

4 November 2025

The Secretary  
NSW Department of Planning, Housing and Infrastructure (DPHI)  
4 Parramatta Square, 12 Darcy Street  
Parramatta NSW 2150

To The Secretary,

**Submission of Objection – SSD-76220734 (Indigo by Moran, 156 Ocean Street Narrabeen)**

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**Project:** State Significant Development – Indigo by Moran (Seniors Living)

**Site:** 156–164 Ocean Street, Narrabeen NSW 2101

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**1. Context and Purpose of This Submission**

I am a resident and property owner at 145 Ocean Street, Narrabeen, located in close proximity to the proposed Indigo by Moran development. I write to formally object to this application in its current form, whilst acknowledging my support for well-designed seniors housing and appropriate development that contributes positively to our local community and economy.

I want to be clear from the outset: I am not opposed to development in Narrabeen, nor am I opposed to creating additional aged care and seniors housing opportunities for ageing Australians. Quality seniors housing is essential, and I recognise that developments like this can bring economic benefits through job creation during construction and operation, and through increased patronage of local businesses, hospitality venues, and services. These are genuine community benefits that I support.

I also want to acknowledge that Retirement By Moran has demonstrated genuine goodwill and community commitment since acquiring the site. In July 2024, Moran partnered with the Northern Beaches Women's Shelter to provide the vacant Wesley Taylor facility as transitional accommodation for up to 90 women in crisis, including those fleeing domestic violence. This partnership, established within just one month of the shelter's request, reflects Moran's stated awareness of the housing crisis and their willingness to put unused assets to immediate community benefit whilst planning the site's redevelopment. This is the type of community-minded approach that should be encouraged, and it reinforces my view that Moran is capable of delivering a seniors housing development that serves both their commercial objectives and the community's interests.

However, my objection centres on the critical issue of scale, contextual appropriateness, and precedent. This proposal, as currently designed, is excessive in height, bulk, and intensity for this sensitive coastal location. More importantly, this development will establish a precedent that fundamentally changes the character of Narrabeen. Once approved, it cannot be undone, and it will set the standard for future developments along Ocean Street and the broader Narrabeen peninsula.

I am advocating for better planning that achieves the worthy objectives of housing older Australians and contributing to the local economy, whilst remaining aligned with the established low-rise coastal character of Narrabeen. This is entirely achievable with thoughtful redesign.

**2. Statutory Framework and Assessment Requirements**

This development is classified as State Significant Development (SSD) under section 4.36 of the *Environmental Planning and Assessment Act 1979*. Under section 4.15 of the same Act, the consent authority must consider:

- The provisions of any environmental planning instruments;
- The likely impacts of the development (environmental, social, and economic);
- The suitability of the site for the proposed development; and
- The public interest.

When assessed against these statutory criteria, the proposal in its current form fails to satisfy the necessary thresholds for approval. The excessive scale and inadequate consideration of coastal constraints undermine the project's otherwise legitimate objectives.

### **3. Non-Compliance with Planning Instruments**

#### **A. State Environmental Planning Policy (Housing) 2021**

The Housing SEPP provides a pathway for seniors housing whilst requiring that design quality principles be met under Schedule 9. The permitted building height under the LEP is 8.5m, with an additional 3.8m permitted under Clause 87 of the Housing SEPP (totalling 12.3m). The proposed development seeks a height of 21.1m, representing an 8.8m or 71.5% departure from the applicable height standard.

Specifically, the proposal fails to adequately satisfy the design principles in Schedule 9:

- **Design Principle 1 (Context and Neighbourhood Character)** requires that development respond to and enhance the qualities and identity of the area. The proposed 21.1m height is incompatible with the surrounding low-rise residential fabric and does not respond appropriately to Narrabeen's established coastal character.
- **Design Principle 2 (Built Form and Scale)** requires appropriate building height, bulk, and modulation. The proposal presents as a monolithic structure with insufficient articulation or variation in building envelope to mitigate its excessive scale.
- **Design Principle 3 (Density)** must be appropriate to the site and context. The intensity of this proposal, combined with its excessive height, exceeds what is appropriate for this coastal location.

