



Create NSW
Arts, Screen & Culture



Noise and Vibration

Version control

Version	Issue date	Content contributors	Nature of change(s)
1.0	07/07/2020	KW	Cover page. Append Noise management plan dated 6/7.
1.1	01/10/2020	PB	Revision of complaints management to address DPIE responses.

1 NOISE AND VIBRATION

Introduction

This Noise and vibration plan has been prepared by Arup to detail established noise management and monitoring protocols for Walsh Bay Arts Precinct.

Infrastructure New South Wales

Walsh Bay Arts Precinct

Noise Management Plan

Issue 4 | 10 September 2020

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 274902-00













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Document verification

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Document Verification

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Appendices

Appendix A

Agency Consultation

Appendix B

Approval Conditions

Definitions

Terminology used in this NVMP are defined in Table 1.

Table 1: Definitions

Term	Definition
Qualified Acoustic Consultant	An acoustic consultant who is a member of one or more of the following organisations; The Association of Australian Acoustical Consultants, The Australian Acoustical Society or the Institution of Engineers Australia.
Event	Events include the following coordinated precinct-wide events: <ul style="list-style-type: none">• Sydney Writer's Festival• Biennale
Precinct Representative(s)	A member of Create NSW appointed the responsibility and authority to exercise control of noise emissions from the WBAP (SSD 8671) and STC (SSD 7561). The Precinct Representative will liaise with the venue operators and all relevant stakeholders.
Twelve-month operational period	The period of twelve months after the issue of the Occupation Certificate for the first tenancy on site and each subsequent period of 12 months.

1 Introduction

This Noise and Vibration Management Plan (NVMP) has been prepared by Arup on behalf of Infrastructure NSW ('INSW').

The NVMP presents a set of noise management measures, including monitoring procedures and protocol, for operations of the Walsh Bay Arts and Cultural Precinct (WBAP), as well as the redeveloped Sydney Theatre Company (STC) facilities, located on level 1 of Wharf 4/5 of the WBAP.

1.1 Review and approval of this NVMP

Both STC (SSD 7561) and WBAP (SSD 8671) were approved by the Minister for Planning 17 May 2018.

This NVMP has been prepared in accordance with Consent Condition D12 of SSD 8671 and E4 of SSD 7561.

Pursuant to Condition D12 of SSD 8671 and Condition E4 of SSD 7561, the NVMP is required to be approved by the Secretary. In addition, this NVMP is required to be submitted to the Environment Protection Authority (EPA) and Council prior to being finalised.

Further reviews of this NVMP will be undertaken throughout the operation of the WBAP, as required, in response to the monitoring and evaluation of actual impacts.

1.2 Agency Consultation

The following agencies have been consulted as part of the development of this NVMP:

- NSW Environment Protection Authority
- City of Sydney

Records of consultation with agencies are included in Appendix A.

1.3 Management objectives

The purpose of this NVMP is to manage noise emissions from the WBAP in accordance with Condition E4 of SSD 7561 and Condition D12 of SSD 8671 (WBAP and STC respectively). The NVMP is required to comprise the following categories of management measures:

- Preventive management
- Reactive management
- Review

The management measures in this NVMP are presented in this structure.

No significant vibration generating activities, that would otherwise impact on the surrounding land use, are anticipated as part of the WBAP operations, therefore no further consideration of vibration is provided in this document.

1.4 Qualification

This NVMP was prepared by the Arup Acoustics team, who is a member firm of the Australian Acoustical Society (AAS).

2 Project description

2.1 WBAP site and surrounds

The WBAP comprises of Pier 2/3, Wharf 4/5, and Wharf 4/5 Shore Sheds. The site has a street frontage to Hickson Road as shown in Figure 1.

Sydney Theatre Company (STC) facilities are located on level 1 of Wharf 4/5 of the WBAP, however for clarity, in this document the WBAP refers to the venues within the Precinct excluding the STC.

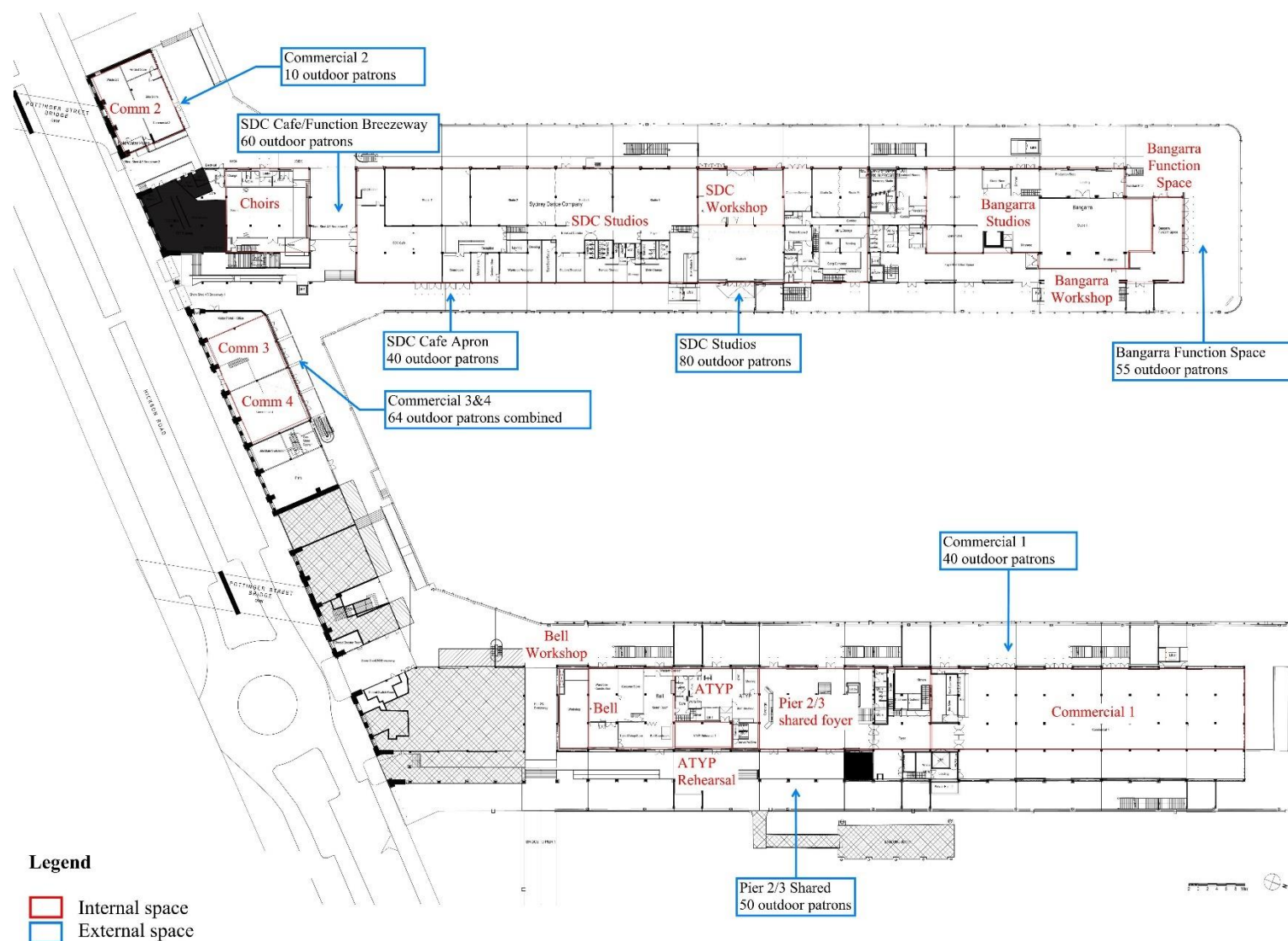
The site is part of the Walsh Bay area, which is located adjacent to Sydney Harbour within the suburb of Dawes Point.



Figure 1: WBAP site including STC and surrounds

2.2 Tenancies and operations

The primary noise generating spaces within tenancies in WBAP and STC are shown in Figure 2 and Figure 3 and details of each space are presented in Table 2.

