

**From:** "Stephen Perry" [REDACTED]  
**Sent:** 28/09/2021 1:29 PM  
**To:** "Council Northernbeaches Mailbox"  
<Council.Northernbeaches@northernbeaches.nsw.gov.au>  
**Subject:** Perry Objection to DA2021/0545  
**Attachments:** Objection DA 2021-0545 S & D Perry.pdf

**Northern Beaches Council**  
**1 Belgrave St**  
**Manly NSW 1655**

**Re: Development Application DA2021/0545 from Vigor Master - 8 Lady Penrhyn Drive  
Beacon Hill NSW**

Please find attached our Objection letter regarding the Application above, submitted by Vigor Master.

Can you please acknowledge receipt of this Objection, and once all Objections are lodged, when a hearing might take place.

Thanking you,

Stephen & Debrah Perry

Northern Beaches Council  
1 Belgrave Street  
Manly NSW 2095  
PO Box 82

Manly NSW 1655

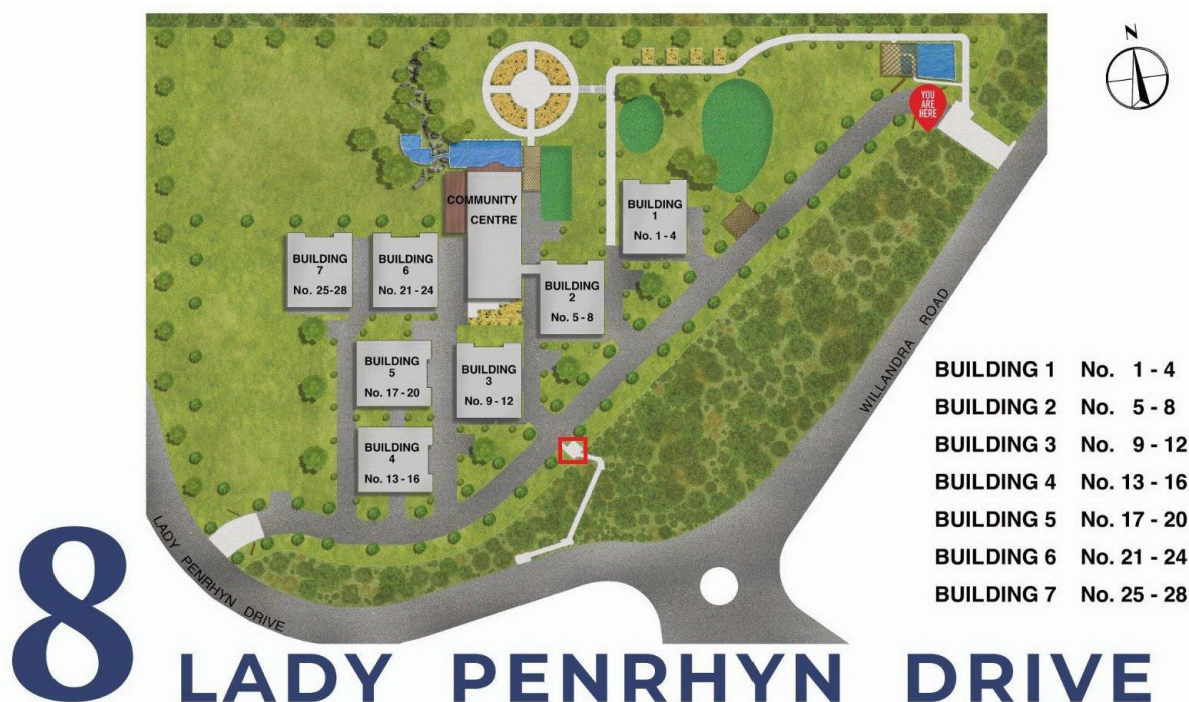
Email: [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Stephen & Debrah Perry  
18/8 Lady Penrhyn Drive  
Beacon Hill NSW 2100

**OBJECTION: Development Application (DA2021/0545) to Northern Beaches Council – by Marston construction arm Vigor Master.**

Stephen & Debrah Perry wish to object in strong terms to this Development Application. We are Residents in Unit 18 in this Retirement Village, and were only ever told that a Building 8 of 4 Apartments was yet to be built – this Developer Vigor Master is simply abusing Buyers Trust.

