

To: Secretary, NSW Department of Planning, Housing and Infrastructure
Re: Objection to SSD-76220734 (Indigo by Moran – 156 Ocean St, Narrabeen)

Dear Ms Fishburn,

I am writing to lodge my objection to the design of the Indigo by Moran seniors housing development proposal at Narrabeen.

I am a resident living next door to this site (Seascape units - 150 Ocean St, Narrabeen) and will be directly impacted by the construction and end state of this development. My apartment on the second floor of the building includes a private rooftop terrace which will lose its privacy as the height of the proposed development will mean multiple floors of units on the southern end of the site will be able to look from their balconies down onto my terrace. The increased shadowing from the high buildings will also reduce the sunlight in the common areas that I use for recreation and drying laundry. I also expect to be impacted heavily during the construction period by noise, dust and heavy vehicle movements near my residence.

I have closely considered the EIS and associated documentation prepared on behalf of Indigo by Moran, especially as they pertain to the SEARs issued to the developer on 20 December 2024 and the recent changes to the Housing SEPP.

Support for redeveloped seniors housing at this location

Firstly, I strongly support this site being used for seniors housing. I acknowledge the site was previously used for aged care housing run by Wesley Mission so the general usage being proposed is not significantly different to what it was previously. I also recognise the area requires more seniors housing stock given the population of older people on the Northern Beaches will increase significantly as younger people continue to leave the area due to the lack of affordable housing. It is positive Moran's proposal will assist with that need.

Secondly, I support overall redevelopment of this site (although not with the design on exhibition) as the current structures are clearly aged and dilapidated, and the site could be better used in general. The NIMBY/anti all development rhetoric in some parts of Sydney is unreasonable. I think it is vitally important *sensible and fair* increased development takes place right across the city to help meet the demands of a growing population and a need for additional housing stock for rent and purchase.

Objection to design of proposal and associated impacts

While I support the abovementioned high-level concepts related to use of the site and need for redevelopment, I think it is imperative that redevelopments are reasonable and broadly in keeping with the character of the local area. These kinds of projects should find a balance between increasing housing stock/profit for the developer and respecting nearby residents/their quality of life and not putting undue pressure on local roads, infrastructure, services and utilities.

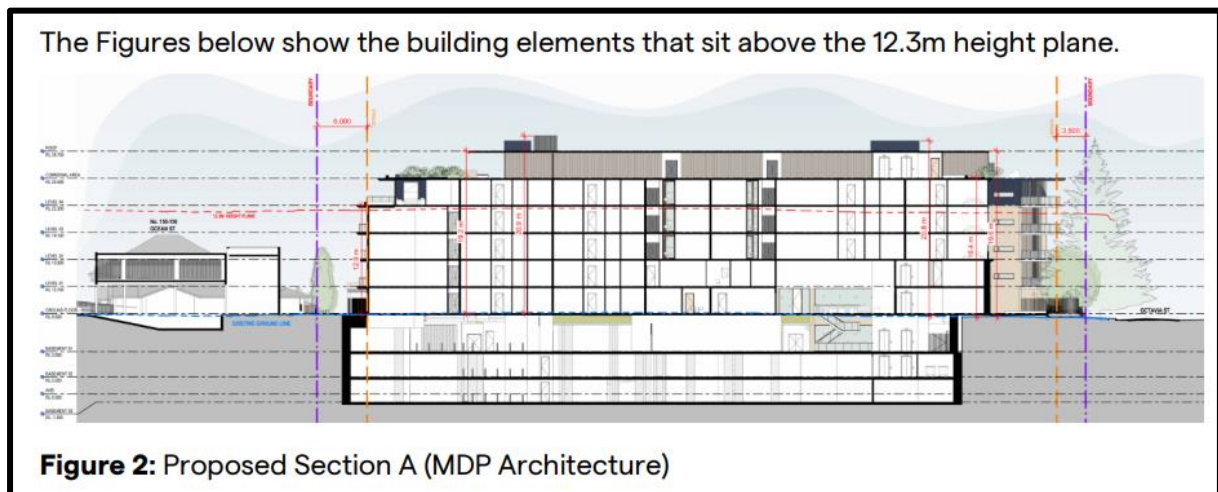
I object to a range of elements of the current design and associated impacts, primarily across five key areas:

1. Breach of the maximum building height and non-compliance with existing plans and controls
2. Design not in keeping with local context and features/reduced visual amenity
3. Unreasonable shadowing and loss of privacy
4. Extensive devegetation/removal of important trees
5. Inadequate community engagement

I expand further on each of these issues below.

Objection 1 - Breach of the maximum building height and non-compliance with existing plans and controls

I understand the developer is relying on the 12.3m allowable height limit from the Housing SEPP rather than the 8.5m height limit that applies to neighbouring residents as part of the Warringah LEP 2011. Even with the higher 12.3m limit, this proposal is still 8.8m/71% higher than that (per figure below).



Appendix 12 (Clause 4.6 Variation Request) does not provide a valid reason for why the proposal is an additional 8.8m higher than the SEPP allows, rather just explaining “the building height non-compliance primarily relates to the fifth storey, the pavilion areas of the roof terraces along the Ocean Street frontage of the development and rooftop plant / lift overrun. Where the height breaches at the fourth storey this is primarily due to natural undulation of the existing ground level.”

The test applied for why the development standard is unreasonable and unnecessary is not convincing. It states that without the elements (28 seniors living units and primary amenity units such as rooftop communal space) sitting above the 12.3m height control, the development would not be delivered. It is not clear why this would be the case. The additional 28 units and rooftop communal space are not required for structural or safety reasons. Adequate communal space already exists in the generous internal open courtyard that forms part of the design.

Appendix 12 also states that “the non-compliance with the development standard does not result in any adverse environmental planning impacts...There will be no loss, significant or iconic views; no adverse privacy impacts; no adverse visual impacts or overshadowing to residential properties, particularly related to the building elements that sit above the building height control.” I disagree strongly with this statement given the significant adverse visual impacts and loss of privacy this building would have on adjoining properties along Loftus St per the elevation below from Appendix 1 (Architectural Drawings). Figures such as the one below show the height non-compliance would have many adverse impacts and therefore should not be approved.



Overall, appendix 12 does not appear to provide sufficient grounds to contravene the development standard. I believe it is unacceptable that the design reaches an additional 8.8m above a height limit that is already markedly higher than what is available to surrounding residences for no clear reason other than what I assume is a desire from the developer to build additional units to sell.

Recommendation 1:

All buildings in the redevelopment (including pavilions, terraces and rooftop plan/lift overrun) must remain under the 12.3m limit allowable under the Housing SEPP, especially given this is still 1.5x higher than the 8.5m limit that applies to the rest of the neighbourhood through the Warringah LEP.

Objection 2 - Design not in keeping with local context and features/reduced visual amenity

The EIS makes a number of questionable statements regarding the design responding to the surrounding context, including “the buildings have been scaled back with significant building setbacks and staggered articulated forms along the boundaries shared with the adjoining properties to minimise bulk and scale and impacts on environmental amenity.”

This statement is not reflected in the architectural drawings supplied in Appendix 1. The examples below showing elevations from the Loftus St and Lagoon St sides show clear bulk and massing which is not in keeping with the local context. The elevations and diagrams show minimal setback or articulation, instead creating a visually intrusive block-like vista.

Further, these diagrams show the proposal does not meet the R3 zone objectives in the Warringah LEP 2011, specifically “to ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces.”