Figure 2: WBAP internal and external tenancy areas - **lower floors**

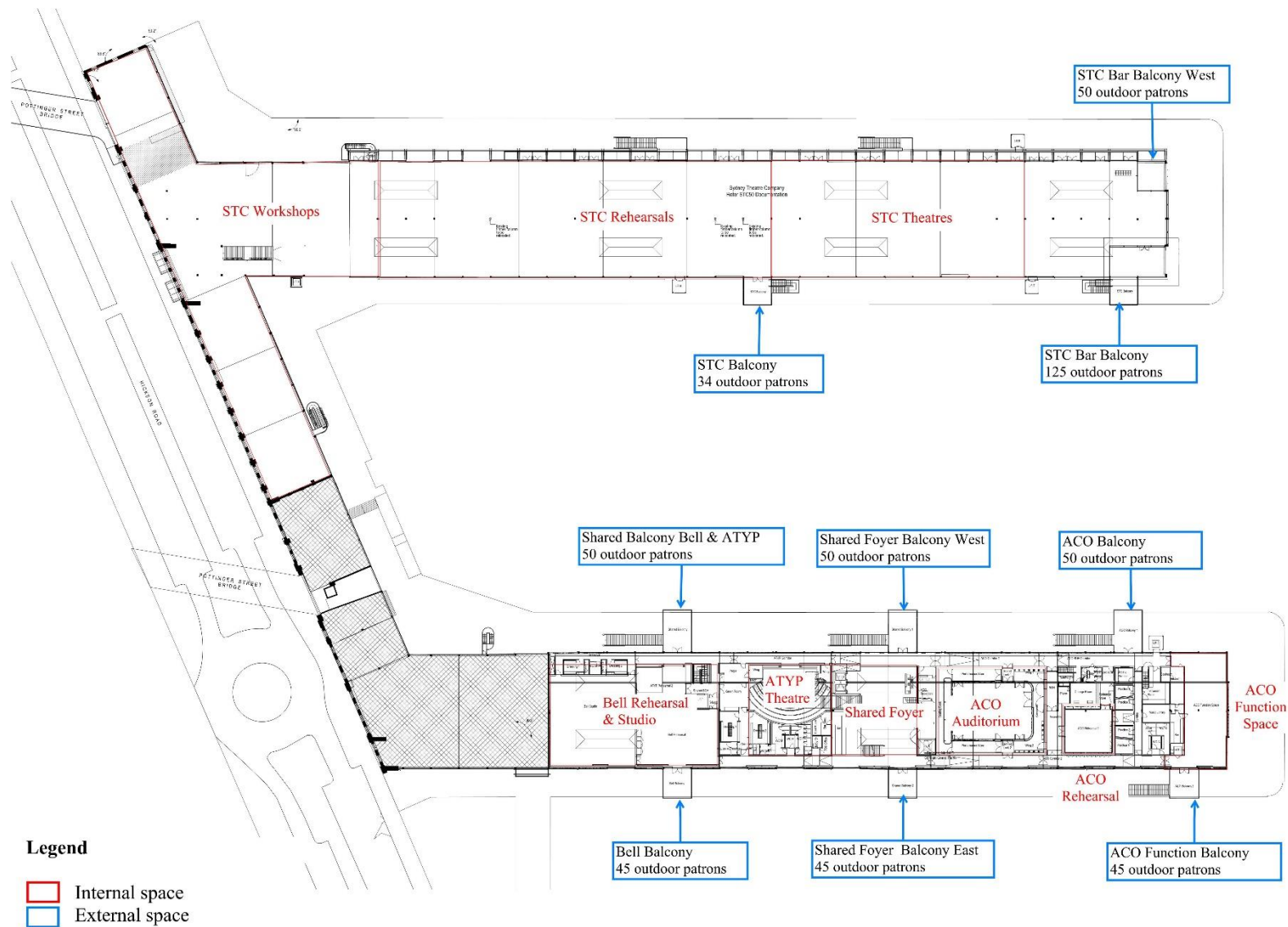
Figure 3: WBAP internal and external tenancy areas - **upper floors**

Table 2: Tenancies, associated activities and contribution to noise emissions

Tenancy	Location	Anticipated loudest activity	Noise contribution at residences¹
ACO Auditorium	Internal	Amplified foreground music	Low
ACO Function space	Internal	Amplified foreground music	Moderate
ACO Balcony	External	Patrons talking	Moderate
ACO Function Balcony	External	Patrons talking	Low
ACO Rehearsal	Internal	Amplified foreground music	Low
ATYP Theatre	Internal	Amplified foreground music	Low
ATYP Ground floor	Internal	Patrons talking	Low
ATYP Rehearsal	Internal	Amplified foreground music	Low
Bangarra Function Space	Internal	Patrons talking	Low
Bangarra Studios	Internal	Amplified foreground music	Low
Bangarra Function outdoor	External	Patrons talking	Low
Bangarra Workshop	Internal	Workshop activities	Moderate
Bell Rehearsal and Studio	Internal	Amplified foreground music	Low
Bell Ground floor	Internal	Amplified foreground music	Moderate
Bell Balcony	External	Patrons talking	Moderate
Bell Workshop	Internal	Workshop activities	Moderate
Choirs	Internal	Amplified foreground music	Low
Commercial 1	Internal	Amplified foreground music	Moderate
Commercial 1 Outdoor	External	Patrons talking	Moderate
Commercial 2	Internal	Patrons talking	Moderate
Commercial 2 Outdoor	External	Patrons talking	Moderate
Commercial 3 & 4	Internal	Patrons talking	Low
Commercial 3 & 4 Outdoor	External	Patrons talking	Low
Pier 2/3 Shared Foyer	Internal	Patrons talking	Moderate
Pier 2/3 Shared Outdoor	External	Patrons talking	Moderate
Pier 2/3 Shared Foyer Balcony East	External	Patrons talking	Moderate
Pier 2/3 Shared Foyer Balcony West	External	Patrons talking	Low
SDC studios	Internal	Amplified foreground music	Moderate
SDC Café / Function breezeway	External	Patrons talking	Moderate
SDC Café Apron	External	Patrons talking	Low
SDC Studios	External	Patrons talking	Moderate
SDC Workshop	Internal	Workshop activities	Moderate
STC Wharf Theatres	Internal	Amplified foreground music	Low
STC Wharf Rehearsal	Internal	Amplified foreground music	Low

Tenancy	Location	Anticipated loudest activity	Noise contribution at residences ¹
STC Wharf Workshop	Internal	Workshop activities	Moderate
STC Balcony Bar East	External	Patrons talking	Moderate
STC Balcony Bar West	External	Patrons talking	Moderate
Shared Balcony Bell & ATYP	External	Patrons talking	Moderate
STC Balcony	External	Patrons talking	Moderate

1. Noise contribution of tenancy is considered:

- Moderate if tenancy contribution is within 20dB of overall precinct noise level at receiver
- Low if tenancy contribution is less than 20dB of overall precinct noise level at receiver

2.3 Noise sensitive receivers

The most potentially affected receivers are residential premises identified in Figure 4 and listed in Table 3. These are in accordance with receivers identified in SSD 8671 Condition E6.



Figure 4: Site location, noise sensitive receivers

Table 3: Residential receivers

Receiver	No. of floors
Shore 6/7 apartments Level 1, 2, 3, 4 & 5	6
1-23 Lower Fort Street (North Terraces)	3

Receiver	No. of floors
25-79 Lower Fort Street (South Terraces)	3
2-34 Pottinger Street Terraces	3
Pier 6/7 apartments	7

3 Criteria

3.1 Hours of operation

Conditions E2 and E3 of SSD 8671

Operating hours for WBAP excluding STC are provided in Table 4 for Pier 2/3 and Wharf 4/5, and Table 5 for Commercial Spaces 2-4.

Table 4: Hours of operation – WBAP Pier 2/3 and Wharf 4/5

Descriptor	Hours of Operation
Offices	24 hours
Teaching, rehearsals and performances	6 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)
Functions and events within the arts tenancies	9 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)
Functions, events, commercial and venue hire within the Pier 2/3 function space	9 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)
Sydney Dance Company Café	6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)
Loading dock activities	7 am to 10 pm
Other deliveries	6 am to 12 midnight

Table 5: Hours of operation – WBAP Commercial Spaces 2 to 4

Descriptor	Hours of Operation
Cafes, restaurants and small bars*	6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)
Shops*	10 am to 10 pm (indoor and outdoor areas)
Deliveries	6 am to 12 midnight

* As defined in the Standard Instrument – Principal Local Environmental Plan

Conditions EF2 of SSD 7561

Hours of operation for STC Wharf 4/5 and Shore Sheds 4/5 shall be as follows:

Table 6: Hours of operation – STC

Descriptor	Hours of Operation
Offices	24 hours
Teaching, rehearsals and performances	6 am to 12 midnight

Descriptor	Hours of Operation
Restaurant and Bar	7 am to 12 midnight
Special Functions	7 am to 12 midnight
Loading dock activities and deliveries	6 am to 12 pm

3.2 Noise criteria

3.2.1 STC Internal areas

Conditions F4 SSD 7561

Noise emanating from the premises (internal areas) including patron noise and music must not exceed criteria outlined in Table 7. Criteria are based on Octave band background noise levels + 5 dB between 7am and 12 midnight, and Octave band background noise levels + 0 dB between 12 midnight and 7am.

Table 7: STC internal areas patron and music noise criteria, $L_{10(15min)}$

Period	Octave Band Centre Frequency, Hz								
	31.5	63	125	250	500	1k	2k	4k	8k
	Noise level at the boundary of any residential receiver ¹ , dB(Z)								
Pier 6/7 and Shore 7/6 apartments									
Daytime (0700- 1800h)	64	61	56	56	51	49	44	38	29
Evening (1800 to 2200h)	62	59	54	54	49	47	42	36	27
Night (2200 to 2400h)	59	56	51	51	46	44	39	33	24
Late night (2400h – 0700h) ²	52	49	44	44	39	37	32	26	17
Lower Fort Street & Pottinger Street									
Daytime (0700- 1800h)	66	64	58	57	54	55	49	37	23
Evening (1800 to 2200h)	65	63	57	56	53	54	48	36	22
Night (2200 to 2400h)	62	60	54	53	50	51	45	33	19
Late night (2400h – 0700h) ²	55	53	47	46	43	44	38	26	12

Note:

All criteria established based on unattended and attended noise monitoring presented in WBAP NVIA [1], which were conducted subsequent to the STC NVR [2]

- Noise limits represent free field noise levels, i.e. measurements conducted at 1 metre from building façade shall be corrected by -2.5dB.
- Notwithstanding compliance with the external criteria, all noise associated with the premises must not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7 am.

