

Attachment E

Submissions

From: barry sassine [REDACTED]
Sent on: Sunday, October 15, 2023 9:27:31 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2023/849 - 960A Bourke Street ZETLAND NSW 2017 - Attention Samantha Kruize

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Hi

I don't agree with the variation to increase the height of site 7 and the amount of parking spaces for visitors (NIL) and retail.

The amount of stories should not be any much taller than the other two sites, as it will impact on the amount of sun in the green square area and the enjoyment of its current occupants. Already we have lost a lot of sun on our apartments. And increased wind.

Allowing another 21 storey building is adding to the already other tall building in the area, all by Mirvac and impacting on the amount of sun the lower units get. Hence it shouldn't be any taller than the two going up next to it.

It also is increasing the amount of occupants. Which there is not enough room for this already densely populated area. We don't want to make it anymore dense. This isn't Hong Kong. This is Sydney !! Let's keep it looking like Sydney !

Parking is also an issue in this area and I don't feel there is visitor parking in the building. So cars are parking in no parking areas. We need more parking spaces. Other Mirvac building don't have visitor parking either, like the Ovo Building . Why is the council allowing this ?

We also need more retail parking as cars are going to no stopping areas in paved lane ways in the area to park. I don't feel there is enough retail parking and there is NO visitor parking ?

How can you allow more tall building then on top of this issue ?

Barry Sassine

[REDACTED]
6 Ebsworth st Zetland

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From: David Mateparae [REDACTED]
Sent on: Saturday, October 21, 2023 3:46:50 PM
To: council@cityofsydney.nsw.gov.au
Subject: D/2023/849 - Objection

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Hello City of Sydney council,

I tried to use the website to lodge an objection and concern, but the linked webpage for providing a comment on the application did not work (see attached images). Please forward my email to Samantha Kruise.

=====

Dear Samantha Kruise,

Re D/2023/849 - 960A Bourke Street ZETLAND NSW 2017

I have reviewed the development application on exhibition, and while most of what was presented was good, I would like to object to the proposal for the following reasons:

- Safety concerns for pedestrians when the high-rise balcony railings are not enclosed like all other buildings in the street that have enclosed balconies.
 - The open grill railing will not prevent small children or pets inadvertently knocking or dropping small objects through the balcony railing, which at high velocity, could injure or kill a pedestrian.
 - While it seems the awnings above the ground floor may provide a safety barrier, it is difficult to assess the risk of falling objects i.e., are the awnings large enough and/or whether awnings are below all balconies, such as unit 701 A and all others above it to unit 1801 A.
- Privacy and noise concerns from newly introduced corner balconies that face the Ovo building, in which I reside. These balconies will now face my bedroom window.

While not related to my objection, I am somewhat puzzled by the continuation of the address of 960A Bourke Street, Zetland when the buildings will likely use an Ebsworth St address. Will future DA's make a reference to Ebsworth St?

Yours sincerely,

David Mateparae

References

Refer p31 of GREEN SQUARE STAGE 3 Site 7, 17 & 18, Drawing Façade Details -Operable Louvres dated 07/17/23.

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Lodged date	26/09/2023
Status	Being assessed
Exhibition period	05/10/2023 to 03/11/2023

Find out [how to prepare feedback](#) and [comment on this application](#).

Map

Progress

Documents

Site history



From: Hugo Cavia del Olmo

Sent on: Tuesday, October 17, 2023 10:59:49 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2023/849 - 960A Bourke Street ZETLAND NSW 2017 - Attention Samantha Kruize

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.

Dear Samantha,

My name is Hugo Cavia del Olmo and together with my wife (Susana Dena Viu) we own an apartment in Infinity building. In particular our property is 1212/301 Botany Road (Zetland), located at level 11 and facing site 7.

