

Sent: Monday, 14 August 2017 10:34 AM to Lane Cove Council

Subject: Appropriate demolition/construction High Noise and Saturday hours - Recommendations plus Consultation offer

I live at the Abode (599 Pacific Highway, St Leonards) in a block of units with approx. 450 residents. We live directly across the road from the Mirvac and Landmark developments which commenced work in early September 2016. We have endured constant noise day and night and I would like to work with council to prevent this happening again and learn from what the residents have endured (many people who were renting in our block have moved out).

The main issues are the inappropriate High Noise respites and the inappropriate Saturday hours (against Lane Cove Council's own noise pollution policy) in the Development Approvals which have had a significant impact on the health and wellbeing of the residents, additionally there are number of small changes that make a significant difference without major impact to developers.

I understand there are a number of large developments around St Leonards station that may be submitted in Lane Cove over the coming years, and as we could hear jackhammering from 7am for 6 days a week from the Marshall Avenue site which is many blocks away, we (and many other residents and office workers) will be able to hear the noise from these new sites which are much closer. I have the following recommendations based on extensive research and experience as a resident and I am also happy to meet with the council to discuss further. Please note I really do not want to have to continually go to JRPP sessions and object after documents and proposals have already been prepared, and would rather council implement their own noise pollution policies, consider EPA guidelines and learn from the severe effect on residents around the Mirvac, Landmark and Marshall Avenue sites before the DA documents are put up for public consumption. Below I have detailed the issues along with proposed solutions.

High Priority

Issues

The following have had serious impacts on our health and wellbeing and both are against your own noise pollution policies:

1. **Inappropriate high noise respite times** (especially early morning 6 days a week). Please understand as we (and most residents) are elevated the noise got as high as 82 decibels and you get hearing loss at 85 decibels. It is consider highly affected noise at 75 decibels which means all measures possible should be taken to minimise the effect for residents (which is the complete opposite to the extended hours Lane Cove Council has allowed). I do not want to have to spend extensive time, effort and stress negotiating with council, private certifiers and developers when the council should have explicitly set this in the first place.
2. **Inappropriate Saturday times** it is beyond me why Lane Cove Council would not have implemented its own noise pollution policy (Saturdays 8-12noon with NO high noise) when you have not one but two enormous blocks being demolished and constructed over a period of 4 years. It is good to see this has been corrected in the current Landmark proposal and I hope this will be implemented for all future developments (otherwise what is the point of having a policy if you are not going to apply it, especially in situations it is required most. 7am to 4pm Saturday hours with high noise allowed has had a significant health and wellbeing impact on many residents.

Please note I have not included night works as this is a separate issue and not normally detailed in DAs, but it should be remembered that the impact to residents is not limited to the standard DA hours which makes it critical that the standard DA hours are correct, so when additional activities occur the residents are not already at breaking point with their health and wellbeing.

Recommendations

1. **High noise be restricted to 9am to 5pm Monday to Friday**, as per the NSW interim construction guidelines, with an additional lunchtime high noise respite (there are not just residents but office workers who need a daytime break from high noise). The **12noon to 1:30pm high noise respite at lunchtime** has worked very well (12-1pm was too short), and this was recommended by acoustic experts who Landmark employed. Additionally I understand there should be high noise breaks every 2 hours. As there will be multiple developments close by I recommend specific consistent timeslots for high noise respite, otherwise if 2 developments break at different times during the day there will be no respite for residents and workers. In terms of the morning respite an absolute minimum should be until 8am (again recommended by acoustic experts hired by Landmark), but 9am is much more appropriate as per NSW interim construction guidelines.

Please note the early morning and lunchtime high noise respite times should be explicitly written into the DA times in the consent letter. The council should not be relying on the developers producing an appropriate noise management plan, but should specify these times which will allow for consistency and minimise confusion as most developers and contractors appear to pay little attention to their noise management plan unless forced to by residents raising issues (due to the high impact to their health and wellbeing), also different developers may produce different reports. This causes the residents rather than the council to have to negotiate with developers for consistent respite times (which occurred with Landmark and Mirvac) otherwise the residents end up with no high noise respite at appropriate times (such as 7-8am). Residents should not have to be actively facilitating and negotiating setting appropriate standards between developments, rather the council should set standards up front that meet council, EPA and acoustic experts recommendations considering the surrounding residential, commercial and any in other in-progress developments.