3.2.2 WBAP general operations and events

Conditions E6 and E7 of SSD 8671

Noise criteria from WBAP general operations between 7am and 12am, considered to encompass all activities and equipment at WBAP, and Events are outlined in Table 8. Noise criteria are prescribed in the Conditions of Consent.

Table 8: WBAP general operations noise criteria 7am – 12am, $dB_{Leq(15min)}$

Residence	General operation		Events	
	7am - 6pm	6pm - 12am	9am - 6pm	6pm - 12am
Shore 6/7 apartments	52	47	55	50
Lower Fort Street North Terraces	47	47		
Pottinger Street Terraces	41	41		

Note:

Corrections for annoying characteristics shall be applied to measured noise levels in accordance with the Table 4.1 of the INP [3].

Noise criteria from WBAP general operations between 12am and 7am are outlined in Table 9.

Table 9: WBAP general operations noise criteria 12am – 7am, $dB_{Leq(15min)}$

Period	Octave Band Centre Frequency, Hz								
	31.5	63	125	250	500	1k	2k	4k	8k
	Noise level at the boundary of any residential receiver ¹ , dB(Z)								
Pier 6/7 and Shore 7/6 apartments									
Late night (2400h – 0700h)	52	49	44	44	39	37	32	26	17
Lower Fort Street & Pottinger Street									
Late night (2400h – 0700h)	55	53	47	46	43	44	38	26	12

Note:

All criteria established based on unattended and attended noise monitoring presented in WBAP NVIA [1].

- Noise limits represent free field noise levels, i.e. building façade meets the property boundary and measurements shall be conducted at 1m from the façade and shall be corrected by -2.5dB.

3.2.3 WBAP and STC plant and machinery

Noise associated with the operation of any plant, machinery or other equipment on the site must not exceed noise criteria in Table 10. WBAP and STC criteria are based on most stringent night-time background noise levels + 5 dB, except STC between 12am and 7am, where criteria are based on background noise levels + 0 dB

Table 10: Noise criteria, $L_{eq(15min)}$ $dB(A)$

Residence	Plant and machinery			
	7am – 6pm	6pm – 10pm	7am – 12am	12am – 7am
WBAP				
Pier 6/7 residences	54	52	49	47
Lower Fort Street & Pottinger Street	58	57	54	52

Residence	Plant and machinery			
	7am – 6pm	6pm – 10pm	7am – 12am	12am – 7am
STC				
Pier 6/7 residences	54	52	49	42
Lower Fort Street & Pottinger Street	58	57	54	47

Note:

Plant and machinery criteria based on RBLs as established in WBAP NVIA [1]

Corrections for annoying characteristics shall be applied to measured noise levels in accordance with the Table 4.1 of the INP [3].

4 Preventative management

4.1 Deemed to comply conditions

Noise emissions from the WBAP are predicted to comply with noise criteria in Section 3.2 under the following operational conditions where all venues are operating concurrently. This scenario is considered a conservative worst-case, and the likelihood of it occurring is low, however represents a compliant set of conditions which are deemed to comply with noise criteria.

Should these conditions not be met, a non-compliance with noise criteria is not necessarily demonstrated, however this scenario would fall outside of the ‘deemed to comply’ scenario and further noise management measures shall be implemented. These further noise management measures are provided in Section 4.2.

4.1.1 Outdoor patron numbers

Patron ‘deemed to comply’ numbers for outdoor areas are shown in Table 11 and in Figure 2 and Figure 3.

Table 11: Patron ‘deemed to comply’ numbers

Tenancy	Outdoor patron ‘deemed to comply’ numbers
ACO Balcony	50
ACO Function Balcony	45
Bangarra Function outdoor	55
Bell Balcony	45
Commercial 1 Outdoor	40
Commercial 2 Outdoor	10
Commercial 3 & 4 Outdoor	64
Pier 2/3 Shared Outdoor	50
Pier 2/3 Shared Foyer Balcony East	45
Pier 2/3 Shared Foyer Balcony West	50
SDC Café / Function breezeway	60
SDC Café Apron	40
SDC Studios	80
STC Balcony Bar East	125
STC Balcony Bar West	50
Shared Balcony Bell & ATYP	50
STC Balcony	34

4.1.2 Internal noise levels

Deemed to comply noise levels for internal spaces are presented in Table 12.

Table 12: Internal noise levels

Tenancy	Anticipated loudest activity	Music noise level ¹		Patron / staff noise level ¹	Overall noise level ¹		Noise contribution at residences ²
		dBL _{Aeq} (15min)	dBL _{Ceq} (15min)	dBL _{Aeq} (15min)	dBL _{Aeq} (15min)	dBL _{Ceq} (15min)	
ACO Auditorium	Amplified foreground music	87	102	85	90	105	Low
ACO Function space	Amplified foreground music	87	102	85	90	105	Moderate
ACO Rehearsal	Amplified foreground music	87	102	85	90	105	Low
ATYP Theatre	Amplified foreground music	87	102	85	90	105	Low
ATYP Ground floor	Patrons talking	75	90	85	85	95	Low
ATYP Rehearsal	Amplified foreground music	87	102	85	90	105	Low
Bangarra Function Space	Patrons talking	75	90	85	85	95	Low
Bangarra Studios	Amplified foreground music	87	102	85	90	105	Low
Bell Rehearsal and Studio	Amplified foreground music	87	102	85	90	105	Low
Bell Ground floor	Amplified foreground music	87	102	85	90	105	Moderate
Choirs	Amplified foreground music	87	102	85	90	105	Low
Commercial 1	Amplified foreground music	87	102	85	90	105	Moderate
Commercial 2	Patrons talking	75	90	85	85	95	Moderate
Commercial 3 & 4	Patrons talking	75	90	85	85	95	Low
Pier 2/3 Shared Foyer	Patrons talking	75	90	85	85	95	Moderate
SDC studios	Amplified foreground music	87	102	85	90	105	Moderate
STC Wharf Theatres	Amplified foreground music	87	102	85	90	105	Low
STC Wharf Rehearsal	Amplified foreground music	87	102	85	90	105	Low
Bangarra Workshop	Workshop activities	-	-	85	85 ³	95 ³	Moderate
Bell Workshop	Workshop activities	-	-	85	85 ³	95 ³	Moderate

Tenancy	Anticipated loudest activity	Music noise level ¹		Patron / staff noise level ¹	Overall noise level ¹		Noise contribution at residences ²
		dBL _{Aeq} (15min)	dBL _{Ceq} (15min)	dBL _{Aeq} (15min)	dBL _{Aeq} (15min)	dBL _{Ceq} (15min)	
SDC Workshop	Workshop activities	-	-	85	85 ³	95 ³	Moderate
STC Wharf Workshop	Workshop activities	-	-	85	85 ³	95 ³	Moderate

Note:

1. Represents an internal sound pressure level
2. As per Table 2.
3. Intermittent noise due to workshop set-building activities are addressed in Section 4.4.3. No music noise anticipated as part of workshop activities.

For tenancies which have a moderate contribution to overall site noise emissions (as per Table 12), amplified music noise played over in-house PA system shall be controlled by an electronic noise limiter to restrict noise to deemed to comply internal noise levels, as prescribed in Section 4.3.1.

4.2 When deemed to comply condition are not met

‘Deemed to comply’ conditions may not be met if either the number of outdoor patrons exceeds those in Table 11 or internal noise levels exceed those in Table 12. This may be identified prior to activities taking place as part of event scheduling or identified through observation during activities.

If ‘deemed to comply’ conditions in Section 4.1 are not met, attended noise monitoring shall be conducted at residences during the period that the ‘deemed to comply’ conditions are not met.

Monitoring shall be conducted in accordance with the requirements in Section 4.4.1.

4.3 Sound amplification systems

Condition E11 of SSD 8671

- No amplified music shall be played outdoors, including the public domain and outdoor areas associated with the premises.

Condition E12 of SSD 8671

- Internal speakers must not be placed to direct the playing of music towards the public domain or outdoor areas associated with the premises.
- For tenancies which have a moderate contribution to overall site noise emissions (as per Table 12), internal amplified sound shall comply with ‘internal music noise levels’ presented in Table 12.

4.3.1 Sound system limiters

- Amplified sound played over in-house PA system shall be controlled by an electronic noise limiter to restrict noise to internal noise limits. An RMS compressor/limiter (eg. Rane HAL, BSS Blu, Symetrix Jupiter or MediaMatrix X-Frame 88) is recommended. Multi-band compression is recommended for greater control over the critical frequency bands.
- The noise limiters shall be installed and configured by an appropriately qualified acoustic consultant in conjunction with the system engineer/technician.
- The sound amplification equipment will be maintained in a proper and efficient condition to minimise the noise impact on residential premises or sensitive receptors.