I acknowledge redevelopments of this nature will naturally impact the visual outlook of an area and introduce some change to the existing vista. Visual changes are entirely reasonable if they are broadly sympathetic to the surrounding area. My concern with this proposal is the extreme nature of these view changes, which appear stark and confronting. The sheer size of the development and lack of articulation/stepped change, in addition to the significant devegetation on some sides of the development, results in significantly reduced visual amenity in the area and drastically reduced privacy of surrounding residents.

While the Visual Impact Assessment in Appendix 37 provides a desktop analysis of view impacts from a range of locations, I do not believe an adequate view loss study has been undertaken as Appendix 36 (View Loss Study) only provides a 3D View Loss Study from one location (157 Ocean St), despite

the fact the size of the development means the view will be significantly impacted from all four streets (and potentially even wider than this) surrounding the development.

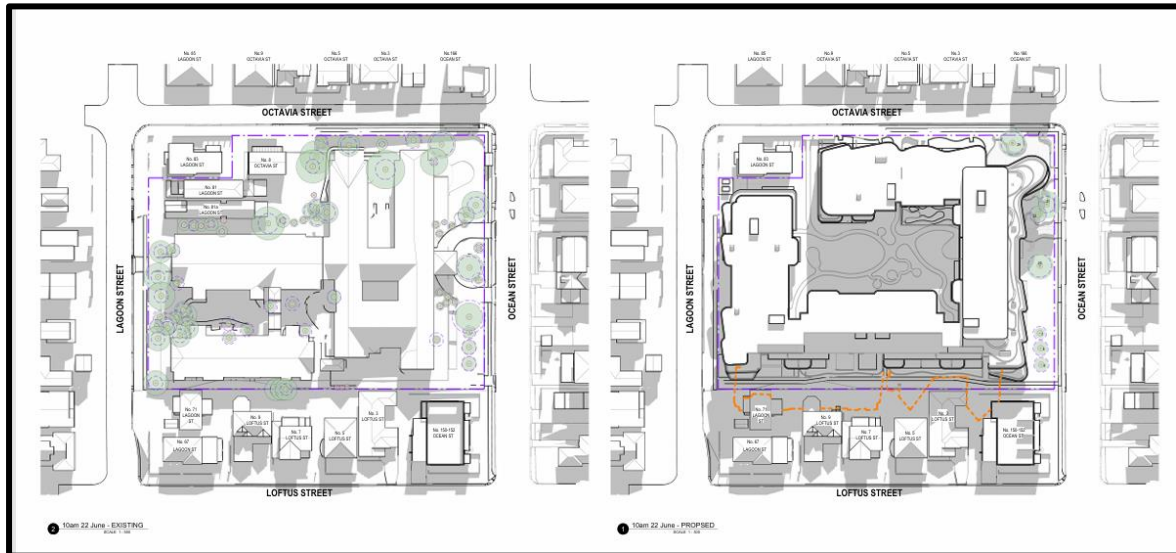
Recommendation 2:

The design of the redevelopment be updated to reduce height, increase setbacks, increase articulation and reduce bulk/massing to meet the local context and reduce visual impacts

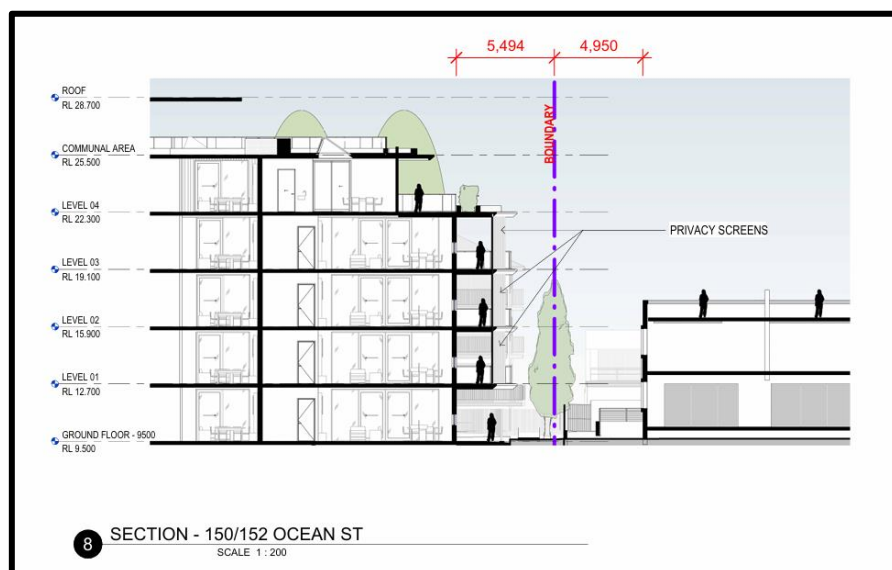
Objection 3 - Unreasonable shadowing and loss of privacy