We would like to show our objection to the following aspects contained in the development proposal:

1. **Privacy measures** . Privacy mitigation measures have been considered to the following windows of Site 7

- e) Privacy mitigation measures are to be installed to the windows of the developer at the following locations:
 - a. South eastern windows of Site 17 on Levels 5 to 13 that face Site 18;
 - b. North western windows of Site 7 on Levels 5-17 that face Site 6;
 - c. South eastern windows of Site 7 and north western windows of Site 17, on Levels 5 to 13 of both buildings, which are on opposite sides of Fellmonger Place; and

My apartment has the three bedrooms facing Site 7 separated by a distance of around 12 meters. I have two teenage children and I don't want that anyone in the opposite building can observe them. This is why I request to apply privacy measures to our windows facing Site 7 in the same way as it has been done to the new building. I request a change of glasses for tinted glasses that prevent vision from outside.

2. **Contravention of development standard**

Document "Clause 4.6 Variation Request – Height of Buildings" in section "2.0 Development Standard to be Varied" states that a variation request has been put in place for contravention of the maximum height of building development to site 7.

Site 7

The proposed exceedance relates to a portion of the southwestern façade of the residential tower which faces the Green Square Plaza, where on Levels 16-18 a portion of the residential tower protrudes laterally 1.315m above into the RL 64 height limit zone. This portion of the building has a maximum height of RL 72.7, which presents an 8.7m height variation of 14%. It is noted approval was previously granted for comparable variation under D/2017/564 on 20 June 2019. The area of variation is shown in yellow at **Figure 2**.

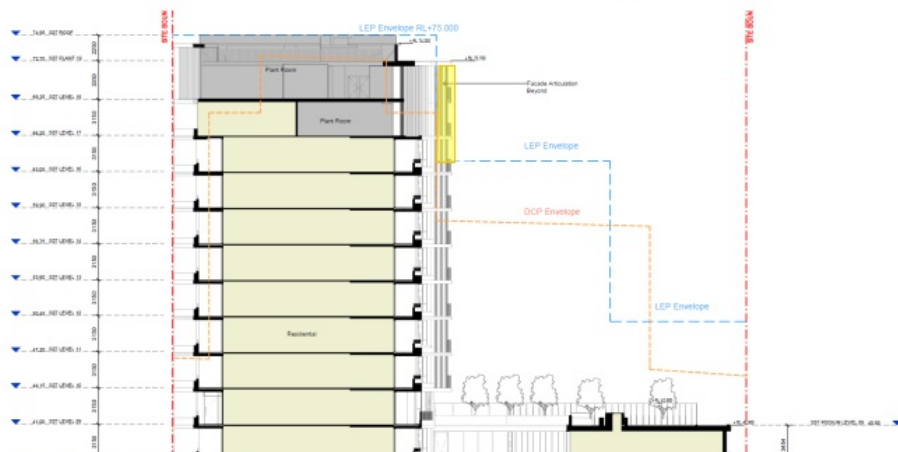


Figure 2 Section of Site 7

Source: Tzannes and Mirvac Design

This variation is justified based on the compliance of the underlying objectives of the development standard. See below my comments to those underlying purposes that differ from the ones proposed by Mirvac in some cases:

- a. **Objective a** - Ensure acceptable height transitions between new development and heritage items and building in heritage conservation areas. I agree with the fact that those height transitions are acceptable as the conservation areas are located 60 and 300m away respectively. However, this transition won't be met with the development of sites 8A, 8B, 8C, 19A and 19B of GSTC as heights up to 21 and 24 storeys are shown in the documents facilitated by Sydney City Council. This is very concerning for us as the height of this future buildings clearly prevent a proper transition of heights between conservation area C72 and sites 7, 17, 18 and Infinity building. I have highlighted with red arrows the specific buildings that will impede that transition.

