

**Application No: MP07\_0158 MOD 4**  
**Abercrombie Street Precinct University of Sydney**

**Date:** 19<sup>th</sup> May 2014

**Name:**

**Address:**

**Email:**

***PLEASE WITHHOLD MY NAME AND ADDRESS FROM ANY PUBLICATION.***

**I object to Application No: MP07\_0158 MOD 4 Abercrombie Street Precinct University of Sydney.**

Originally, the University of Sydney informed residents that Stage 1 of the Abercrombie Precinct Development (APD) was only to consist of the Business School. Construction of Stage 1 started at the beginning of 2013 and it was to be completed and ready for operation by February 2015. The University of Sydney has belatedly included the Student Accommodation Building (Stage 2) in the project but despite the vastly increased scope the deadline has not been changed.

Extending construction hours to midnight on school nights and until 10pm on Saturdays to meet an unrealistic deadline will greatly impact on the amenity of local residents and should not be allowed. The Contractor knew at the time of tender and award of the contract what the approved hours were, therefore there is no need to change the approved hours. The financial benefit to the University and the Contractor is at the undue expense of the local residents.

It is unreasonable and unfair for the residents of Darlington living in the vicinity of the APD to suffer negative impacts upon their quality of life to satisfy the timetable set by the University.

If permitted, there will be light and lots of noise generated from the site during the extended hours. The noise will be much greater than the regular background noise in the neighbourhood. It is unfair and unreasonable for the University to propose to generate such an increase in noise and traffic in the neighbourhood during the proposed extended hours. The extended construction hours should not be allowed.

Workers coming into the area to work in the requested extended hours would greatly increase the noise whether by their voices, laughter, car doors opening and closing, extra traffic causing disruption to local residents during the nights, let alone by the work they will be doing. Any noise at these times is always amplified and echoes throughout the neighbourhood. Residents near to the APD have already experienced this a number of times when work has been done on at the site in the middle of the night.

The extended times proposed are the only quiet times for all Darlington residents, which include families, children, the elderly and students. Any extension to the current hours of operation will have detrimental effects on the residents of Darlington.

It is imperative that workers, schoolchildren, students and the elderly do not have their sleep, peace and quiet disturbed. The health of people in the community is most important. It is unfair and unreasonable for the University to propose to generate even further noise and traffic in our neighbourhood, especially during these hours.

John Holland P/L has submitted an Acoustic Report on the Out of Hours Construction prepared by Marshall Day Acoustics. It is astonishing for residents of Abercrombie Street who live across the road from and therefore in very close proximity to the site to discover that they have not been acknowledged as "Noise Affected Receivers" in this Report and have therefore been excluded from the assessment.

It beggars belief to think that residents of Abercrombie Street will not be affected by the increased hours if permitted. We have already been affected by noise from work on the site which has gone on outside of scheduled hours (Recently on Saturday the 10 May 2014, the excavation and rock hammering continued unabated from 8am till past 3pm, despite the acknowledged and current approved hours. There are previous examples of this behavior occurring as such I do not trust that the measures by the John Holland and its consultant will be implemented or enforced onsite throughout the duration of the works). John Holland P/L did not think to inform us about this work. It is likely that they will again disregard the extended hours and conditions if they so desire. It seems that John Holland P/L is showing the same lack of regard for local residents as the University of Sydney.

John Holland P/L have said that the work they will be undertaking during the extended hours will consist of floor lining and carpet laying; plastering; tiling; joinery installation; services fit out including electrical and communications wiring; and painting. These jobs and the equipment used to facilitate them make noise. It is unfair and unreasonable for the University to propose to generate this noise in our neighbourhood during these hours.

The Mackenzie Report states that John Holland P/L has consulted with the University, and will continue to consult with surrounding properties, I am yet to see this consultation. The 1800 community hotline is not a hotline it is a message service, I have contacted this number at least 5 times (all during construction hours) and have never got in touch with a person. This is the type of consultation that is occurring.

The Contractor currently every week schedules out of hours deliveries for plant, stating that due to RMS restrictions they have to do this out of hours. Whilst I acknowledge that some deliveries must be done out of hours, some of the plant delivered and mentioned I believe are suspect and would not be restricted by RMS. Therefore could be done during normal hours. In addition the deliveries seem odd with the RMS conditions, they all appear to arrive on site just

before the site is scheduled to be open. I would contest some of these deliveries could have been done in the previous evening or late at night, rather than 5 in the morning. This is a continual trend of behavior which I believe is not in accordance with the values of the University and John Hollands corporate values.

