

13 April 2022

### **Mod 17 - Outdoor Gaming Area Conversion**

Application Number MP08\_0098-Mod-17

Main Project MP08\_0098

Assessment Type SSD Modifications

Development Type Gambling Activities

We are genuinely grateful for arranging the site inspection on 6<sup>th</sup> April 2022. Solidifying our concerns and clarifying the proposed MOD 17 will without doubt inflict significant harm, noise, light and smoke pollution into the neighbouring resident's homes. Plus, as we will see patrons gaming, patrons and staff can see us in our homes, and in our homes. This is a privacy/safety risk.

MOD 17 does nothing to address the negative and offensive gaming machine noise impacts, the outdoor gaming conversion will cause to the amenity of sensitive privately owned neighbours (health harm - sleep deprivation). There is no genuine noise catchment in this proposal.

MOD 17 does nothing to address the negative health impacts and harm of cigarette smoke flooding into our private homes when we are awake and asleep, 7 days a week.

MOD 17 does nothing to address the safety and privacy risk to residentially occupied private neighbours in their bedrooms at a shared roof level (direct line of sight/shared views). There is no guaranteed tall privacy wall in this proposal.

### **We strongly object to the current MOD 17 approval.**

The Star has confirmed the new gaming machines being rolled out throughout the Star, are patron noise controlled (3 levels of volume).

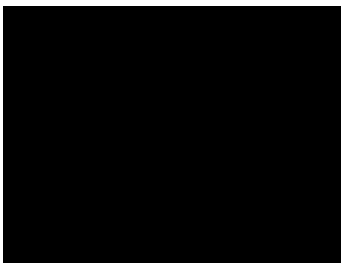
The gaming machines being phased out were Star management volume controlled.

However, the Star building has not changed its Noise Catchment practices or building materials, with the changing of its new patron noise-controlled gaming machines being rolled out across the site (indoors and outdoors).

We are already badly impacted by the noise emanating from the Mezzanine level semi enclosed gaming area within the Jones Bay Road porte cochere. And, given the orientation of the MOD 17 louvred walls, we expect similar and cumulative noise impacts.

We have proposed for years with community support that the cavernous walls of the Jones Bay Road porte cochere be lined with noise absorbing acoustic material. Replacing the current hard surfaces, bouncing noise further into neighbouring private homes.

[REDACTED]



The proposed open louvers and their orientation face directly towards our homes. The MOD 17 outdoor gaming area shares eyeline level views and noise line level of the heritage items, privately owned, residentially occupied [REDACTED], predating the Casino being built.

Since the roll out of the new patron-controlled gaming machines, calls to the Star have significantly increased to manage (turn down) offensive gaming machines. Heard inside sensitive private resident's homes day and night.

1. Star Management comes and goes.
2. Star Management response time to neighbours/community complaints about noise matters is historically poor at best. The Star Management has known and has had over 20 years to improve and get it right for the amenity of sensitive residential neighbours living in properties prior to the Casino development.
3. NSW Gov. knows that The Star management has epically failed noise issues for decades.
4. NSW Gov. knows that noise mitigation needs to come from building design and not rely on management.
5. The Star is the noise source, neighbours in their private homes are the receivers.
6. **The Star as a building needs to mitigate noise.**

### **Noise Catchment - Permanently Open Gaming Wall Louvers**

Currently, MOD 17 proposes permanently open, large louvers (sighted at another area of the Star during the site inspection) to wrap around the converted walls of the outdoor gaming area on the roof across from privately owned live/work/study/sleep residences.

These proposed permanently open louvers will allow the venue's collective offensive gaming machine noise and patron noise to flood into [REDACTED] homes, bedrooms and living/office areas day and night.

Additional immediately surrounding hard surfaces will amplify the offensive gaming machine and patron noise volume, as the noise bounces onto the hard surfaces (currently beige concrete wall and concrete paver deck surface) before flooding into privately owned live/work/study/sleep residences. (Note: The new (yet to be installed) building wrapping, to paint or cover the current beige concrete, is aesthetic only, and not an acoustic improvement for noise bounce.)

These louvers will also allow the venue's collective cigarette smoke to wind tunnel directly into our homes, bedrooms and living/office areas day and night. There is no design intent to prevent this from occurring. Passive smoking also kills.

The MOD 17 proposed green wall is a token only. It is for the smoking, gaming machine patrons to glance at when they visit the Star, should they wish to look up or out.

[REDACTED] As such, the proposed green wall does nothing to mitigate the voluminous offensive gaming machines noises, patron noises and air pollution spewing out into [REDACTED] where we are working/living/studying and sleeping.

### **Noise Catchment - Offensive Gaming Machine Noise**

The Star as a building has a responsibility to mitigate noise and prevent health and safety harm to its sensitive neighbours.

Noise catchment is achievable, we implore the Gov. Assessors support harm minimisation, by ensuring MOD 17 is amended to reflect the permanent installation of an NSW Gov. Roads and Maritime Services (RMS) approved level of tall, Noise Barrier Wall (frosted Plexiglas or solid formed concrete) all the way around the converted outdoor gaming area and proposed changes to rooftop generators and exhaust stacks.