This DA deals with the proposed addition of two new unannounced apartment Buildings, co-joined and called Building D, with one of 6 apartments and one of 4 apartments immediately to the west, behind existing Buildings C 1 & C2 now known on site as Buildings 4 & 5 respectively - (please refer to the attached constructed Site Schematic).



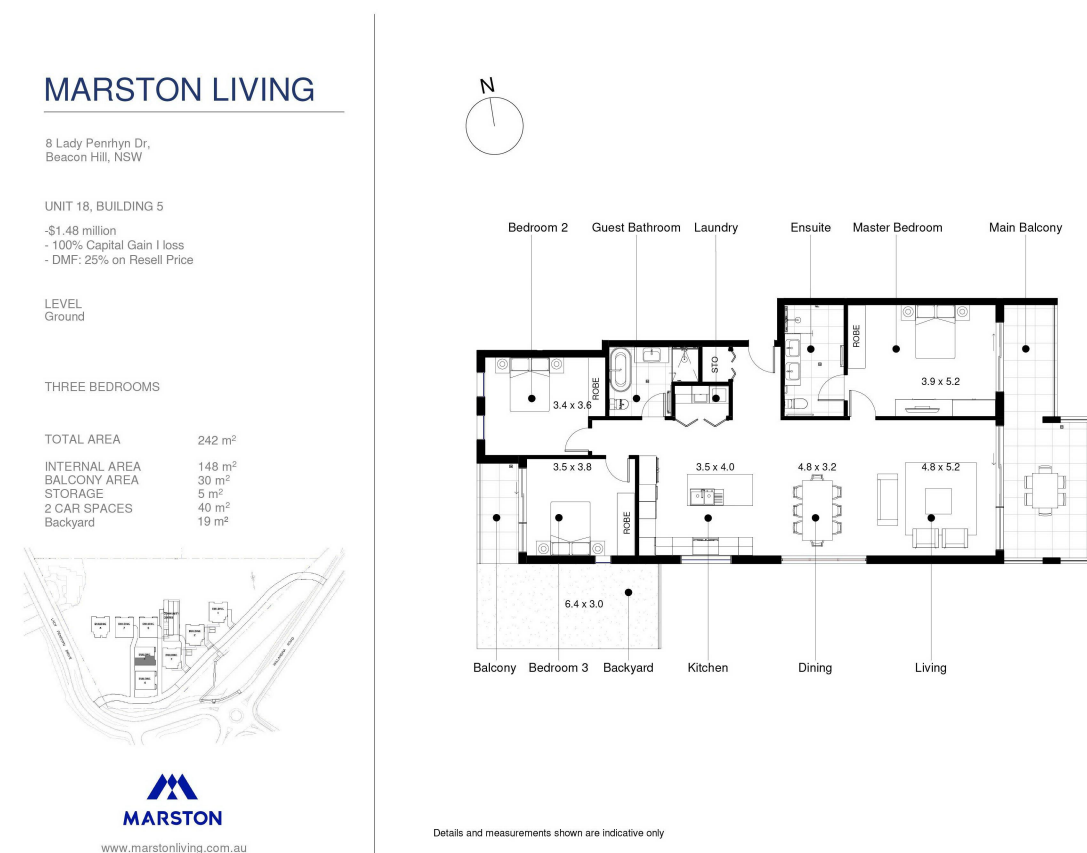
Building 7 still needs its Stage 2 Works main pedestrian entry & visitor parking constructed, and now it will also be subject to a proposed detrimental access driveway circumnavigating its perimeter to the north, cut into a steep slope, to allow vehicles to access the new Building 8 under a separate DA approval, while destroying an existing natural wonderful rock shelf vista with plantings, and a promise by Marston that this would never be built.