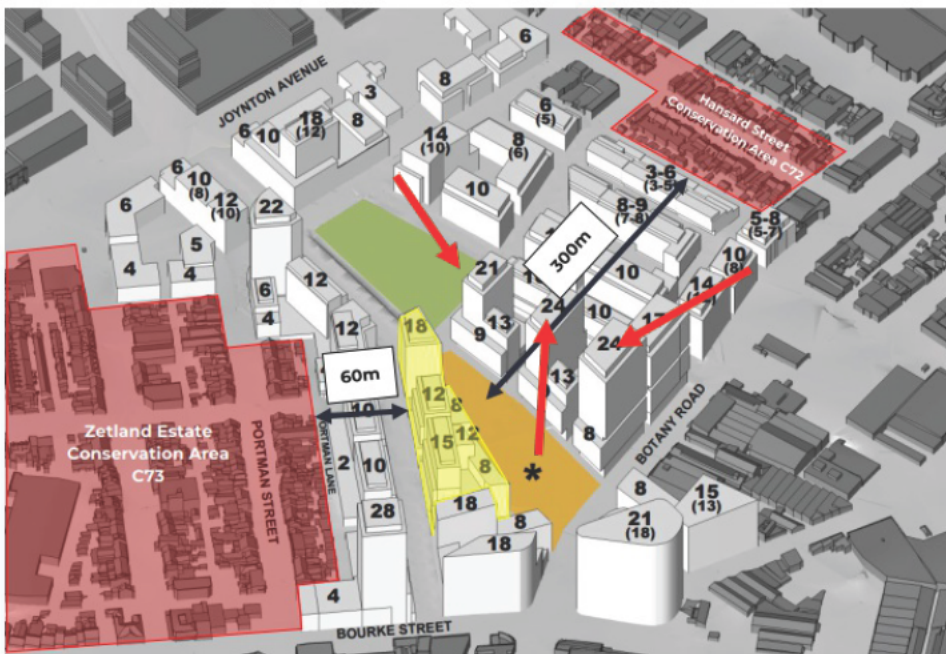


Figure 5 Location of Conservation Areas

Source: City of Sydney



b. **Objective b** - Ensure sharing of views. The exceedance in Site 7 is justified by saying that it only relates to the lateral protrusion of built form which will not be a significant visual impact due to being located on the side façade.

This reasoning is not correct as my property faces directly to the protrusion and views are impeded.

This document does not take into consideration Infinity building as a stakeholder that is impacted by this contravention.

c. **Objective c** - Ensure acceptable height transitions from the Green Square Town Centre to adjoining areas

The reasoning of this objective is not correct as it does not take into consideration that the protrusion is lateral and that the heights are entirely within the maximum height limit.

This building is not compliant from a development point of view as it is not within the LEP envelope and Infinity building is impacted by that.