4.3.2 Sound systems without limiters

- Where temporary sound systems or instrument amplifiers are used within a tenancy, it may not be practicable to have them controlled by an electronic limiter. Where an electronic limiter is not used, a sound monitor shall be installed within the tenancy

(e.g. NTi XL2¹). The sound monitor shall include indicators of two sound limits exceeded (eg. yellow LED for warning level, red LED for upper limit). One limit shall be set to the ‘internal music noise levels’ in Table 12, and the other to the ‘overall noise level’ in Table 12.

4.4 Noise monitoring

4.4.1 External receivers

4.4.1.1 General operations

Condition E10 of SSD 8671

Noise monitoring at residences is required during general operations under the following scenarios.

- During commissioning of any plant, machinery or other equipment operated on site, to confirm compliance with the noise criteria in Table 10.
- During general operations on site to confirm compliance with noise criteria in Table 8:
 - Three rounds in the 6 month following issue of the Occupation Certificate of the first tenancy, and another three rounds in the 6 month following issue of the Occupation Certificate of the final tenancy.
 - during any period that the ‘deemed to comply’ conditions are not met; and
 - in response to a complaint – only at the complainant’s location or representative location, and may be conducted by Precinct Representative(s).

4.4.1.2 Events

Noise monitoring is also required during an Event, i.e. the Sydney Writer’s Festival or the Biennale. One round of monitoring per period per month, shall be of the Event to confirm compliance with the noise criteria in Table 8.

4.4.1.3 Methodology

The methodology for undertaking attended measurements is outlined in Table 13.

Table 13: Methodology

Aspect	Details
Operator	All attended noise monitoring at residences shall be conducted by a qualified acoustic consultant, unless as a result of a complaint.
Equipment and measurement procedure	All monitoring equipment must comply with AS IEC 61672.1 2004 “Electroacoustics - Sound Level Meters” and designated as Class 1 for attended monitors. Equipment shall be calibrated on-site prior and subsequent to measurements to confirm no significant drift in measurements is present.

¹ Product specifications be confirmed to meet requirements of this NVMP

Aspect	Details
Measurement location(s)	<p>Attended monitoring shall be conducted at each of the following locations:</p> <ul style="list-style-type: none"> • Shore 6/7 apartment • Lower Fort Street North Terraces • Pottinger Street Terraces <p>Unless as a result of a complaint, in which case monitoring is only required at the location of the complainant.</p> <p>The contribution of noise from site shall be determined by the operator and shall be assessed against noise criteria presented in Table 8. These criteria are considered most stringent and would demonstrate compliance with other operational noise criteria, as well as applying to the largest component of the site, i.e. the general operations of the WBAP.</p>
Action upon a non-compliance	<p>In the event that compliance with the noise criteria is not achieved, suitable mitigation and management measures must be investigated and implemented to achieve compliance. This may include the review of 'deemed to comply' conditions outlined in Sections 4.1.1 and 4.1.2. This NVMP is to be updated to include such revised measures.</p>

4.4.2 Internal spaces

Noise monitoring shall be conducted to determine compliance with deemed to comply internal noise levels outlined in Section 4.1.2.

Internal noise monitoring shall be conducted within tenancies which have a 'moderate' contribution to overall site noise emissions (as per Table 12).

Monitoring frequency and duration

Internal monitoring shall be conducted over the three loudest anticipated period of operation of the tenancy per 'twelve month operational period', for example:

- the largest functions in ACO function space, Bangarra function space or Commercial 1
- periods with concurrent events scheduled ATYP, Bell and ACO in the Pier 2/3 shared foyer
- fully booked evenings in Commercial 2

One round of monitoring shall consist of one 15-minute period per tenancy. The frequency of monitoring shall be revised annually based on the monitoring outcomes.

Attended / unattended

Monitoring may be attended or unattended using a permanent in-house noise monitoring system.

Attended monitoring shall be carried out by either:

- the Precinct Representative(s);
- a staff member of the Precinct or Tenancy authorised by the Precinct Representative(s); or
- a qualified acoustic consultant;

and shall be conducted during the loudest period of the activity, eg. not during speeches.

Unattended monitoring may be carried out using a permanent noise monitoring system in lieu of attended monitoring. Permanent noise monitors would be required to be installed by a qualified acoustic consultant. The loudest 15-minute period during the activity shall be reported.

Both attended and unattended noise monitors shall meet noise monitoring equipment requirements as specified in Section 4.4.1.3.

Location

Monitoring shall be conducted within the nominated tenancy at a location with a direct line of sight to the loudest noise sources in the space, eg. not within corridors or behind partitions.

Information to be provided

The following information shall be provided to the Precinct Representative following the measurements:

- Details of activity taking place
- Time and date
- Type of measurement method; attended or unattended
- Person undertaking / providing measurements
- Measured $L_{Aeq(15min)}$ levels
- Calibration records and calibration levels before and after measurements
- Location of measurements / monitor within tenancy
- Description of noise environment
- Photos of measurement location and activity being monitored
- Any exceedances of deemed to comply internal noise levels or patron numbers as per Table 12.

4.4.3 STC Western Walkway

Attended noise monitoring shall be conducted on the:

- STC Bar Balcony West; and
- Western Walkway

to provide indicative on-site noise levels and manage noise emissions. Noise monitoring shall be conducted by the STC House Manager who will be present during restaurant, bar and function operations.

Noise monitoring shall be conducted over a minimum of one 15 minute period per night if extending past 10pm.

If measured $L_{Aeq(15min)}$ levels are above 64dBA between 10pm and 12am amplified music shall be reduced and a second measurement conducted to demonstrate compliance.

Information listed in Section 4.4.2 shall be presented to the Precinct Representative in the case of a measured exceedance.

4.5 Workshop activities

Noise generating activities taking place within the WBAP workshops include set building work. Set-building activities are required for new venue productions and required operations of the workshops vary over the calendar year. During these periods, the nature of workshop noise is anticipated to be intermittent and would not be continuous over the day.

Noisy workshop activities shall be limited to the hours of 7am to 6pm Mondays to Fridays and 8am to 1pm Saturdays.

All doors and windows to workshops shall be closed during noisy works.

4.6 Patrons and staff leaving site

To minimise the risk of sleep disturbance to surrounding residences while patrons and staff are leaving the WBAP between the hours of 10pm and 7am, patrons and staff shall leave via the aprons on the inside of the precinct, i.e. the eastern apron of Wharf 4/5 and the western apron of Pier 2/3.

Precinct staff shall direct patrons to keep noise to a minimum when leaving to reduce shouting or unnecessary loud conversations between leaving the venues and leaving the precinct.

4.7 Building envelope

Condition E13 of SSD 8671

The doors and windows (including louvres) of air-conditioned spaces within the WBAP must be closed between 10pm and 7am.

Noise impact assessments have determined that noise generated by internal operations will be sufficiently attenuated by the WBAP and STC building envelope. No significant penetrations or openings to the building façade or rooftop shall be introduced that may compromise the acoustic performance of the building envelope.

4.8 Mechanical plant and equipment

Mechanical plant shall be appropriately design, installed, operated and maintained such that criteria outlined in Section 3.2.3 is met.

Compliance testing of mechanical plant and equipment shall be conducted as outlined in Section 4.4.1.

4.9 Events

Noise monitoring is required during an Event, i.e. the Sydney Writer's Festival or the Biennale. Noise monitoring requirements are provided in Section 4.4.1.2.

Condition E15 of SSD 8671

Within 3 months of the completion of the first Sydney Writer's Festival and Biennale events held on site, the Applicant shall submit an Event Noise Monitoring and

Compliance Report to the EPA and the Secretary at compliance@planning.nsw.gov.au.
The Report must include (but not be limited to):

- a) all key event details (name, hours of operation, hours and details of bump-in and bump-out activities, measured patron numbers, total event duration, event register and timetable / production schedule etc)
- b) details of the overall event layout and operational procedures implemented;
- c) roles and responsibilities of key employees involved in overseeing the event;
- d) identification of key noise sources during the event;
- e) details of all noise mitigation and management measures implemented;
- f) the noise limits applicable to the event;
- g) details of noise monitoring and compliance procedures;
- h) the results of noise monitoring and measurement of compliance with the applicable noise limits;
- i) the community notification protocols and procedures implemented;
- j) details of any community complaints received and the response action;
- k) a detailed analysis and review of the appropriateness and effectiveness of the noise mitigation and management measures implemented during each event; and
- l) recommendations to improve the noise mitigation and management during future events based on the results the review and analysis required under part (k).

5 Reactive management

5.1 Complaints handling

Responsibility for the receipt, recording and resolving of noise complaints lies with the Precinct Representative from Create NSW, as defined in Table 1.

