

2 June 2014

Our Ref: 2014/239109
File No: S076158
Your Ref: MP07_0158

Director: Industry, Social Projects & Key Sites
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Attn: Peter McManus
Email: peter.mcmanus@planning.nsw.gov.au

Dear Peter

RE Sydney University Abercrombie Precinct Redevelopment (MP07_0158 MOD4): Condition D11 Hours of Work

Thank you for your letter received 30 April 2014 notifying us of the proposal to modify Condition D11 Hours of Work for the above mentioned major project MP07_0158.

It is noted that the proposed extension of hours is specific to non-structural internal building works only from 6.00pm to 12.00 midnight Mondays to Fridays inclusive and 3.00pm to 10.00pm Saturdays.

It is acknowledged that the proposal has the potential to reduce the overall period of construction and disruption to the locality. Notwithstanding this there are a number of residential properties in close proximity to the site and it is important that the proposal mitigates potential adverse environmental effects on these residents.

The following comments are provided on the proposed modification for your consideration:

Submissions from Residents

The City has received copies of submissions from concerned residents on Abercrombie Street. On review of the acoustic assessment, and the calculated noise levels being significantly above the construction management levels at the assessed noise affected receivers, it is questioned why residential properties on the opposite side of Abercrombie Street were not included/assessed as noise affected receivers.

Acoustic Assessment

The acoustic assessment provided by Marshall Day states (page 6):

The calculated noise levels indicate that out of hours construction activity has the potential to be significantly above the construction noise management levels when at their "worst-case" assessment scenario.

The report goes on to state that:

Construction equipment associated with noisier activities should be chosen so as to minimise the noise impact on the nearest impacted receivers. Its use in the vicinity of impacted receivers should be scheduled earlier in the evening time period as far as practicable.

While it is acknowledged that management practices will have a significant bearing on the noise generated, restricting the extended hours to 10:00pm would provide greater certainty and respect for sleeping hours for nearby residents.

The management practices recommended in the acoustic assessment should be included as conditions of any approval. However, the following amendments are sought:

- All windows and doors are to be closed during works within the extended construction hours.
- The underground car parking be complete prior to extended working hours commencing for use by staff and workers, such that staff and workers are not permitted to park in permit parking areas and on surrounding streets.

Closure of windows and doors will ensure the entire acoustic attenuation of the facade is achieved. The provision and use of the underground car parking only will reduce noise generated on surrounding streets; achieve consistency with the approved Construction Traffic Management Plan (CTMP) for the site; and, remove the potential for additional pressure on surrounding residential parking in the evening hours.

Light

No assessment is provided as to the potential lighting to be used, or light spill to surrounding properties. The operations of internal plastering and painting at night require high levels of lighting to achieve high level industry finishes. Appropriate mitigation measures need to be included to prevent adverse light spill onto surrounding properties.

Recommendations

- (i) The extended hours are restricted to 10.00pm.
- (ii) The conditions in Attachment A to this letter are included in any approval provided to the proposal.
- (iii) Measures to mitigate light spill are included.

If you would like to speak to a Council officer regarding the above, please contact Alistair Smith, Senior Planner, on 9265 9112 or at asmith1@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'GJahn', with a large loop at the end.

Graham Jahn AM
Director
City Planning | Development | Transport

ATTACHMENT A: Recommended Conditions MP07_0158 MOD4

The following conditions are recommended for the proposal:

(1) COMPLIANCE WITH ACOUSTIC REPORT

All recommendations contained in the acoustic report prepared *Marshall Day Acoustics ref Lt001 R03 2013244SY dated 27 March 2014*. must be implemented during construction and use of the premises, including the following:

1. Out of hours construction will only commence on each level of the building once the facade has been made watertight.
2. Noisier construction activities taking place within the building need to be scheduled to take place away from receivers during the later hours of the evening as far as practicable.
3. Tiling activity should be restricted to the installation of tiles and tile cutting will not take place during the extended construction hours
4. Deliveries to the site shall not occur outside of standard construction hours
5. Scaffolding erection associated with painting activities shall not take place outside of standard construction hours
6. All sub-contractors shall be encouraged to car pool or use public transport
- ~~7. Parking must 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~~
7. The underground car parking is to be complete prior to extended working hours commencing. The underground car park is to be used for staff and workers, such that staff and workers are not permitted to park in permit parking areas and on surrounding streets.
8. If any tools/equipment related to out of hours construction work are found to give rise to complaints from affected receivers, then these activities must be rescheduled to only occur during the standard construction hours.
9. All windows and doors are to be closed during works within the extended construction hours.

The Principal Certifying Authority (PCA) shall obtain a statement from appropriately qualified acoustic consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied prior to issue of Occupational Certificate.

(2) COMPLAINTS - NOISE

Should noise complaint be received by Council from a place of different occupancy (including commercial premises) and the complaint being substantiated by a Council Officer, the use of area concerned must cease operation until "attenuation works" are carried out so as that the premises complies with the relevant Noise conditions.