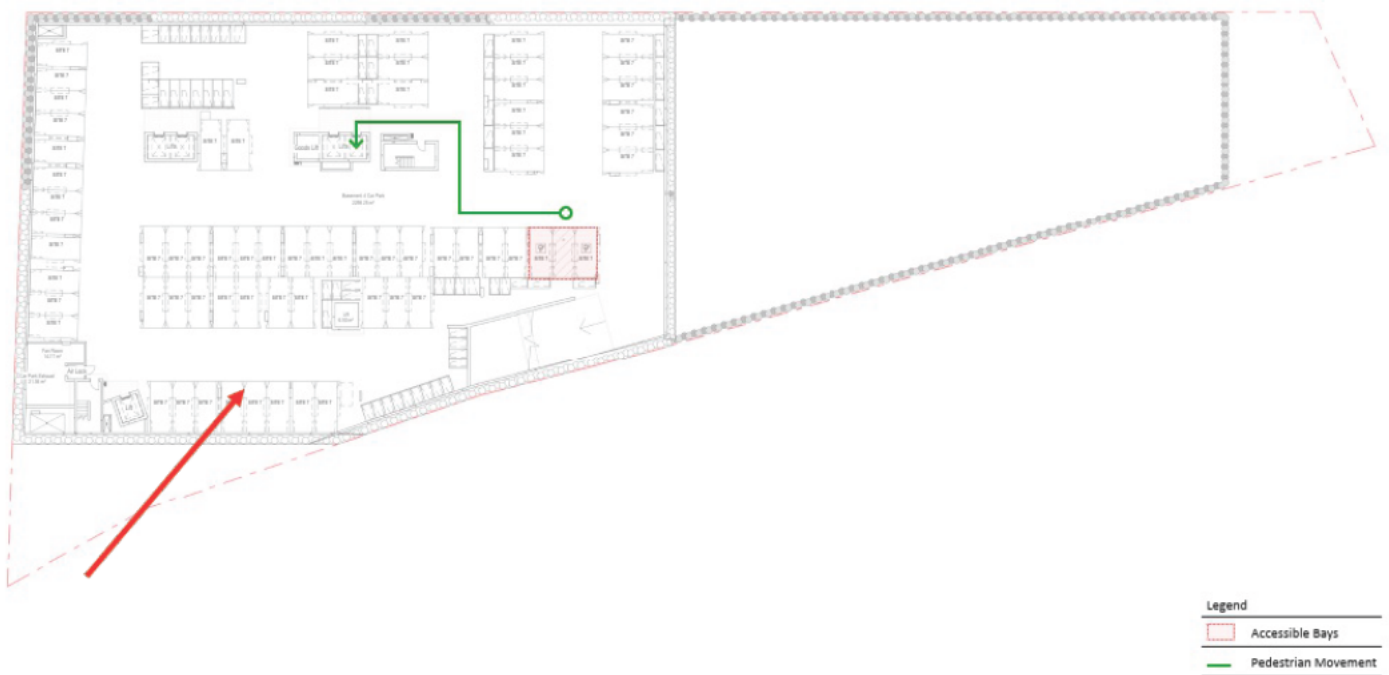
d. **Objective d** - Ensure the amenity of the public domain by restricting taller buildings to only part of a site. Agree. No objection.

e. **Objective e** - Ensure the built form contributes to the physical definition of the street network and public spaces. Agree. No objection.

The reality is that the building located at Site 7 can be built being fully compliant with the required envelope and it is impacting the neighbors located at Infinity building. Therefore, based on these facts I request the contravention of development standard for site 7 not to be approved.

3. **Site 7 retention walls** . Document called "Traffic Impact Assessment Green Square Town Centre Site 7, 17 & 18" in pages 62 to 75 show a retention wall around the whole perimeter of sites 7, 17 and 18 formed by a piled wall.

Pile wall



Infinity building basement has been built with a diaphragm wall and despite that, it still has a water ingress through the diaphragm wall joints. Site 7 is located in close proximity to Infinity building and therefore the geotechnical conditions should be similar. A piled wall instead of a more watertight water retention system such a diaphragm wall can produce undesired settlements in nearby buildings. I would like to express my concern about the construction of a piled wall if this is the case.

I hope you can take all my arguments into consideration of development approval D/2023/849.

Please don't hesitate to contact me in this email.

Regards,

Hugo Cavia

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From: Leo Meng [REDACTED]
[REDACTED]

Sent on: Friday, November 3, 2023 5:21:05 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: D/2023/849 - 960A Bourke Street ZETLAND NSW 2017 - Attention Samantha Kruize

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.

Ms. Samantha Kruize
Planning Department
[Address of the Planning Department]
Date: 03/Nov/2023

Subject: Submission - D/2023/849 - 960A Bourke Street ZETLAND NSW 2017

Dear Ms. Kruize,

I am writing to express my concerns regarding the proposed development application D/2023/849 for 960A Bourke Street, Zetland. I have specific reservations about aspects of the project that seem to contravene the established guidelines of the Green Square Town Centre Development Control Plan (DCP) 2012 and may negatively affect the surrounding community and its environment.

1. Building Setbacks Non-Compliance on Ebsworth Street

The building setbacks proposed for sites 7 and 17 are in contradiction to Clause 6.5 of the Green Square Town Centre DCP 2012, which stipulates a 3-meter secondary setback for structures above eight storeys. This deviation compromises not only the visual integrity of the streetscape but also infringes upon the visual privacy of residents at 18-28 Ebsworth Street, while simultaneously reducing their access to precious sunlight.