An information Hot Line will be available at any time during site operation. Details of the Hot Line and email address will be provided on the WBAP website. The WBAP website and Hot Line shall be included in this NVMP within 7 days of the commencement of operations. A link to the complaints page of the WBAP website shall be included on the STC website.

In the event a noise complaint is received, the following steps shall be undertaken:

1. Complaint details will be recorded in a complaint register, to be maintained by the Precinct Representative(s). Details will include:
 - Name of staff receiving complaint;
 - Date and time of complaint;
 - Name, address and telephone number of complainant (if available); and
 - Source of the noise if identifiable and duration of disturbance.
2. Noise monitoring shall be conducted and subsequent actions shall be undertaken in a timely manner as prescribed in Section 4.4.1.
3. Response actions and any further actions required to resolve the dispute shall be recorded in the complaint register. Further actions shall be undertaken in a timely manner, and the date of close out of disputes recorded.

The record of complaints will be held for at least five (5) years after the complaint was made.

6 Review mechanism

6.1 Annual review

This NVMP shall be reviewed annually at the end of the Twelve-Month Operational Period or more regularly following a complaint, or non-compliance with deemed to comply conditions. The initial review shall be conducted in consultation with a Qualified Acoustic Consultant. The need for an Acoustic Consultant to be involved in subsequent reviews shall be confirmed. Recommendations from any interested parties for changes to be made to the NVMP will be considered.

In conducting the NVMP review program the following steps will be undertaken:

1. Review any existing 'Opportunities for Improvement' identified during the previous annual review;
2. Review monitoring regime as outlined in Section 4.4.1, namely the frequency of monitoring;
3. Review of the complaints register, as well as any complaints made to the EPA or City of Sydney Council regarding noise. This review will aim to identify common causes or locations of complaints;
4. Review deemed to satisfy conditions, which may require either a reduction or increase in patron numbers or noise limits depending on the number and severity of complaints and subsequent noise monitoring results;
5. An evaluation of the complaints register will be undertaken in conjunction with the assessment of compliance with noise and time limits. This review will aim to correlate complaints with limit exceedances;
6. Recommend 'Opportunities for Improvement' for the following Twelve-Month Operational Period which have been identified as a result of the review process; and
7. Consider the outcomes of the review and incorporated relevant improvements into the NVMP revision in consultation with a Qualified Acoustic Consultant.

6.2 Complaints review process

A review of complaints received shall be conducted as part of the annual review. Complaints received where subsequent noise monitoring shows compliance with the noise criteria is not achieved shall be reviewed and tenancies which are the recurring source of non-compliances shall be identified. Additional noise mitigation and management measures recommended for these tenancies shall be implemented and included in this NVMP.

6.3 Post Event review

Condition E15 of SSD 8671

Within 1 month of the completion of each Event Noise Monitoring and Compliance Report, the Applicant shall update this NMVP to include any additional noise mitigation and management measures recommended for future events.

References

- [1] Arup, “WBACP - SSDA - Noise and Vibration Impact Assessment,” Arup, Sydney, 2017.
- [2] Arup, “STC50 - SEARs - Noise and Vibration Report,” Arup, Sydney, 2017.
- [3] Environment Protection Authority, “Industrial Noise Policy,” Environment Protection Authority, Sydney, 2000.
- [4] MG Planning, “SSDA 7561 Sydney Theatre Company internal refurbishment works – Addendum to Response to Submissions,” MG Planning, Sydney, 2018.
- [5] Arup, “Response to submissions for WBACP Noise and Vibration Impact Assessment,” Arup, Sydney, 2018.
- [6] NSW Environment Protection Authority, “NSW Noise Policy for Industry,” NSW Environment Protection Authority, Sydney, 2017.

Appendix A

Agency Consultation

Attachment 1 – Register of comments and responses

SSD 8671 and SSD 7561 Consent Conditions Comments Register

SSD	PART	CONDITION/HEADING	AGENCY	COMMENT NO	COMMENTS	RESPONSES
8671	PART D - PRIOR TO OCCUPATIONAL OR COMMENCEMENT OF USE	D12 - Operational Noise and Vibration Management Plan	DPIE	1	Table 8: it appears as though events should start at 9am as per condition E7	Table 8, page 10 updated to reflect Event starting time at 9am.
		D12 - Operational Noise and Vibration Management Plan		2	Complaints management in section 5 should include reference that an email will be made available and also state the position of the person who will be primarily responsible for accepting and handling complaints. It must also include a requirement that the complaints are responded to in a timely and effective manner and details regarding further resolution of disputes if needed	Section 5.1, page 21 updated to include person responsible for managing complaints, that an email address will be provided on the website and resolutions will be sought in a timely manner, with dates of close out recorded.
		D12 - Operational Noise and Vibration Management Plan		3	A2 - Recommendations from Noise Impact Assessments doesn't include the following (that was submitted with the SSD 7561 RTS Addendum dated 3 April 2018): Existing onsite monitoring of noise levels to be continued on the Bar's western balcony and western walkway as per STC Noise Management Plan.	Section 4.4.3 page 18 added to include requirement for noise monitoring at STC Bar Western Balcony between 10pm and 12am. No operations after 12am are currently permitted by Conditions.
8671	PART D - PRIOR TO OCCUPATIONAL OR COMMENCEMENT OF USE	D12 - Operational Noise and Vibration Management Plan	City of Sydney	1	I have received comments back from some internal units regarding noise management plan submitted for consultation. No issues have been raised by the City's Health and Building Unit regarding these documents.	No further action required
8671	PART D - PRIOR TO OCCUPATIONAL OR COMMENCEMENT OF USE	D12 - Operational Noise and Vibration Management Plan	EPA	1	The EPA is the appropriate regulatory authority for the Walsh Bay Arts Precinct, and therefore must maintain a regulatory distance from operational management plans. As such we are unable to provide advice on the documentation.	No further action required
7561	PART E - PRIOR TO OCCUPATIONAL OR COMMENCEMENT OF USE	E4 - Operational Noise and Vibration Management Plan	NA	NA	See D12 above	See D12 above

Attachment 2- Copy of correspondence

2a - City of Sydney

From: [Marie Burge](#)
To: [Barry Hayes](#); [Chris Barling](#)
Cc: [Mark Ayto](#); [Patrick Buckle](#); [Jono Perry](#)
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation
Date: Tuesday, 18 August 2020 8:50:54 AM
Attachments: [image005.gif](#)
[image010.png](#)
[image011.png](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Barry,

I have received comments back from some internal units regarding the waste management plans and noise management plan submitted for consultation.

No issues have been raised by the City's Waste Management Unit or the Health and Building Unit regarding these documents.

I am still reviewing the operational plan of management and will get back to you regarding this document as soon as possible.

Kind regards,

Marie Burge
Planner
Planning Assessments



Telephone: +612 9288 5850
cityofsydney.nsw.gov.au

From: Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>
Sent: Thursday, 13 August 2020 5:08 PM
To: Marie Burge <MBurge@cityofsydney.nsw.gov.au>; Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Marie

Thank you for the update. I will look out for the documents early next week.

Regards,
Barry Hayes
Project Manager

M 0415 444 724
E barry.hayes@infrastructure.nsw.gov.au | www.insw.com
Level 27, 201 Kent St, Sydney NSW 2000



From: Marie Burge <MBurge@cityofsydney.nsw.gov.au>
Sent: Thursday, 13 August 2020 4:54 PM
To: Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>; Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Barry,

Thanks for your email. Apologies for missing your call.

I will chase up some of our internal units to get their feedback on the various documents that have been sent through. I am hoping to provide you with comments for most if not all of the documents sent in by early next week.

Kind regards,

Marie Burge
Planner
Planning Assessments



Telephone: +612 9288 5850
cityofsydney.nsw.gov.au

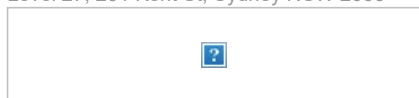
From: Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>
Sent: Thursday, 13 August 2020 4:29 PM
To: Chris Barling <chris.barling@infrastructure.nsw.gov.au>; Marie Burge <MBurge@cityofsydney.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Marie

It was good to meet you today, I am now assisting Chris with the conditions of consent. Are you able to provide an update on City of Sydney's review of the WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan.

Regards,
Barry Hayes
Project Manager

M 0415 444 724
E barry.hayes@infrastructure.nsw.gov.au | www.insw.com
Level 27, 201 Kent St, Sydney NSW 2000



From: Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Sent: Monday, 10 August 2020 1:44 PM
To: Marie Burge <MBurge@cityofsydney.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Marie,

Thanks for your time on the phone to clarify your request below.

As discussed there are other SSD conditions which are being reviewed by other Government Agencies such as the NSW Heritage for heritage related items. Therefore an over-arching review of the Operational Plan of Management in it's entirety by the City of Sydney would seem logical with the ability to refer to other Government Agencies for more detailed reviews which align to their relevant expertise.

We look forward to hearing back regarding specific detailed discussions around waste management and operational noise.