'In general Noise 'barrier height, the higher the barrier, the greater the level of noise reduction.'. <https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/centre-for-urban-design/noise-wall-design-guideline.pdf>

"To be the most effective noise barriers must not only be 'solid' (whether or not they are transparent) but also continuous with no gaps in the vertical or horizontal plane." Should for some reason the wall cannot be continuous then, "Overlapping walls is one solution to this problem. The overlap should be at least three to four times the open width." <https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/centre-for-urban-design/noise-wall-design-guideline.pdf>

'The other factor to be considered is the length of the wall since sound will still travel to the listener unimpeded, albeit from a distance. The generally accepted approach is that the barrier should extend to cover an angle of 160 degrees from the receiver. This assumes a level site, and local constraints must be considered along with desired aesthetic outcomes. Where there is insufficient space to construct a barrier long enough to provide attenuation, the effect can be enhanced by returning the ends of the walls.'



<https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/centre-for-urban-design/noise-wall-design-guideline.pdf>

### **+ Privacy/Safety**

The noise catchment or noise barrier wall approval and success, needs to be to a height above the proposed louvers on the Jones Bay Road, side of the outdoor gaming conversion and around the new gaming area.

The installation of a tall noise barrier wall will greatly reduce the offensive gaming machine noise plus, patron noise [REDACTED]. And smoking gaming machines users and staff cannot see us in our homes. [REDACTED]. Without a tall noise barrier wall that is frosted or solid in design, our safety [REDACTED] is negatively impacted.

The Plexiglas Noise Barrier Continual Wall will need to be frosted to ensure privacy/safety for us in our homes. Or the Star can install a NSW Gov. RMS precast concrete noise wall consistent with the colour and design of the new facade treatment from a previous MOD (yet to be started/completed).

### **Noise Catchment – External Acoustic Absorbing Materials**

Previous MODs have not included the installation of noise absorbing material application to external walls, ceiling and floor coverings (Jones Bay Road taxi rank length of building, the Jones Bay Road porte cochere and the mezzanine level semi enclosed gaming area above the valet parking off Jones Bay Road). Resulting in years of phone calls to 'manage' the noise. Failure to include the installation of external acoustic absorbing materials to hard surfaces abutting the proposed outdoor gaming area conversion and exhaust stacks plus is the continuation of failed noise catchment. The installation of external acoustic absorbing materials complies with the Star building mitigating noise pollution.

We request the Assessors ensure that MOD 17 installs gaming machine and patron noise mitigation measures for the external walls and deck coverings (sound absorbing external wall panels and deck surfaces) abutting the converted outdoor gaming area. To ensure the Star building mitigates the initial noise bouncing off hard surfaces. And catches the additional amplification of noise bouncing off other Star building surfaces.

**We ask that the Assessors reject the use and or trial of speakers and music to be used in the outdoor gaming area conversion.** And the Mezzanine level semi enclosed gaming area within the Jones Bay Road porte cochere.

The Star has continually swapped out venues in spaces throughout its complex. The proposed MOD 17 louvers are to be built to remain permanently open (not close). As closed louvers would negate the open gaming machine/smoking area laws. Yet, The Star has confirmed it is phasing out smoking. Leading, the permanently open louvers for the outdoor gaming & smoking conversion to be for another purpose. What is that purpose?

**We reject the installation of static louvers being installed on the Jones Bay Road, side of the outdoor gaming area conversion.** The louvers need to be operational (closable). The building design has a responsibility to mitigate offensive noise and air pollution to direct and known sensitive neighbours. As an outdoor gaming/smoking area and future venues in this rooftop space.

Had we been consulted; we would have supported the Star's commitment to ensure the building mitigates noise and harm minimisation to known sensitive neighbours. By ensuring the inclusion of a noise catchment design that respects the amenity of neighbours and include the permanent installation of an NSW Gov. RMS approved, tall, level of Noise Barrier Wall (frosted Plexiglas or solid formed concrete) all the way around the converted outdoor gaming area.

We were not invited to discuss the design prior to this MOD 17 public launch. As such this Mod has failed to consider meaningful building design noise mitigation. Instead, with cast iron certainty, this Mod further increases harm to its sensitive neighbours with offensive gaming machines and patron noise and air pollution. Plus, removes privacy/security for eye level bedrooms of properties next door, and presents significant concerns for the sleeping health of [REDACTED] sensitive neighbours. Also, provides no sum benefit to the community at large.

We request NSW Planning assessors take on board our suggestions and we would appreciate favourable and meaningful consideration of our feedback. We welcome direct consultation regarding any changes or lack of changes to MOD 17 that allows direct harm to impact [REDACTED] neighbours.

MOD 17 solely benefits the applicant as a commercial company. There is no greater neighbour amenity or social benefit to this MOD, and therefore is difficult to understand why it would be approved without the significant design changes stated above.

Local Resident