The issues discussed above regarding height, bulk and lack of articulation are closely linked to the shadowing this development would create and the loss of privacy for local residents.

The shadow diagrams such as the excerpt below provided in Appendix 1 (Architectural Drawings) show a significant increase in shadowing on adjacent residents on the Loftus Street side as a result of the redevelopment. It seems the height of the buildings and close proximity to the boundary result in unreasonable negative impacts on these adjacent properties with an extensive loss of direct sunlight.



It is disappointing the current design appears to build the units close to the boundary to increase the green space/internal courtyard for residents at the expense of the privacy of surrounding neighbours. The cross section shown below from Appendix 1 (Architectural Drawings), shows the units at the southern end of the site being built incredibly close to the boundary with the adjacent unit block at 150 Ocean Street. For the units at the northern end of this existing residential building, the lack of setback and sheer height of the redevelopment creates unacceptable overshadowing and loss of privacy, especially to these residents outdoor space/rooftop terrace.



This design does not appear to be in keeping with the NSW Government *Seniors Housing Design Guide (November 2023)* design guidance (4.3) regarding the need for setbacks. This guide outlines that generous setbacks enhance the enjoyment of residents and to observe privacy of the adjacent neighbouring properties.

In keeping with the *Seniors Housing Design Guide*, there should also be a requirement for increased setback in this specific location and for the suitable sized setback to include restorative planting that provides additional privacy screening, is easily maintained and will not create overshadowing.

Recommendation 3:

The height of the redevelopment be lowered at the Loftus St end of the site in particular to reduce shadowing on adjoining properties, and increased setbacks/additional boundary vegetation be required to minimize shadowing and loss of privacy for neighbours.

Objection 4 – Extensive devegetation plan/removal of important trees

Firstly, it is positive that the developer has retained the mature Norfolk Island pine trees along the Ocean Street boundary of the site. These provide good canopy coverage, visual amenity and privacy for both residents of the site and the local community. I strongly support this element of the landscape design for the site.

Unfortunately, the number of trees being removed overall is excessive and particularly detrimental to the views from the street, where instead of adding setbacks and greenery to better blend in with the local character, the development builds close to the edges and looks stark from public vantage points.

Appendix 5 (Arboricultural Impact Report) makes clear that around 76 trees will be removed to enable this redevelopment - 24 high category trees (moderate to high significance and displaying good health and condition) and 45 low category trees.

In particular, I object to the removal of 16 specific high category trees (30, 33, 52, 53, 54, 55, 58, 59, 60, 61, 62, 63, 64, 65, 67 and 76) for a range of reasons:

- The arborist has categorised these trees as A1 – meaning they have no significant defects and could be retained with minimal remedial care
- They largely run along the Octavia Street and Lagoon Street boundaries of the site and therefore should be retained to provide mature greenery along the boundaries to help soften the view of the development from the road and help it better blend into the surrounding area
- The trees are significantly high (some up to 18 metres), have considerable spread (up to 10 metres) and have strong foliage cover (up to 80%) thereby providing shade, screening and privacy
- The developer has not provided strong justification for why the trees must be removed other than what appears to be the desire to build close to the boundary to increase GFA and create a large internal courtyard not accessible to the public.