**Construction under this proposed DA will have a dramatic impact on many Residents including our current lifestyle (noting that two existing apartments here, No.13 & No.18 each have a 19 square metre outdoor courtyard; a large benefit as part of their Leases, found towards the western end of Buildings C1(B4) & C2(B5), used for potted plants and a table and chairs to enjoy the sunshine, BBQ meals with friends & enjoy a sunny outlook east and west).**

***NOTE: The submitted Vigor Master Drawings for (DA2021/0545) are in error in that they do NOT show these two courtyards. A convenient omission?***

***Please request that DA Drawing 102 (Ground Floor Plan) & others be amended to show these two existing courtyards, and the expected shading effects at 2PM, during winter time, for Council consideration & review.***

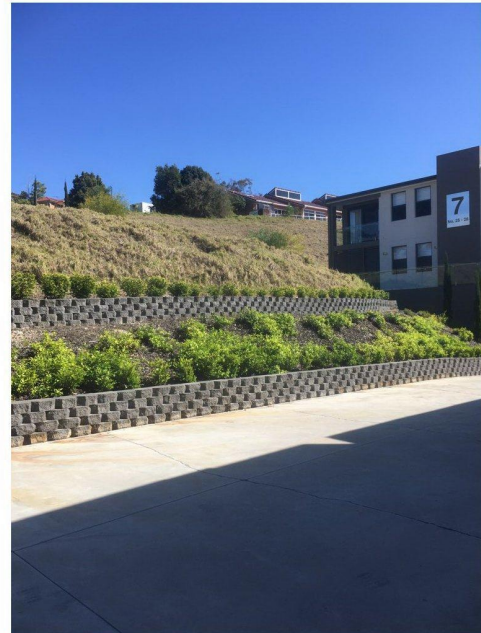
**Please Refer to Attached Unit 18 Floor Plan Drawing:**



### Main Objection Issues;

1. **Loss of Privacy:** the proposed new buildings will be of hi-visual impact with three storeys (basement carpark and two levels of apartments) with a frontal alignment of only 9 metres from our building C2, and less than 7 metres from the Ground floor cantilevered balconies. Thus new residents would look straight down onto our courtyard or into the rear bedroom of this & other apartments, from their balconies from an estimated distance of only around 10 metres from eye level.
2. **Loss of Sunlight:** The proposed 3 storey Building D will limit/reduce sunlight from the NW to SW to our apartment and courtyard by hours due to its height and width, especially in wintertime when it is appreciated the most, as our apartment has a southerly aspect. This dense afternoon shadowing will considerably affect and limit use of the existing amenity of the courtyard – one of the main reasons we leased this apartment No.18 over others! We request a shading Diagram also be submitted for 2pm wintertime as this is probably when we will lose our present sunshine!
3. **Increase in Traffic Noise:** This development proposes to alter the existing narrow resident access driveway into a very “busy highway” for Building 7 & 8 to the north, as well as for vehicles to/from the two new buildings, meaning additional vehicle noise from the now six apartments in Building 8, and vehicles from the ten (10) new apartments behind us, (as basement parking is to be accessed from this same driveway, so vehicle exhaust noise will be aimed directly at our Building as they enter) & all will drive past or affect Building C1(B4) & C2(B5) apartments with windows only half a metre from this driveway. Of course additional vehicles from visitors, carers, deliveries & mail will also result from the additional (4 + 6 + 8) = 20 apartments. Most of these apartments will have parking for two vehicles.
4. **Built - out “Enclosure”:** The close proximity and imposing height of the proposed new Building D to our West, will mean Buildings C2(B5) would effectively be surrounded on all sides by extensive buildings, and existing Building 7 surrounded by vehicles moving to and from Building 8, and including the effects of the Items 1-3 above, will mean a serious reduction in the outlook and amenity of their locations & the additional reflective heat from high masonry walls.
5. **Loss of Vegetation & Gardens:** The current westerly outlook from C1 & C2 is of a large garden bed with two retaining walls of some sixty metres, with extensive Moraya, Star Jasmine and Buxus plantings, and some Rocket Pines and self seeded wattles & grevillea, often tendered to by keen Residents. All this view of green vegetation now in lovely new spring growth heading to flower, will be taken away by a new vista of concrete & glass. The grass area behind this long garden bed was to be landscaped, as we were told – ***and not its entire removal!***



