

**From:** Tim Arnold <[REDACTED]> on behalf of Tim Arnold <[REDACTED]> <Tim Arnold <[REDACTED]>  
**Sent on:** Wednesday, November 13, 2024 11:53:37 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2024/937 - 100 Botany Road ALEXANDRIA NSW 2015 - Attention Georgia McKenzie  
**Attachments:** A yellow poles on a concrete surface (143.92 KB), A crack in a wall (264.49 KB), A crack in a wall (341.71 KB), A crack in a wall (376.47 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

## **Objection Letter D/2024/937 & D/2024/885**

### **Address**

84-88 Botany Road ALEXANDRIA NSW 2015  
78-82 Wyndham Street ALEXANDRIA NSW 2015  
86-96 Wyndham Street ALEXANDRIA NSW 2015  
98-100 Wyndham Street ALEXANDRIA NSW 2015  
108 Botany Road ALEXANDRIA NSW 2015  
100 Botany Road ALEXANDRIA NSW 2015  
74 Botany Road ALEXANDRIA NSW 2015

### **Applicant**

KURRABA GROUP

I object to the above listed Development applications. I am a resident of 62-72 Botany Road, Alexandria NSW, directly next to the development applications. The reasons for objection are detailed below and include issues such as Laneway access, Loss of Privacy for residents, Loss of Local Resident Parking, Overshadowing & reduced Sunlight, Construction Noise, Removal of Toxic Waste, Damage to building from vibrations and excavations. Detailed below are my reasons for objection in detail.

### **Laneway Access**

Currently only Lot 11 DP 219505 enjoys a right of carriageway over the Laneway referred to by the Kurraba group as Wyndham Lane North pursuant to a grant of easement made in 1959. That dealing reference is H237356.

No other lots in the current application have access through the land owned by SP71198.

The land intended to be part of this laneway is clearly owned by the 45 owners of SP71198.

It is the plan of the development to elasticise and intensify usage over another lot without consent from the owners.

The plan is currently invalid as consent has not been sought from the owners of SP 71198. Currently no consultation has been held with the owners of SP71198 and no consent has been granted.

There is no traffic planning currently for the land owned by SP71198 now called Wyndham Lane north. The renaming of the lane by the Kurraba group in itself seems like they are trying to take control over a parcel of land that is not owned by them.

Currently a right of way only exists over 4mts of land not the full width of the laneway under H237356, Kurraba states that the lane is 5.5mts wide though have no access to this land.

The intention seems to be as advised in the landscaping plan to funnel owners through Wyndham Lane south in the future, this development relies on taking control of land not owned by the Kurraba group. Though this is not clearly stated, and current plans do not address this clearly.

The laneway is currently the only egress point for owners and by turning the laneway into a one-way lane it will block owners of SP71198 from accessing their disabled parking situated at what will be a choke point in the lane.

Some parts of the lane are only 3.2mts wide and does not allow for 2-way traffic.

Most medium sized vehicles are 2mts wide, garbage trucks are a minimum of 2.5mts wide. Owners of this lane should have right of way over other vehicles and not be blocked from their own land.

The shared zone strategy is unclear and confusing and doesn't comply with their current Right Of Way of 4 metres of laneway.

How will two-way traffic and pedestrians navigate this lane, high volumes of traffic will make the lane unsafe. The current average usage would be very low of only 1-2 cars an hour averaged out over a 24hr period.

Owners will be blocked from exiting their own property, the current traffic flow only allows for one vehicle to exit at light changes.

SP71198's only access to parking is via the laneway – all lots of the Kurraba group have access via Botany Road or Wyndham Road, they are not landlocked.

These lanes were never designed for the volume of traffic that is being proposed.

Currently the right of carriage under H237356 being 4mts does not allow for 2 vehicles to pass safely. The intended use for waste vehicles will block owners of SP71198 from exiting their own property.

The current usage is also not in line with the terms when the Right of Carriageway was issued in 1959.

When this easement was granted, it was not for the current intended usage and the terms of reference made in H237356 in 1959 are different to what is being currently proposed.

During community engagement sessions held owners were told by the Kurraba group that no access would be required from their land.

The information provided by Lachlan Clancy during engagement sessions was different to what is now being proposed.

Without the consent of the owner's corporation of SP71198 any approval by council would be invalid, as the condition for ingress and egress on the laneway is "fundamental to the consent's operation". With no access over the Laneway, the Development Consent cannot operate.

Before this plan can be considered at the very least owners of 62-72 botany Rd need to be consulted, repurposing of private land without consent should not be allowed.

### **Loss of Privacy for Residents**

The Lane currently backs on to the bedrooms, living, dining areas, gardens and outdoor pool and outdoor space of the current owners.

All these spaces are considered private spaces, despite the 1000's of pages of reports nothing is being done to address these privacy issues.

### **Parking on Streets in Local resident Parking**

On other points during construction of the building it is highly unlikely that tradesmen will be catching the train and carpooling, as is seen in the current Waterloo metro development tradesmen park in local resident parking every day. Choking up available parking for residents. How will tradesmen bring tools to site on public transport, not all parking is 2hrs long.