Currently, there is a lot of other construction going on in and around the suburb of Darlington as well as the Abercrombie Precinct Development: the North Eveleigh development, Urbanest on City Road, and the Abercrombie Street Upgrade. These developments are also bringing in heavy traffic and causing a lot of disruption to local residents by way of noise and pollution at all hours of the day. It is unfair and unreasonable for the University to propose to generate even further noise and traffic in our neighbourhood, especially during these hours. The neighborhood needs respite periods.

If approval is granted for the extended hours, the department should have very strict enforcement requirements and must require the contractor to have a more rigid management plan that must force the contractor to stop work. As at the moment it appears that it is a 'best endeavors' plan with little or no action if the contractor does not comply. That is if a resident complains at 11pm about too much noise, who do we contact to stop the work. The 1800 number that is unmanned, so we can leave a message so someone can call us the next day and say nothing happened. The Contractor must be forced to have direct phone to the person performing the work, so that they can stop immediately. In addition, larger penalties should apply for failure to comply, as the current penalty rate is too small, as such the contractor can continue to ignore the approvals and pay a small insignificant fine.

#### Extract from the Mackenzie Report

*The following controls are proposed to be implemented to mitigate noise impacts associated with extended hours of construction.*

- *Out of hours construction will only commence on each level of the building once the facade has been made watertight. This in itself will prove to be the most effective mitigation strategy as it **endeavours** to contain construction noise within the building.* THE REPORT STATES THE SOUND MODELLING IS BASED ON "A minimum 20dB attenuation via the facade of the constructed building once watertight (glazing and roof complete)". THEREFORE THE FACADE SHOULD BE 100% COMPLETE (I.E. GROUND FLOOR TO ROOF), NOT PART COMPLETE AS THE SOUND FROM FLOORS BELOW WILL TRAVEL UP. BEST "ENDEAVOURS" LANGUAGE.
- *Noisier construction activities taking place within the building will be scheduled to take place away from receivers during the later hours of the evening as far as practicable* THE RECEIVERS SHOULD NOT BE ONLY DIRECTION THAT NOISIER CONSTRUCTION ACTIVITIES ARE AVOIDED. THIS COMMENT ASSUMES THAT THE LOCATION OF THE RECEIVERS IS AT LOCATIONS WHERE NOISE GENERATION IS MOST IMPORTANT. THERE IS NO NOISE RECEIVERS ALONG SOUTHSIDE OF THE ABERCROMBIE ST TERRACES. THIS APPEARS TO BE BALANT DISREGARD OF THE ADJOINING PROPERTIES.
- *Tiling activity will be restricted to the installation of tiles and tile cutting will not take place during the extended construction hours* HOW WILL THIS BE ENFORCED.
- *Deliveries to the site will not occur outside of standard construction hours.* HOW WILL THIS BE ENFORCED. HOW CAN THE CONTRACTOR CONFIRM NO DELIVERIES OUTSIDE OF HOURS.

- Scaffolding erection associated with painting activities will not take place outside of standard construction hours.
- Workers working within the building will be encouraged to keep voice levels to a minimum HOW WILL THIS BE ENFORCED. BEST "ENDEAVOURS" LANGUAGE
- All sub-contractors will be encouraged to car pool or use public transport
- Parking will be made available for all staff in the underground car park (once completed) to minimise impact on the surrounding streets and limit noise when staff leave the site at night
- In addition to implementing the complaint-handling procedure detailed in the construction noise management plan, if any tools/equipment related to out of hours construction work are found to give rise to complaints from affected receivers, then these activities will be rescheduled to only occur during the standard construction hours. HOW WILL THIS WORK. A COMPLAINT IS MADE ON UNMANNED PHONELINE LEAVE A MESSAGE; WORK CONTINUES UNABATTED. NEXT DAY SOMEONE SAYS THE WORK IS COMPLETE. CONTRACTOR WINS, RESIDENTS ARE ALWAYS NO STEP BEHIND. IN ADDITION THERE IS NO NOISE RECEIVERS ON THE ABERCROMBIE STREET TERRACES THAT MEANS ANY NOISE WILL NOT BE PICK UP AND AS SUCH RESIDENTS HAVE NO RIGHT TO BE HEARD, WORK WILL CONTINUE UNABATTED. ADDITIONAL MONITORING IS REQUIRED.

As an affected local resident, I hope that the Department will take the objections I have raised into consideration and will not permit the extension of the construction hours or at the very least put specific obligations that MUST be done not "best endeavors", which allows the Contractor and University to abstain from their obligations under the approval.

Yours faithfully,

*Withheld*

*I give notice and declare that i am not a member of any political party and have never given any donations to any political party or politician or government official*