Kind Regards,

Chris Barling

From: Marie Burge <MBurge@cityofsydney.nsw.gov.au>
Sent: Thursday, 6 August 2020 5:48 PM
To: Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Chris,

I understand those documents in the table below are subject to separate consultation. I was more referring to aspects of the plan like heritage conservation management in section 6 and wayfinding and signage that may be subject to approval under separate conditions as well. Could you confirm whether these other sections have already been satisfied as separate conditions or are you seeking consultation from Council for those conditions as well?

Kind regards,

Marie Burge
Planner
Planning Assessments



Telephone: +612 9288 5850
cityofsydney.nsw.gov.au

From: Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Sent: Thursday, 6 August 2020 4:50 PM
To: Marie Burge <MBurge@cityofsydney.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Marie,

Thank you for the update regarding timelines, we look forward to hearing from you around the end of next week.

The sections of the operational plan of management which are also subject to separate conditions of consent under the SSDA are:

Operational Plan	SSD8671 Clause	SSD7561 Clause	Relevant Operational Plan of Management Section
Waste Management Plan	D11	E6	Section 10
Operational Noise & Vibration Management Plan	D12	E4	Section 13
Green Travel Plan (previously agreed with CoS in consultation with JMT Consulting)	D6	E7	Section 4
Point-to-Point Transport Management Plan (previously agreed with CoS in consultation with JMT Consulting)	D7	N/A	Section 4
Coach Management Plan (previously agreed with CoS in consultation with JMT Consulting)	D8	N/A	Section 4
Service and Loading Dock Management Plan (Working through query regarding Pottinger St	D9	E5	Section 4

loading dock access for STC using semi-trailers)			
Shuttle Service Operation Plan (previously agreed with CoS in consultation with JMT Consulting)	D10		Section 4

All of the other sections of the Operational Plan of Management have been written to address elements listed in the SSD8671 D4 and SSD7561 E3 consent conditions. The breakdown of how the consent conditions elements are addressed is referenced in the table on pages 6 & 7 in section 1 of the Operational Plan of Management.

I hope this clears up your question, please give me a call on 0467 795 254.

Kind Regards,

Chris Barling

From: Marie Burge <MBurge@cityofsydney.nsw.gov.au>

Sent: Thursday, 6 August 2020 3:49 PM

To: Chris Barling <chris.barling@infrastructure.nsw.gov.au>

Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>

Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Chris,

When referring applications to internal units, that standard timing we provide for review and comments is 7 days. I'll get in touch with internal units to see if they can provide comments faster than this but most units are already at capacity with their workloads and generally stick to the 7-day timeframe.

I will contact our waste management unit and ask if they will be willing to meet to discuss the management plan.

In terms of the operation plan of management, could you please confirm if any of the sections of the plan have been satisfied under separate conditions of consent in either SSDA approval? I note that you have already received feedback regarding transport and waste and noise and vibration are being reviewed separately.

Kind regards,

Marie Burge
Planner
Planning Assessments



Telephone: +612 9288 5850
cityofsydney.nsw.gov.au

From: Chris Barling <chris.barling@infrastructure.nsw.gov.au>

Sent: Thursday, 6 August 2020 2:46 PM

To: Marie Burge <MBurge@cityofsydney.nsw.gov.au>

Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>

Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Marie,

Thank you for the response and confirmation.

As per correspondence with Margie Dickson at Arup Waste we would welcome a chance to provide you an overview of the Waste Management Plan development. We look forward to hearing from you and your teams in due course- when would you anticipate that we would receive comments?

Thanks in advance,

Kind Regards,

Chris Barling
Operational Readiness Manager (Walsh Bay Arts Precinct)

M 0467 795 254

E chris.barling@infrastructure.nsw.gov.au | www.insw.com

Level 27, 201 Kent St, Sydney NSW 2000



From: Marie Burge <MBurge@cityofsydney.nsw.gov.au>

Sent: Thursday, 6 August 2020 2:31 PM

To: Chris Barling <chris.barling@infrastructure.nsw.gov.au>

Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>

Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Thanks Chris,

I have received everything now. The noise and vibration management plans and waste management plans have been sent to our internal units for review and I will speak to other relevant units about aspects of the operational management plan.

I will try and get comments to you as soon as possible.

Kind regards,

Marie Burge
Planner
Planning Assessments



Telephone: +612 9288 5850

cityofsydney.nsw.gov.au

From: Chris Barling <chris.barling@infrastructure.nsw.gov.au>

Sent: Thursday, 6 August 2020 1:46 PM

To: Marie Burge <MBurge@cityofsydney.nsw.gov.au>

Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Barry Hayes <Barry.Hayes@infrastructure.nsw.gov.au>

Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Marie,

Apologies for the confusion. Please see all documentation attached again and new link to the Operational Plan of Management- <https://we.tl/t-LuK87jFhzq> .

Could you please confirm receipt and access to the linked documents?

Kind Regards,

Chris Barling
Operational Readiness Manager (Walsh Bay Arts Precinct)

M 0467 795 254
E chris.barling@infrastructure.nsw.gov.au | www.insw.com
Level 27, 201 Kent St, Sydney NSW 2000



From: Marie Burge <MBurge@cityofsydney.nsw.gov.au>
Sent: Thursday, 6 August 2020 11:01 AM
To: Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Subject: RE: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Hi Chris,

Apologies for the delay in response but could you please resent the transfer link for the operational plan of management?

Sorry for the inconvenience caused.

Kind regards,

Marie Burge
Planner
Planning Assessments



Telephone: +612 9288 5850
cityofsydney.nsw.gov.au

From: Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Sent: Wednesday, 29 July 2020 9:53 AM
To: Marie Burge <MBurge@cityofsydney.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>
Subject: WBAP & STC Operational Plan of Management, Waste Management & Noise Management Plan for Consultation

Dear Ms Burge,

I am the Operational Readiness Manager at the Walsh Bay Arts Precinct redevelopment and am writing to you to commence consultation with City of Sydney (for the development of an updated Operational Plan of Management, prior to submission to the Secretary of the Department of Planning and Environment for approval as required by the Development Consent conditions for SSD8671, Walsh Bay Arts & Cultural Precinct and SSD7561, Sydney Theatre Company).

Please see attached:

- Covering letter from Tom Gellibrand, Infrastructure NSW- Head of Project NSW explaining the submission
- Link to the Operational Plan of Management for your review. <https://we.tl/t-XFefalUEFC9> (Please note this link expires in 7 days)
- WBAP Waste Management Plan- prepared by Arup NSW for SSD8671
- STC Waste Management Plan- prepared by STC for SSD7561
- Noise & Vibration Management Plan- prepared by Arup for SSD8671 and SSD7561

Thanks for your assistance and please don't hesitate to contact me should you have any questions. I will touch base with you next week to confirm receipt of the submission.

Kind Regards,

Chris Barling
Operational Readiness Manager (Walsh Bay Arts Precinct)

M 0467 795 254
E chris.barling@infrastructure.nsw.gov.au | www.insw.com
Level 27, 201 Kent St, Sydney NSW 2000



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This email and any files transmitted with it are intended solely for the use of the addressee(s) and may contain information that is confidential or subject to legal privilege. If you receive this email and you are not the addressee (or responsible for delivery of the email to the addressee), please note that any copying, distribution or use of this email is prohibited and as such, please disregard the contents of the email, delete the email and notify the sender immediately.

Attachment 2- Copy of correspondence

2b - Environmental Protection Authority (EPA)

From: [Anna Timbrell](#)
To: [Chris Barling](#)
Cc: [Sarah Thomson](#)
Subject: Walsh Bay Arts Precinct and Refurbishment of Wharf Theatre - SSD 8671 and SSD 7561 - Consultation with the EPA
Date: Friday, 31 July 2020 2:30:33 PM

Hi Chris

Thank you for your correspondence dated 27 July 2020 regarding operational planning consultation in relation to the Walsh Bay Arts precinct.

We note your submission of documentation to the EPA to satisfy conditions D4, D11 and D12 of SSD 8671 and conditions E6 and E4 of SSD 7561.

The EPA is the appropriate regulatory authority for the Walsh Bay Arts Precinct, and therefore must maintain a regulatory distance from operational management plans.

As such we are unable to provide advice on the documentation.

Kind regards

Anna Timbrell

Environmental Planning Officer – Metropolitan Infrastructure

Metropolitan Branch, NSW Environment Protection Authority

Ph: 02 9274 6345

anna.timbrell@epa.nsw.gov.au www.epa.nsw.gov.au [@EPA NSW](#)

Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555

Please send all official correspondence to metropolitan.transport@epa.nsw.gov.au



This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

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Attachment 2- Copy of correspondence

2c – Department of Planning, Industry and Environment

From: [Karl Fetterplace](#)
To: [Chris Barling](#)
Subject: FW: WBAP Noise Management Plan for Consultation
Date: Tuesday, 11 August 2020 10:11:51 AM
Attachments: [image001.gif](#)
[image004.jpg](#)
[WBAP Noise Management Plan 20200706 Final.pdf](#)
[RE NSW Police Contact + Noise Contact.msg](#)

Hi Chris,

Thank you for your time discussing the above. As noted, I had a few requirements for amendments, as follows:

- Table 8: it appears as though events should start at 9am as per condition E7
- Complaints management in section 5 should include reference that an email will be made available and also state the position of the person who will be primarily responsible for accepting and handling complaints. It must also include a requirement that the complaints are responded to in a timely and effective manner and details regarding further resolution of disputes if needed
- A2 - Recommendations from Noise Impact Assessments doesn't include the following (that was submitted with the SSD 7561 RtS Addendum dated 3 April 2018): Existing onsite monitoring of noise levels to be continued on the Bar's western balcony and western walkway as per STC Noise Management Plan.