This design and removal of mature trees along the Octavia Street and Lagoon Street frontages does not appear to comply with one of the key objectives of the NSW Government *Seniors Housing Design Guide (November 2023)* “to manage and preserve existing natural features such as trees...” or meet the design guidance (3.1.8) that the intent should be to keep as many mature trees as possible, with the aim of achieving a generous, mature tree canopy cover over the site. While I acknowledge the landscape plan aims to offset some of the tree loss through planting new trees and vegetation, this would not be at the same size and maturity of the existing trees slated for removal and therefore not offer the same benefits.

The removal of mature trees and lack of setback on the Octavia Street is of particular concern. The image below shows the current level of greenery along this boundary, compared with nearly no vegetation and no setback from the road as part of the planned development. In addition to greatly reduced visual amenity and a lack of privacy for residents and the local community, building this close to the boundary does not comply with design guidance (3.1.9) for Seniors Housing Design that

the opportunity should be provided for regeneration of natural environments by allowing suitable sized setbacks to accommodate restorative planting to a scale that reflects the original treescape.



Recommendation 4:

A1 categorised trees on the boundaries of the development site should be retained to preserve existing canopy coverage, provide privacy screening and better blend the redevelopment into the local surroundings.

Objection 5 - Inadequate community engagement

The lack of direct and meaningful engagement with directly impacted residents adjoining the site is concerning. I believe most residents in the area are supportive of seniors housing on this site and understand the need for redevelopment and the many benefits it could bring. However, local community stakeholders are impacted in different ways and therefore different engagement approaches should be used for relevant groups.

Residents whose properties adjoin the site (along the Loftus St end of the site and the residence on the corner of Octavia St/Lagoon St) will be significantly impacted during the construction period by noise, dust and vehicle movements. They will also be significantly impacted at the end state stage of the redevelopment, especially through loss of privacy, overshadowing and reduced visual amenity. It is reasonable that the developers and their associated consultants communicate directly with these residents and seek feedback on these issues to help inform the design and construction of the project and ensure suitable mitigations are in place.

I note that item 4 of the SEARS issued to the developer requires Moran to “Demonstrate that engagement and consultation activities have been undertaken in accordance with the *Undertaking Engagement Guidelines for State Significant Projects (the Guidelines)* and identify how issues raised, and feedback received have been considered in the design of the project.” For a range of reasons outlined below, I do not believe the proponent has satisfied this requirement.

Appendix 13 (Community Engagement Report) of the EIS refers to local community engagement undertaken to date being focused on a community information and feedback session that took place in November 2024. I note the invite to the session was shared across multiple print, radio and social media methods and therefore would have reached a significant number of people. While this is positive, it is concerning that a single information session (which was held on a weekday during business hours) is being used as justification for adequate local community engagement. It is unreasonable that only a single session was used, and that there was no option for weekend/outside business hours attendance to ensure a broader cross section of the local community was able to meet the project team and provide feedback. It is common practice amongst community engagement professionals to offer multiple sessions on different days/times to ensure people have an adequate opportunity to attend.

I am unable to find any evidence of other basic community engagement tools used such as doorknocking, direct phone calls, small group meetings or online briefings that would often form part of projects of this size and value. Section 3.4 of the Guidelines make clear that engagement should be proportionate to the scale and likely impacts of the project and the likely interest the community might have in the project. It makes reference to a number of things this proponent did not include but which would have been reasonable to offer to local residents – such as tailored activities for specific groups.