Whilst I support the provision of seniors housing under this SEPP, the design must still meet the quality benchmarks the policy establishes. This proposal does not. A departure of 71.5% from the applicable height standard is excessive and cannot be justified by the design quality outcomes achieved.

#### **B. State Environmental Planning Policy (Coastal Management) 2018**

The site is mapped within both the Coastal Environment Area and Coastal Vulnerability Area under the Coastal SEPP. The policy requires development to:

- Minimise risk from coastal hazards (Clause 11);
- Not increase coastal hazard risk or adversely impact the coastal environment (Clause 12); and
- Protect and enhance natural coastal processes.

The proposed excavation of 10.9 metres below natural ground level to construct three basement levels directly penetrates the water table in a flood-prone coastal area adjacent to Narrabeen Lagoon. This presents unacceptable risks including:

- Groundwater draw-down affecting surrounding properties;
- Saline intrusion into the freshwater aquifer;
- Structural buoyancy and long-term stability issues;
- Increased flooding vulnerability; and
- Potential impacts on lagoon hydrology.

These risks are inadequately addressed in the Environmental Impact Statement (EIS) and are contrary to the precautionary approach mandated by the Coastal SEPP.

#### **C. Northern Beaches Local Environmental Plan 2011**

The site is zoned R3 Medium Density Residential under the LEP. However, the surrounding area is characterised by low-rise residential development, predominantly one to three-storey dwellings. The objectives of the R3 zone include:

- To provide for the housing needs of the community within a medium density residential environment;
- To enable other land uses that provide facilities or services to meet the day to day needs of residents; and

- To provide a variety of housing types within a medium density residential environment.

The 21.1m building height (a 71.5% departure from the 12.3m applicable standard) significantly exceeds the intended scale for this zone and conflicts with Clause 4.3 (Height of Buildings). Even acknowledging the R3 zoning, the spirit and objectives of maintaining an appropriate residential scale must guide decision-making. A building of this height does not maintain a medium density residential environment compatible with the surrounding low-rise coastal character.

The excessive height creates a building that is fundamentally out of scale with its context, regardless of the zoning classification. "Medium density" does not mean unlimited height, and the proposal's scale far exceeds what could reasonably be considered compatible with the surrounding neighbourhood.

#### **D. Northern Beaches Development Control Plan 2019**

The DCP establishes detailed provisions to protect residential amenity, including requirements for solar access, visual privacy, deep soil landscaping, and streetscape character. The proposal demonstrates multiple breaches including:

- Overshadowing of neighbouring properties beyond acceptable limits;
- Inadequate building separation distances creating privacy impacts;
- Insufficient deep soil zones and canopy tree retention;
- Visual bulk that dominates the streetscape and surrounding residences.

### **4. Specific Deficiencies Identified in the EIS**

#### **A. Height, Bulk, and Visual Impact**

The building's 21.1m height and substantial bulk create a visual impact wholly inconsistent with the low-rise character of Ocean Street and the broader Narrabeen area. The current streetscape comprises predominantly one and two-storey dwellings with some three-storey buildings. This proposal represents a dramatic departure from that pattern. The EIS describes it as "5 storeys" but at 21.1m height, this is misleading.

The lack of effective building modulation, varied roof forms, and articulation results in a monolithic appearance that will dominate views from surrounding properties and public spaces. This is contrary to Design Principle 2 (Built Form and Scale) of Schedule 9 of the Housing SEPP and fails the contextual design objectives of both the LEP and DCP.

#### **B. Solar Access and Overshadowing**

The shadow diagrams provided in the EIS demonstrate that the proposal will cast significant shadows over adjacent residential properties, particularly during winter months when solar access is most critical for amenity and energy efficiency. The EIS does not adequately demonstrate how the design meets the DCP requirements for maintaining reasonable solar access to neighbouring dwellings.

