 residential receiver group shown in the applicant's mapping.

Predicted noise levels include:

- Rock hammering: up to 80-90 dB(A)
- Luffing crane: 66 dB(A)
- Excavator: up to 81 dB(A)

These are very high noise levels for a residential environment, particularly during early mornings and weekends.

The proposed 6am weekday start and 7am Saturday start create unavoidable disturbance during times when residents reasonably expect quiet. The proposed Saturday extension to 6pm removes most weekend respite.

4. Inconsistency with the NSW EPA Interim Construction Noise Guideline (ICNG)

The ICNG states:

"Residential receivers are most sensitive to noise impacts outside normal working hours, particularly on weekends."

The applicant proposes earlier starts, longer Saturday hours, and high-impact works on Saturday afternoons, directly contradicting this principle.

The ICNG defines standard construction hours as:

- 7am-6pm Monday-Friday
- 8am-1pm Saturday

The modification seeks to exceed both weekday and Saturday standard hours.

The ICNG further requires:

“Respite periods should be provided for particularly noisy activities.”

Allowing rock breaking and similar works between 2pm-5pm on Saturdays removes a significant portion of weekend respite.

5. The applicant’s own documents show exceedances and impacts

The Acoustic Logic report states:

- “Rock hammering... generally exceeds the noise management levels.”
- “Luffing crane expected to exceed NMLs.”
- “Excavator... significant exceedances occur.”

Even “marginal” exceedances represent real impacts when they occur earlier in the morning, later in the evening, or on weekends, when residents are most sensitive.

6. Insufficient justification for extended hours

The applicant states the purpose of the extension is to “expedite construction” and “reduce the period of construction” by 1-3 months.

This does not justify:

- removing weekend respite,
- introducing 6am noise exposure,
- extending intrusive works into Saturday afternoons,
- increasing the duration of daily impacts.

A shorter construction program does not outweigh the significant amenity impacts on surrounding residents.

7. s 4.15 EP&A Act considerations weigh against approval

Under s 4.15(1), the consent authority must consider:

(b) Likely impacts of the development

The applicant’s own reports confirm noise exceedances and intrusive impacts.

(c) Suitability of the site

The site is immediately adjacent to dense residential buildings. This makes extended hours and intrusive weekend works unsuitable.

(e) The public interest

The public interest includes protecting residential amenity, ensuring reasonable respite, and maintaining EPA-recommended construction hours.

Accelerating construction convenience does not outweigh these public interest considerations.

8. Cumulative impacts in an already high-noise corridor

The description of early-morning traffic conditions in the applicant’s report does not align with what residents typically experience. While New South Head Road becomes busy later in the morning, the period between 5am and 7am is generally quiet enough for sleep and normal residential use. As someone who experiences migraines and sleep disturbance, this early-morning quiet period is important

for rest and recovery, and removing it would have a direct impact on my wellbeing. Introducing construction noise at 6am would therefore represent a noticeable change to existing amenity during a sensitive time of day.

9. Likely impact on rental value and ability to lease the property

Extended construction hours - particularly 6am weekday starts, 7am Saturday starts, and high-impact works on Saturday afternoons - create prolonged daily and weekly disturbance.

For residents who rent their homes, or for owners who may need to rent their property in the future, these impacts reasonably:

- reduce the attractiveness of the dwelling to prospective tenants,
- increase the likelihood of rental vacancies,
- reduce the likely achievable rental value during the extended construction period.

This is not presented as an expert valuation, but as a common-sense consequence of prolonged noise, vibration, and loss of amenity.

The modification therefore has direct economic implications for affected residents, in addition to amenity impacts.

Conclusion

The proposed modification would result in:

- loss of early-morning and weekend respite,
- intrusive noise during sensitive periods,
- exceedances of noise management levels,
- increased duration of daily impacts,
- cumulative noise exposure,
- weakened rental value for affected dwellings.

The modification:

- does not satisfy s 4.55(1A),
- is inconsistent with s 4.15,
- conflicts with EPA guidelines,
- is not justified,
- is contrary to the public interest.

For these reasons, I object in full to the proposal and respectfully request that SSD-77608714-Mod-4 be refused.