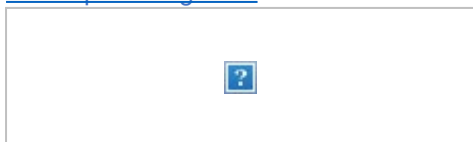
Please also see below for information regarding the Department's new major projects portal re post-approval documents (for submission once consultation with agencies has been finalised):

If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

Regards,
Karl Fetterplace
Senior Planner, Key Sites Assessments

Planning and Assessment | Department of Planning, Industry and Environment
T 02 9274 6263
4 Parramatta Square, 12 Darcy St, Parramatta NSW 2150
Locked Bag 5022 Parramatta NSW 2124
www.dpie.nsw.gov.au



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Chris Barling <chris.barling@infrastructure.nsw.gov.au>
Sent: Wednesday, July 29, 2020 11:32:45 AM
To: Tim Green <Tim.Green@planning.nsw.gov.au>
Cc: Mark Ayto <Mark.Ayto@infrastructure.nsw.gov.au>; Patrick Buckle <patrick.buckle@create.nsw.gov.au>; Jono Perry <jperry@sydneytheatre.com.au>; Mathew Simon <Mathew.Simon@arup.com>
Subject: WBAP Noise Management Plan for Consultation

Good Morning Tim,

Further to our correspondence (attached) the Walsh Bay Arts Precinct project has developed the attached Noise Management Plan in response to SSD consent conditions D12 SSD8671 and E4 SSD7561. This plan has been issued to the City of Sydney and Environmental Protection Authority today for their consultation.

As discussed we would also like to submit this Noise Management Plan for consultation with the Department of Planning and Environment concurrently for initial advice, prior to submitting for final approval with the consultation evidence from the City of Sydney and the Environmental Protection Authority.

We would welcome a chance discuss the plan with our consultant, Arup, and your noise & vibration expert as soon as possible.

Any questions please let me know.

Kind Regards,

Chris Barling
Operational Readiness Manager (Walsh Bay Arts Precinct)

M 0467 795 254
E chris.barling@infrastructure.nsw.gov.au | www.insw.com
Level 27, 201 Kent St, Sydney NSW 2000



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Appendix B

Approval Conditions

B1 SSD Conditions of consent

The Conditions of Consent pertaining to operational noise that have been addressed in this report are presented in Table 14 and Table 15, being for STC and WBAP respectively.

Table 14: Conditions of Consent SSD 7561 - STC

Conditions of Consent addressed	Report section
Operational Noise and Vibration Management Plan E4. Prior to the issue of an Occupation Certificate, a Noise and Vibration Management Plan (NVMP) prepared by a suitably qualified person shall be submitted to and approved by the Secretary. The NVMP must be prepared in consultation with Council and the EPA. The NVMP must outline all measures that would be implemented to minimise noise and vibration associated with the operation of the development and ensure its effectively managed. The NVMP shall also address (but not be limited to):	Throughout document
a) Measures to ensure compliance with Condition F3 and F4 of this consent	Throughout document
b) Incorporate all relevant recommendations and mitigation measures outlined in the Revised Noise Impact Assessment (dated 9 February 2017) of the RTS and RTS Addendum dated 3 April 2018.	Section B2
c) Restrictions on patrons and staff leaving the Subject Site along with Wharf 4/5 western apron after 12 midnight; and	Section 4.6
d) Include a suitable noise and vibration monitoring program.	Section 4.3
Prior to the commencement of use, a copy of the NVMP must be submitted to the Council and the EPA.	Section 1.1
Noise Control – Plant and Machinery F3. Noise associated with the operation of any plant, machinery or other equipment on the site must not give rise to any one or more of the following:	
a) transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;	As no quantitative criteria apply as a result of this condition, the assessment of ‘annoying’ characteristics as per Condition F3 c) is considered to adequately address this condition.
b) a sound pressure level at any affected residential property that exceeds the background ($L_{A90, 15 \text{ minute}}$) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a $L_{Aeq, 15 \text{ minute}}$; or	Section 3.2.3
c) exhibit tonal, impulsive or other annoying characteristics	Section 3.2.3

Conditions of Consent addressed	Report section
Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be above the background noise level between the hours of 12 midnight and 7 am.	Section 3.2.3
Noise Control - Use F4. Noise emanating from the premises (internal areas) including patron noise and music must not give rise to any one or more of the following:	
a) transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;	As no quantitative criteria apply as a result of this condition, the assessment of ‘annoying’ characteristics as per Condition F3 c) is considered to adequately address this condition.
b) the L_{A10} noise level must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz-8kHz inclusive) by more than 5dB between 7 am and 12 midnight at the boundary of any affected residence;	Section 3.2.1
c) the L_{A10} noise level emitted must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz-8kHz inclusive) between 12 midnight and 7 am at the boundary of any affected residence; and	Section 3.2.1
d) notwithstanding compliance with (a), (b) and (c) above, all noise associated with the premises must not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7 am.	Section 3.2.1

Table 15: Conditions of Consent SSD 8671 - WBAP

Conditions of Consent addressed	Report section
SSD 8671 - WBAP	
Operational Noise and Vibration Management Plan D12. Prior to occupation or commencement of use, an Operational Noise and Vibration Management Plan (NVMP) prepared by a suitably qualified person shall be submitted to the Secretary for approved. The NVMP must be prepared in consultation with Council and the EPA. The NVMP shall include (but not be limited to):	Section 1.1
a) Be prepared in accordance with the EPA’s Industrial Noise Policy;	Section 3.2.3
b) Identify nearby sensitive receivers and land uses;	Section 2.3
c) Identify the noise limits applying to the development;	Section 3.2
d) Identify all key sources of operational noise and vibration;	Section 2.2
e) Details of all reasonable and feasible management and mitigation measures	Section 4, Section 5 and Section 6

Conditions of Consent addressed	Report section																
f) Be consistent with and incorporate all relevant recommendations and mitigation measures outlined in the Noise and Vibration Impact Assessment (dated 11 October 2017) in Appendix 19 of the EIS and the supplementary Noise and Vibration report (dated 23 January 2018) in Appendix 2 of the ETS;	Section B2																
g) Restrictions on patrons and staff leaving the Subject site along the Wharf 4/5 western wharf apron and Pier 2/3 eastern wharf apron after 12 midnight; and	Section 4.6																
h) Include a suitable proactive noise and vibration monitoring program which aims to ensure the noise and vibration criteria in this consent are not exceeded.	Section 4.3																
Prior to the commencement of use, a copy of the approved NVMP must be submitted to the Council, the Secretary and the EPA.	Section 1.1																
<p>Hours of Operation — Pier 2/3 and Wharf 4/5</p> <p>E2. The hours of operation of Pier 2/3 and Wharf 4/5 shall be restricted as outlined in the table below.</p> <table border="1"> <thead> <tr> <th>Land Use</th><th>Hours of Operation</th></tr> </thead> <tbody> <tr> <td>Offices</td><td>24 hours</td></tr> <tr> <td>Teaching, rehearsals and performances</td><td>6 am to 12 midnight (indoor areas) 9 am to 10 (outdoor areas)</td></tr> <tr> <td>Functions and events within the arts tenancies</td><td>9 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)</td></tr> <tr> <td>Functions, events, commercial and venue hire within the Pier 2/3 function space</td><td>9 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)</td></tr> <tr> <td>Sydney Dance Company Café</td><td>6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)</td></tr> <tr> <td>Loading dock activities</td><td>7 am to 10 pm</td></tr> <tr> <td>Other deliveries</td><td>6 am to 12 midnight</td></tr> </tbody> </table>	Land Use	Hours of Operation	Offices	24 hours	Teaching, rehearsals and performances	6 am to 12 midnight (indoor areas) 9 am to 10 (outdoor areas)	Functions and events within the arts tenancies	9 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)	Functions, events, commercial and venue hire within the Pier 2/3 function space	9 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)	Sydney Dance Company Café	6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)	Loading dock activities	7 am to 10 pm	Other deliveries	6 am to 12 midnight	Section 3.1
Land Use	Hours of Operation																
Offices	24 hours																
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Functions and events within the arts tenancies	9 am to 12 midnight (indoor areas) 9 am to 10 pm (outdoor areas)																
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Sydney Dance Company Café	6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)																
Loading dock activities	7 am to 10 pm																
Other deliveries	6 am to 12 midnight																