2. **Saturday times 8am-12noon with NO high noise** as per your own policy (rather than the current unliveable and unbelievable 7am to 4pm)

Further Recommendations

1. **8am start time Monday to Friday** (instead of 7am), even a 7:30am start time would improve the situation but 8am start is what we really need for residents to be able to live rather than just survive.
2. If the start time stays at 7am, implement the findings of the Landmark Noise Management report which (in addition to high noise respite until 8am) states no excavators (including for moving rocks or loading trucks) should be permitted until after 7:30am and then excavators only for soil until 8am, which means residents do not hear rock breaking or rocks falling into dump trucks etc before 8am.
3. **Contractors (maybe via a clause in the consent conditions) set equipment beepers to not have the shrill noise and beeps further apart.** Most equipment allows for the beeper adjustments to set the beep frequency further apart and to be less shrill while still maintaining safety, and this has made a significant difference in both day and night works (Landmark told us this option existed and both Mirvac and Landmark have been very good implementing this), please note while we can certainly still hear the noise the changed beepers are significantly less intrusive. In noise studies this has also been found to be one of the most annoying and intrusive noises (some beeps are so loud you can hear them above the jackhammers).

4. **Council do a letterbox drop at the start of development** detailing the construction period, standard times, high noise respite times, and who to contact (and in what order) for any complaints, this should include a representative from the council and their contact details.
5. **Council rangers (and also ideally compliance) visit each site at the start of development (especially for large sites) and remind contactors that there are many neighbours** and to not start any work or preparation early, including beeping trucks, hammering, deliveries etc before their DA start time (in our case 7am), which has been very detrimental to our health plus it is against the DA. Also not to start high noise early, finish late, jackhammer on a Sunday, ignore high noise respite, jackhammer and illegally dump materials in the middle of the night etc (all of which we have endured since September 2016). If it will help I am happy to come along with the council staff and give a resident's perspective and explain all we want is to co-exist and be able to live semi-normal lives with the development for the many years it will occur. We found most contractors had not read their noise management plans and were not aware of the many points in the letter of consent (dust management has also been poor and if I went through all the consent conditions breached I would have raised hundreds of extra complaints). This could potentially help minimise complaints, save rangers and compliance a lot of time and prevent fines for developers (and result in happier residents and developers). I have attached the minutes from a meeting the residents held with Walan (the new Landmark contractor) to proactively prevent further issues, going forward I hope the council will proactively do this instead of the residents, especially for significant developments which run for many years and affect hundreds of residents. This time upfront would be significantly less than the time spent fining and replying to residents' complaints, and result in a much more amicable situation between residents, council and developers.

In Summary

Please take this email seriously, my focus is to move forward with the council and make sure what has happened to us does not happen again (to us or others). I cannot overstate the impact the developments have had on the health and wellbeing of residents. As stated above I am very happy to come into council and discuss, I have done extensive research to determine what is fair and reasonable. I am seeking to find solutions rather than to complain and to do that I consider the developers and what may also work for them. I do however believe this should have been done by the council and I hope going forward the council can implement hours and conditions that do not require residents to become experts on these issues and have to negotiate with developers, because conditions have been to work for the residents as well as the developers. Hopefully the council can use the have work I and other residents have done over the past 10 months in all future developments so residents do not have to go to such lengths to get a survivable (and hopefully eventually liveable) home and office environments in the future.

The measures required are actually quite simple, such as explicitly setting appropriate high noise respite, applying council's own policies to Saturday hours, adherence to DA hours (especially early morning) and beepers set appropriately. There are hundreds of units facing the ever increasing developments on the south side of the Pacific Highway (Abode, Forum, Forum West to name a few) as well as many office buildings, plus new developments (such as Landmark and Mirvac once people start moving in) so potentially thousands of people will benefit from the lessons which will hopefully be learned from the current developments opposite the 450 residents in the Abode (599 Pacific Highway St Leonards).