As a nearby property owner on Ocean Street, overshadowing impacts are of direct concern to my property and others in the immediate vicinity. The excessive height of the building will cast shadows far beyond what would be expected from development complying with the height standard.

#### **C. Privacy and Overlooking**

The building's height and proximity to neighbouring properties create significant privacy impacts. Habitable rooms, balconies, and communal areas will have direct sight lines into neighbouring private open spaces and living areas. The Apartment Design Guide (which informs the Housing SEPP requirements) recommends building separation distances of 12-18 metres for buildings of this height. The proposal does not achieve adequate separation, creating unacceptable privacy impacts for existing residents.

#### **D. Traffic, Parking, and Local Road Network Impacts**

The Traffic Impact Assessment appears to underestimate the cumulative impact of resident, staff, visitor, and service vehicle movements on the local street network. The proposal includes 192 car parking spaces across three basement levels, plus loading and ambulance spaces. Ocean Street, Lagoon Street, and Octavia Street are relatively narrow roads that already

experience congestion during peak periods. The addition of a facility of this scale will exacerbate traffic, parking demand, and safety risks for pedestrians, cyclists, and other road users.

Service vehicle movements, including delivery trucks, waste collection, and ambulances, will create ongoing disruption in what is currently a quiet residential area. The construction phase will also impose significant impacts over an extended period, with heavy vehicle movements, noise, and vibration affecting residents' amenity.

#### **E. Environmental Performance and Sustainability**

The BASIX assessment indicates that the proposal only marginally meets minimum statutory requirements. There is limited evidence of:

- Meaningful passive solar design or building orientation optimisation;
- Natural cross-ventilation strategies;
- Water-sensitive urban design or stormwater reuse;
- Renewable energy integration beyond minimum standards; or
- Sustainable materials selection.

For a development of this scale and significance, the sustainability performance should exceed minimum thresholds, not barely meet them. This is particularly important given the coastal location and the vulnerability of the site to climate change impacts. Clause 3.6 of the Housing SEPP and Section B5 of the DCP both emphasise the importance of environmental sustainability, which this proposal fails to demonstrate.

#### **F. Loss of Mature Trees and Green Canopy**

The Arborist Report identifies the removal of 69 trees, with only 13 trees retained and 54 new trees proposed. The trees to be removed include mature canopy trees that provide important environmental functions including:

- Habitat for local wildlife;
- Urban cooling and microclimate benefits;
- Streetscape amenity and character;
- Stormwater management and soil stability.

The proposed replacement landscaping, largely confined to planter boxes and limited at-grade areas due to the extensive basement, does not adequately compensate for this loss. The net loss of 15 trees (69 removed, 54 planted) is contrary to Council's Urban Tree Canopy Strategy and the environmental objectives of the DCP.

#### **G. Coastal Hazards, Flooding, and Groundwater Risks**

The proposal involves excavating 10.9 metres below natural ground level to construct three basement levels providing 192 car parking spaces. This depth of excavation in a coastal, flood-prone site adjacent to Narrabeen Lagoon presents multiple risks that are inadequately addressed in the EIS:

- **Groundwater Impacts:** The EIS acknowledges that excavation will encounter groundwater at approximately 2m above bulk excavation level and will require dewatering. This may lower groundwater levels in surrounding areas, potentially affecting neighbouring properties and vegetation.
- **Flood Risk:** The site is in a flood-prone area within a Class 4 acid sulfate risk zone. Deep basement construction increases vulnerability to flooding and creates potential buoyancy issues if flood waters surround or infiltrate the structure.
- **Coastal Vulnerability:** The Coastal SEPP mapping identifies this site as being within a Coastal Vulnerability Area. The proposal does not adequately demonstrate how it addresses long-term coastal hazard risks including sea level rise, increased storm intensity, and coastal erosion processes.