We found it concerning that the matter is not adequately addressed in the Statement of Environmental Effects (*960A Bourke Street, Zetland - Statement of Environmental Effects_PAN-369320* Section 6.1). Furthermore, while failing to address the DCP non-compliance, the *Appendix J Clause 4.6 Variation Request – Height of Buildings* also largely ignored the welfare of the benefit when establishing the grounds for justifying contravening the development standard. Section 3.3.1 in Appendix J stated that "This design solution will also improve the amenity of residential uses at lower levels of neighbouring developments by opening up the public domain, increasing light penetration and promoting view sharing at lower levels of surrounding development providing view lines to key public open space within the GSTC". This is untrue. The proposal is already nearing the limit of permissible GFA (proposed 23222 / allowed 23615), if it really concerned about providing viewer sharing and lighting opportunities for nearby buildings, it should comply with the DCP setback, at least.

Such non-conformity with the requirements goes against the objectives established in the State Environmental Planning Policy No 65 (SEPP65), relevant Local Environmental Plans (LEPs), and DCPs, which all emphasize the necessity of thoughtful building design to foster high-quality urban living spaces. This includes adequate building separation, privacy, solar access, and street amenities. The absence of a rationale for this departure from the DCP is a serious concern for the community.

Recommendation: It is imperative that the proposed setbacks be reviewed and adjusted to meet the specifications of the Green Square Town Centre DCP 2012. This action would safeguard the residents' quality of life by preserving visual privacy and ensuring continued access to sunlight, upholding the community standards outlined in the DCP.

2. Unsuitable Material Selection on Ebsworth Street

The facade materials chosen for the Ebsworth Street elevation ³⁰² seen in Appendix A - Architectural Plans_PAN-

369320, drawing no. 200, are particularly concerning. The predominance of dark colors, with over 60% of the facade composed of material 6 (bronze-colored smooth metal cladding) and material 7 (brickwork), significantly reduces the ambient lighting on Ebsworth Street. This results in a gloomy and uninviting street atmosphere even during daylight.

Additionally, the current non-recessed design exacerbates the visual impact of the building mass, imposing a sense of overbearing bulkiness that affects both the residents of 18-28 Ebsworth Street and pedestrians. Such design decisions negatively affect the urban aesthetic and fail to comply with SEPP65's principles, which consider the interplay of light and shadow in the public realm.

Recommendation: A critical reassessment of the material palette is necessary to ensure it contributes to an inviting and well-lit streetscape. Introducing recessed design features could alleviate the perceived massiveness and enhance the overall visual experience for the community.

I trust that the planning assessment will take these points into serious consideration. Our community is supportive of developments that are respectful of our shared environment and adhere to the planning principles designed to enhance it. Adhering to the DCP and SEPP65 guidelines is vital for this development to contribute positively to the area.

Thank you for the opportunity to participate in the planning process. I remain open to further dialogue on the matter.

Yours sincerely,

28 Ebsworth Street, Zetland NSW, 2017
Leo Lin Meng

From: Evan Blount [REDACTED]
Sent on: Thursday, November 2, 2023 1:46:51 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2023/849 - 960A Bourke Street ZETLAND NSW 2017 - Attention Samantha Kruize

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Hello,

I have a comment regarding Site 17.

I own an apartment at 28 Ebsworth St (Level 4) which directly faces the north-facing side of that Site.

I have reviewed Appendix-A - Architectural Planning, particularly pages 61-64.

Looking at the Ebsworth St side of the building on Site 17 (and also Site 7), it appears that:

- The design on pages 61 & 62 places the edge of the building all the way to the street front on all levels.
- The design on pages 63 & 64 places the edge of the building somewhat back from the street front on the upper levels.

From my limited understanding, the design on pages 63 & 64 would be more compliant with the council's expectations, as well as more appealing for existing residents like me who live opposite.

I believe the design with the upper levels further back from the street front should be used.

Many thanks for the opportunity to contribute.

Evan Blount
405/28 Ebsworth St Zetland 2017
[REDACTED]

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