**Driveway View South****Driveway View North**

6. **Safety Issues:** The resulting narrow access “highway” to Building 7 is currently used for parking by Carers and medical professionals and visitors due to the lack of site Visitor parking in general. We are concerned whether a Fire Truck would even fit under the overhanging balconies from Building D, and how vehicles used in an emergency evacuation would be able to access Building D safely for aged & incapacitated/disabled Residents or those with limited movement, while Residents from Buildings 7 & 8 and some from 6 would be evacuating via the very same narrow road. Such emergency vehicles would have to reverse out of this narrow driveway amongst slowly moving aged pedestrians & other vehicles.

This same risk increases for any aged/hard of hearing pedestrians using a westerly exit from Buildings C1(4) and C2(5), as one step out is on the busy driveway, and a serious risk for any pedestrians with poor mobility from proposed Building D trying to slowly make their way to the Community Centre for any gatherings due to the total lack of footpaths. Vigor Master in their wisdom have neglected to put any footpaths past any Buildings, and expect Residents to enter adjacent Buildings by walking on driveways & then use its stairs or elevators, to get access to the next Building and so on to the Community Centre. *Large garden beds between Buildings prevent pedestrian access as no footpaths were installed, in contrast to earlier DA Drawings indicating a web of footpaths for this site.*

7. **Water & Drainage:** Residents have many ongoing issues with poor drainage from Building basements & car parks. Most Buildings have post construction (and

presumably post Certification) open drains cut into concrete to try and drain water that has entered buildings from the steep slopes and rock shelves due to the poorly drained excavations seemingly lacking any waterproof membranes, drainage sumps or water containment, but all have been privately Certified.

The new buildings including Building 8 will be cut into steep sections of the hillside providing an even higher risk of poor drainage issues exacerbated by rock shelves. The steep slopes also mean another risk of the potential slumping of wet overburden in the event of heavy rainfall during construction, which may reach & affect use of the existing driveway for normal and emergency access.

8. **Health Issues:** The Retirement plan for my wife and I was for relative 'worry free' living in a low-density site with a beautiful bush land outlook - just like the Sales Brochures. This DA status now causes us anxiety & high blood pressure and much frustration in having seemingly been carefully duped into entering a lease in October 2019, whilst a new development (DA2019/0447) had already been planned, & lodged back on 3rd May 2019, unannounced to all Residents & newcomers, and in spite of the seemingly inaccurate & reckless Notice of Disclosure in my Lease documents. This DA was subsequently dismissed on 22<sup>nd</sup> December 2020, but then new plans were drawn up & replaced by DA2021/0545 & lodged on 2<sup>nd</sup> July 21.
9. **Design & Sustainability Advisory Panel Report:** Many other negative issues relating to this DA2021/0545 have been reported by this expert panel, and we trust Council can seriously take these issues into account when reviewing this DA. Numerous undocumented changes from the approved landscape & other plans have occurred on site to date.

The developer tactics employed leading up to this DA appear quite obviously planned around seemingly not updating their own Sales staff or Sales Agents or Disclosure Documents to Residents at the time of signing a Lease, with instead the lodging of the actual construction plans or concepts, obtaining an approval to build, then simply advising Residents at the next management Meeting, once approved.

Please do not reward such poor development behavior & design, with any further approvals.

We would be happy to discuss any items raised or questions regarding this Objection.

Yours faithfully,

Stephen Perry BE & Debrah Perry

Unit 18/8 Lady Penrhyn Drive  
Beacon Hill NSW 2100