For this development to go ahead onsite parking needs to be provided and parking needs to be monitored to allow residents to use their own parking.

### **Overshadowing & Reduced Sunlight**

The building will also overshadow the owners of SP71198 and remove amenity from the building, the pool and garden area will become unusable due to having a 50mt building overlooking the residential building. Further limiting the sun to the residents.

There has been a lot of concern of recent of the local park being overshadowed by development, this will

overshadow the open space of 80-90 of the current occupants of this building.

Owners balconies, bedrooms and living spaces will be directly viewed from the 100 Botany Rd. building.

### **Construction Noise**

The current noise levels from construction have exceeded safe levels on a daily basis for the last 4 years. Also the noise monitoring undertaken by Kurrabba has taken place while other construction activities related to Waterloo Metro across the road were taking place, therefore not a truly reflective state of the natural noise levels in the area sans construction projects.

This week alone workers were sawing bricks until 330am for the metro project, the next building works started at 730 am on the southern tower.

There is no mention of how this site will work in conjunction with other builders operating the Waterloo Metro Quarter to limit noise pollution for residents and offer to appropriate respite. I

f they don't co-ordinate their activities there may be construction activities daily with no respite from both sides at the same time. This will impact the health and wellbeing of all residents in 62-72 Botany Road.

The building that I have lived in for over 20 years is slowly becoming uninhabitable it is difficult to sleep and soon I will be limited in how I can exit my own property, through my own land. The open space that I relax in will be viewed by a tower of workers.

62-72 Botany Road will not have respite from noise when there is construction on all sides of the building from Wyndham Street, next door and Waterloo Metro directly opposite.

I am also expecting the birth of my baby in the next few days and sandwiched between two major building works projects will be untenable for a newborn.

### **Removal of Toxic Waste**

**Approximately 300 residents live in close vicinity of this land, the current excavations will expose residents to lead, asbestos and heavy metals.**

**The current concentrations of lead are 71000mg/kg, safe levels are 300mg/kg, levels are almost 240 times higher, neighbours and I both have infant children, any excavation works will need to be conducted in a tented area and independently monitored by council.**

Friable asbestos is an extremely carcinogenic substance, and all are aware of the risks it poses to health.

Chromium and the listed heavy metals are all detrimental to health.

The presence of aged, leaking UST that are storing flammable materials, could cause explosions and pollute groundwater of neighbouring properties.

Previous construction conducted at the Waterloo Metro failed to remediate dust issues and the EPA had to enforce reduction measures.

Failure to ensure measures are followed could put people's safety and health at risk.

Am I expected to police this so that the health of my newborn child isn't affected.

Waterloo Metro previously gave very similar assurances that they did not keep, all other metro sites were tented to reduce noise and pollution except for Waterloo.

Yet our building had daily dust storms, containing silica, asbestos and diesel fumes of heavy machinery.

There were months on end where I couldn't open my windows

How can this company be relied on to enforce standards when larger companies like John Holland have failed.

I am happy to share with council the previous photos and consultation with the EPA regarding the metro project.

More work needs to be done to ensure residents who currently live in the area will not be affected by the current project.

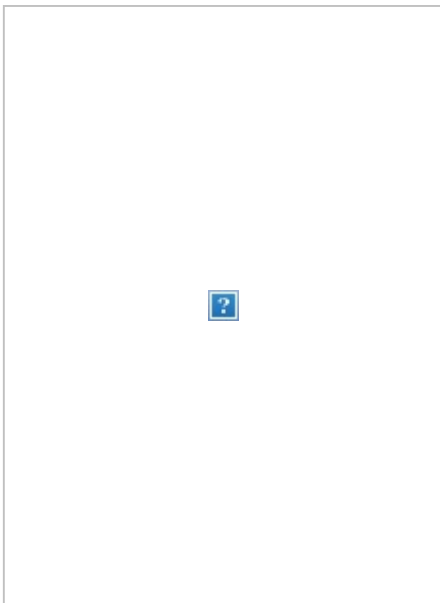
Wyndham lane should not be used for construction vehicles at any time.

Vibration from the metro caused extensive issues to our building thousands was spent and needs to be spent on damaged pipes and rectification to our building from the tunnelling project and piling works

This construction will be even closer, previous projects have made no attempt to conduct repairs despite being notified, further vibration issues caused by this project could also cause damage.

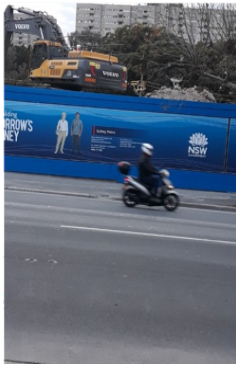
City Of Sydney needs to consider the residents in the Botany Road precinct that have endured over 4 years already of building works with another few years of building and constructions works operating at both day and night. Now with substantial building projects on both sides of our building, the above issues raised are all important and will substantially impact the amenity of current residents' properties and the health and wellbeing of residents will be severely impacted by lack of respite, continued exposure to noise and air pollution, and further disruptions to sleep.

Should you wish to discuss any of the above or require further information please don't hesitate to contact me.



**Photos of dust from Metro Project not contained**





**Cracking caused by piling and tunnelling from the metro project**