The Guidelines state “The Department encourages proponents to use innovative approaches to engagement to enable participation from a broad spectrum of community members”. However, it appears the proponent has overly relied on feedback from one information session. While perhaps

not intentional, holding the single information session during work hours on a weekday possibly resulted in attendee demographics being skewed, essentially overrepresenting older community members no longer in the workforce who have time to attend a session like this during business hours and are more likely to provide supportive feedback on this proposal. This particular cohort is also more likely to make suggestions that would benefit future seniors housing residents at the expense of nearby residents in the community. It is also possible the key findings from the session are misleading depending on how the session was run, as I understand the event was intended for prospective residents more than impacted community members, and was therefore more of a marketing exercise where future residents could book an appointment to reserve a residence, rather than it being an opportunity to undertake meaningful engagement with the community.

As a result, the summary of key findings in Appendix 13 is focused on feedback provided about what the development should include, presumably from potential future residents there. Minimal mention is made of key findings and considerations associated with impacts on the local community throughout design, construction and end state operations.

As the Guidelines state, DPHI expects proponents to consider the core values and public participation spectrum of the industry-leading International Association for Public Participation (IAP2). The IAP2 spectrum ranges from informing local community stakeholders all the way up to empowering them to make decisions. According to IAP2, the basic levels of 'inform' and 'engage' should involve providing the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions, as well as obtaining public feedback on analysis, alternatives and/or decisions. I do not believe the information provided in the EIS shows this has been achieved with the local community.

It would be unreasonable of local residents, including myself, to expect to be involved in detailed design or decision making associated with this redevelopment. This is not what is being requested. However, the lack of direct engagement undertaken with adjacent residents to date is unreasonable and raises concerns about how the local community will be treated during construction of this project.

Recommendation 5:

The proponent should undertake further community engagement to ensure compliance with the NSW Government's Undertaking Engagement Guidelines for State Significant Projects and properly satisfy requirement 4 of the Planning Secretary's Environmental Assessment Requirements.

Recommendation 6:

The developer should undertake targeted and direct community engagement with residents adjacent to the site who will be directly impacted by the redevelopment and provide detailed information about how resident feedback is being managed and incorporated into the design and construction plan.

Suggested changes to the design/conditions to be applied

Per the earlier sections of this submission, I believe the current design should not be approved, and the following changes required by the approving body before the end state design is finalised and construction begins:

1	All buildings in the redevelopment (including pavilions, terraces and rooftop plant/lift overrun) must remain under the 12.3m height limit allowable under the Housing SEPP
2	The design of the redevelopment be updated to reduce height, increase setbacks, increase articulation and reduce bulk/massing to meet the local context and reduce visual impacts
3	The height of the redevelopment be lowered at the Loftus St end of the site in particular to reduce shadowing on adjoining properties, and increased setbacks/additional boundary vegetation be required to minimize shadowing and loss of privacy for neighbours
4	<i>A1 categorised trees on the boundaries of the development site should be retained to preserve existing canopy coverage, provide privacy screening and better blend the redevelopment into the local surroundings.</i>
5	The proponent should undertake further community engagement to ensure compliance with the NSW Government's <i>Undertaking Engagement Guidelines for State Significant Projects</i> and properly satisfy requirement 4 of the Planning Secretary's Environmental Assessment Requirements.
6	The developer should undertake targeted and direct community engagement with residents adjacent to the site who will be directly impacted by the redevelopment and provide detailed information about how resident feedback is being managed and incorporated into the design and construction plan.

Conclusion

Support - I support Moran's use of the site for seniors housing and commend increasing stock in an area where the population of older people will increase significantly in the near future. I also strongly support the retention of the mature Norfolk Island pine trees on Ocean Street which are featured in the exhibited design.

Objection - However, I object to the overall design of the redevelopment as it does not comply with maximum height restrictions and other controls, imposes unreasonable and significant negative impacts on local residents including loss of privacy, overshadowing and reduced visual amenity, and proposes excessive and unnecessary mature tree removal. Overall, the design does not comply with a range of guidelines, controls and requirements, and should not be approved in its current form.

Thank you for considering this submission.

Regards,
Kristina Cimino
(Owner – 5/150 Ocean St, Narrabeen)