Conditions of Consent addressed	Report section												
<p>Hours of Operation — Commercial Spaces 2 to 4</p> <p>E3. The hours of operation for commercial spaces 2 to 4 in Shore Sheds 4/5 shall be restricted as outlined in the table below.</p> <table><tr><th>Land Use</th><th>Hours of Operation</th></tr><tr><td>Cafés, restaurants and small bars“</td><td>6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)</td></tr><tr><td>Shops“</td><td>10 am to 10 pm (indoor and outdoor areas)</td></tr><tr><td>Deliveries</td><td>6 am to 12 midnight</td></tr></table> <p>“As defined in the Standard Instrument - Principal Local Environmental Plan.</p>	Land Use	Hours of Operation	Cafés, restaurants and small bars“	6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)	Shops“	10 am to 10 pm (indoor and outdoor areas)	Deliveries	6 am to 12 midnight	Section 3.1				
Land Use	Hours of Operation												
Cafés, restaurants and small bars“	6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)												
Shops“	10 am to 10 pm (indoor and outdoor areas)												
Deliveries	6 am to 12 midnight												
<p>Noise Limits — General Operation</p> <p>E6. The Applicant must ensure that the noise generated by the development (excluding noise from the Sydney Writer’s Festival and Biennale events) does not exceed the noise limits at the residential receivers identified in the table below.</p> <table><tr><th>Residential Receiver Number and Location*</th><th>Noise limit (7 am to 6 pm) Leq(15 minute) dB(A)</th><th>Noise limit (6 pm to 12 midnight) Leq(15 minute) dB(A)</th></tr><tr><td>R2 — Shore 6/7 apartments</td><td>52</td><td>47</td></tr><tr><td>R4 — Lower Fort Street North Terraces</td><td>47</td><td>47</td></tr><tr><td>R6 — Pottinger Street Terraces</td><td>41</td><td>41</td></tr></table> <p>Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Refer to the plan in Appendix 19 of the EIS for the location of residential receivers.</p>	Residential Receiver Number and Location*	Noise limit (7 am to 6 pm) Leq(15 minute) dB(A)	Noise limit (6 pm to 12 midnight) Leq(15 minute) dB(A)	R2 — Shore 6/7 apartments	52	47	R4 — Lower Fort Street North Terraces	47	47	R6 — Pottinger Street Terraces	41	41	Section 3.2.2
Residential Receiver Number and Location*	Noise limit (7 am to 6 pm) Leq(15 minute) dB(A)	Noise limit (6 pm to 12 midnight) Leq(15 minute) dB(A)											
R2 — Shore 6/7 apartments	52	47											
R4 — Lower Fort Street North Terraces	47	47											
R6 — Pottinger Street Terraces	41	41											

Conditions of Consent addressed	Report section								
<p>Noise Limits - Sydney Writer’s Festival and Biennale</p> <p>E7 The Applicant must ensure that the noise generated by the Sydney Writer’s Festival and Biennale events does not exceed the noise limits at the residential receivers identified in the table below.</p> <table><tr><th>Residential Receiver Number and Location*</th><th>Noise limit (9 am to 6 pm) Leq(15 minute) dB(A)</th><th>Noise limit (6 pm to 12 midnight) Leq(15 minute) dB(A)</th></tr><tr><td>R2 — Shore 6/7 apartments</td><td rowspan="3">55</td><td rowspan="3">50</td></tr><tr><td>R4 — Lower Fort Street North Terraces</td></tr><tr><td>R6 — Pottinger Street Terraces</td></tr></table> <p>Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Refer to the plan in Appendix 19 of the EIS for the location of residential receivers.</p>	Residential Receiver Number and Location*	Noise limit (9 am to 6 pm) Leq(15 minute) dB(A)	Noise limit (6 pm to 12 midnight) Leq(15 minute) dB(A)	R2 — Shore 6/7 apartments	55	50	R4 — Lower Fort Street North Terraces	R6 — Pottinger Street Terraces	Section 3.2.2
Residential Receiver Number and Location*	Noise limit (9 am to 6 pm) Leq(15 minute) dB(A)	Noise limit (6 pm to 12 midnight) Leq(15 minute) dB(A)							
R2 — Shore 6/7 apartments	55	50							
R4 — Lower Fort Street North Terraces									
R6 — Pottinger Street Terraces									
<p>Noise Control — General Operation and Sydney Writer’s Festival and Biennale</p> <p>E8. Noise emanating from the premises (internal areas) including patron noise and music must not give rise to any one or more of the following:</p> <ul style="list-style-type: none">a) transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;b) the L_{A10} noise level emitted must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz-8kHz inclusive) between 12 midnight and 7 am at the boundary of any affected residence; andc) notwithstanding compliance with (a), (b) and (c) above, all noise associated with the premises must not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7 am.	Section 3.2.2								

Conditions of Consent addressed	Report section
<p>Noise Control — Plant and Machinery</p> <p>E9. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:</p> <ul style="list-style-type: none"> a) transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy; b) a sound pressure level at any affected residential property that exceeds the background ($L_{A90, 15 \text{ minute}}$) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a $L_{Aeq, 15 \text{ minute}}$; or c) exhibit tonal, impulsive or other annoying characteristics. <p>Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12 midnight and 7 am.</p>	<p>Section 3.2.3</p> <p>Note: this criteria is less stringent than condition E6.</p>
<p>Noise Monitoring</p> <p>E10. During commissioning of any plant, machinery or other equipment operated on site and during general operations, the Applicant shall undertake noise monitoring to confirm compliance with the noise limits in Condition E6 and E7 of this consent. In the event that compliance with the noise limits is not achieved, suitable attenuation measures must be implemented to achieve compliance and the NVMP required under Condition D12 be updated to include such measures.</p>	<p>Section 4.4</p>
<p>Noise Control - No Amplified Music Outdoors</p> <p>E11. No amplified music shall be played outdoors, including the public domain and outdoor areas associated with the premises.</p>	<p>Section 4.3</p>
<p>Noise Control — Speaker Orientation</p> <p>E12. Internal speakers must not be placed to direct the playing of music towards the public domain or outdoor areas associated with the premises.</p>	<p>Section 4.3</p>
<p>Noise Control</p> <p>E13. The doors and windows (including louvres) of air-conditioned spaces within Pier 2/3, Wharf 4/5 and Shore Sheds 4/5 must be closed after 10 pm.</p>	<p>Section 4.7</p>

Conditions of Consent addressed	Report section
<p>E15. Within 3 months of the completion of the first Sydney Writer's Festival and Biennale events held on site, the Applicant shall submit an Event Noise Monitoring and Compliance Report to the EPA and the Secretary at compliance@planning.nsw.gov.au. The Report must include (but not be limited to):</p> <ul style="list-style-type: none"> a) all key event details (name, hours of operation, hours and details of bump-in and bump-out activities, measured patron numbers, total event duration, event register and timetable / production schedule etc) b) details of the overall event layout and operational procedures implemented; c) roles and responsibilities of key employees involved in overseeing the event; d) identification of key noise sources during the event; e) details of all noise mitigation and management measures implemented; f) the noise limits applicable to the event; g) details of noise monitoring and compliance procedures; h) the results of noise monitoring and measurement of compliance with the applicable noise limits; i) the community notification protocols and procedures implemented; j) details of any community complaints received and the response action; k) a detailed analysis and review of the appropriateness and effectiveness of the noise mitigation and management measures implemented during each event; and l) recommendations to improve the noise mitigation and management during future events based on the results the review and analysis required under part (k). 	Section 4.9
<p>E16. Within 1 month of the completion of each Event Noise Monitoring and Compliance Report (refer to Condition E15), the Applicant shall update the NMVP (refer to Condition D12) to include the additional noise mitigation and management measures recommended for future events under Condition D13.</p>	Section 6.2

B2 Recommendations from Noise Impact Assessments

Condition E4 b) of SSD 7561

The following management measures are required as outlined in the Revised Noise Impact Assessment (dated 9 February 2017) of the RTS [2] and RTS Addendum dated 3 April 2018 [4].

Table 16: Recommended mitigation measures of STC NVIA and RTS Addendum

Recommended management measure	Report Section
Hours of operation to be retained as existing	Table 6
Capacity of the (STC) venue to be limited to a maximum of 500 patrons between midnight and 3am	Table 11
Western balcony to be closed at 12 midnight 7 days per week	Table 6

Conditions D12 f) of SSD 8671

The following management measures are required outlined in the Noise and Vibration Impact Assessment (dated 11 October 2017) in Appendix 19 of the EIS [1] and the supplementary Noise and Vibration Report (dated 23 January 2018) in Appendix 2 of the RTS [5]

Table 17: Recommended mitigation measures of WBAP NVIA and Supplementary Report

Recommended management measure	Report Section
Loading dock activities and waste and recycling removal shall be scheduled outside of night-time hours, i.e. before 10:00pm or after 7:00am	Table 4
In order to minimise the risk of sleep disturbance to surrounding residences while patrons are leaving the WBACP, patrons will be directed to leave via the aprons on the inside of the precinct	Section 4.6
Precinct staff will also be directing patrons to keep noise to a minimum when leaving in order to reduce shouting or unnecessary loud conversations between leaving the venues and leaving the precinct.	Section 4.6
Existing onsite monitoring of noise levels to be continued on the Bar's western balcony and western walkway as per STC Noise Management Plan.	Section 4.4.3