

Objects to this project



We acquired Unit 3305 in BeauMonde in 2006. This was on the basis that the Shopping World development would never be other than low rise and that the views were offered in perpetuity. Eastmark Developments marketed the building on this basis and the former statement was indeed a condition of the original Council approval of BeauMonde whereby high rise at the western end was approved subject to, low rise at the eastern end being preserved. Of course, time moves on and circumstances change. It is accepted that this is prime real estate in North Sydney and high rise development is inevitable. The subsequent approval for Eastmark however totally breached the good faith undertaking to BeauMonde owners. Now the subsequent developer is seeking a further 7 floors and over 50 metres additional height on Council limits. If this is approved, it sends a clear message that owners should have no trust or faith whatsoever in local or State governments because, in effect, they will do whatever they please and just override all previous limits. This is ineffect triple dipping by developers on the one site and for no reason other than basic moral justice, the application should be rejected, let alone, all the other reasons raised of damage to views, loss of privacy, shading of public areas, traffic congestion and so on.

Objects to this project



I own an apartment facing south directly at the proposed Winten development. I note that the development will tower over our apartment and is significantly greater and bears very little resemblance to that originally approved.

The upper units have commissioned a Planning Consultant to assist us in making a formal submission. Unfortunately this is not yet complete but will be lodged this week. We therefore request permission to make a late submission.

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I am a resident of Beau Monde apartments and have been for years. This new development will be very close to our apartment building, blocking the day light and the view for all units facing south. This will affect our lifestyle majorly and could be one of the causes for moving, incurring significant costs.

I strongly object to the development.

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It is currently difficult at times to access our building by car, and it will get worse as there will be even more traffic due to the greater number of people around - even beyond current proposals. We have originally purchased our apartment on the basis of a prior approval. Now the developers wish to encroach on our views and privacy even more.

We are not in favour of the changes and it is unreasonable for a 3rd party to then override what is a legal agreement made with the developer?

The proposed changes increase the usage of the site by 25+%.

It is severely restricting our view - why not make the building also taper on its east and west sides? Make it a pyramid.

The proposal is bringing the development even closer to our apartment. We are entitled to privacy, are we not?

Our apartment was originally approved as part of a residential development. Now being subsumed by commercial developments.

There will be much increased traffic in surrounding lanes and streets.

Since our purchase of our apartment, our owners corporation has entered an agreement with the Berry Square developers and the agreement should be honoured.

As residential owners and retirees we should be entitled to a quiet and hassle-free period in our twilight years.

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I own an apartment that is immediately facing the proposed development. I wish to strongly object to any changes to the proposed development on the following grounds:

1 On purchasing the site in around July this year, the developer, Winten, entered into a Deed to Vary Strata Management Statement Agreement with the Owners Corporation of our building dated 23 August 2016. That specifically prevents any change in height or set back. This Agreement in Clause 16.2 (b) (Copy available on request) sets out that

"it will construct the Development:

(A) generally in accordance with the building envelope approved as part of the current Development Approval so as to maintain the set back.....

(B) so as not to materially increase the height"

2 When I purchased in April 2015, I undertook due diligence on the surrounding approved developments and noted that if it went ahead, the approved development would be 46.52 meters from one bedroom window in our apartment and 48.26 meters from another bedroom window and that the height was marginally above my apartment.

If this change is approved, the Tower comes approximately 12 meters closer and rather than having a building of similar height, the new building will literally tower above us, blocking light and the sky.

3 We are concerned about the privacy, sense of enclosure, extra traffic and the fact that a developer would simply try and grab 13,740 meters of extra floor space. This represents an increase of 25.94% - an outrageous amount that detrimentally effects existing residents.

4 The original approval was granted under Part 3a and as such did not go through the normal processes as it was considered "State Significant". Since the original approval, the development has changed such that any similarity is purely co-incidental. The Site no longer includes a hotel, it now has radically different retail configuration, it is now proposed to be higher, different shape, larger etc.... and finally, I struggle to see how it is State Significant.

Surely the changes are such that a whole new application should be made under the current law, through Council but subject to the current LEP with which, I assume it does not comply!

If the Department approves the proposed amendments, this would mean that Owners can no longer rely on the law (in Agreement) or the Government to safeguard residents' rights.

I would be happy to discuss this further if required.