- **Construction Phase Risks:** Extended excavation works in saturated ground conditions create risks for both the development site and surrounding properties, including potential ground movement, vibration damage, and groundwater disturbance. The EIS acknowledges these risks but provides insufficient detail on mitigation.

These issues are insufficiently addressed and represent fundamental flaws in the suitability of the site for development at this scale and intensity. The combination of excessive height and deep excavation creates a "heavy top, deep bottom" development that is fundamentally inappropriate for this sensitive coastal location.

#### H. Amenity Impacts During Construction

The construction phase for a development of this scale, including excavation of 10.9m for three basement levels, will be lengthy, potentially spanning 18-24 months or longer. The impacts on surrounding residents will include:

- Prolonged noise from excavation, dewatering, concrete pours, and general construction activity;
- Vibration from excavation and piling works;
- Heavy vehicle movements through narrow residential streets for excavation spoil removal and material delivery;
- Dust and air quality impacts;
- Disruption to local traffic and parking; and
- General loss of amenity for an extended period.

For a residential area characterised by its peaceful, low-rise character, these impacts represent a significant imposition on existing residents' quality of life. Whilst some construction impact is inevitable with any development, the scale and duration of impacts from this proposal are disproportionate and unreasonable.

#### 5. Precedent and Cumulative Impact

This is perhaps the most critical issue for Narrabeen's future. If this development is approved at its proposed scale, it will establish a precedent that fundamentally and permanently alters the development pattern along Ocean Street and potentially the entire Narrabeen peninsula.

Narrabeen has maintained its low-rise coastal character through decades of development pressure. That character is not accidental; it results from planning controls deliberately designed to preserve the area's unique qualities. Approval of a 21.1m building (71.5% above the applicable standard) will signal to other landowners and developers that similar scale is acceptable, triggering a wave of redevelopment applications seeking equivalent height and density.

The cumulative effect will be the transformation of Ocean Street from a low-rise coastal residential street into a corridor of multi-storey buildings. This transformation will be irreversible. Once buildings of this scale are constructed, they will remain for generations, and the character of Narrabeen will be permanently changed.

Once this precedent is set, there is no mechanism to reverse it. Future applications will cite this approval as justification, and the planning system will find it difficult to refuse similar proposals on consistency grounds. The community will have lost the ability to maintain the character and amenity that make Narrabeen a desirable place to live.

I want to be absolutely clear: I am not arguing against all development or against seniors housing. I am arguing that development must be contextually appropriate and must not establish precedents that undermine the fundamental character of our community. **There is a better way forward.**

#### 6. The Path Forward: Supporting Development Done Right

I genuinely support the provision of high-quality seniors housing in Narrabeen. Our community needs to accommodate ageing Australians, and well-designed seniors living facilities provide important housing choice and support services for older residents who wish to age in place within their local area.

I also recognise and support the economic benefits that developments like this can bring:

- Construction jobs during the building phase, supporting local contractors and suppliers;

- Ongoing employment for care staff, hospitality workers, maintenance personnel, and administration staff;
- Increased patronage of local businesses, cafes, restaurants, and shops as new residents engage with the Narrabeen community;
- Rates revenue for Council to fund local infrastructure and services; and
- Broader economic activity that strengthens our local economy.

These are genuine, tangible benefits that I do not dismiss or undervalue.

However, these benefits can be achieved with a development that is appropriately scaled for the site and context. A redesigned proposal that reduces height to comply with or achieve only modest variation from the applicable standard, improves sustainability performance, minimises environmental risks, and respects the existing neighbourhood character can still deliver seniors housing and economic benefits whilst maintaining community amenity and setting an appropriate precedent for future development.

This is not an "all or nothing" situation. It is entirely possible to achieve the legitimate objectives of this project through better planning and design that aligns with Narrabeen's coastal character and planning framework. A building height of 12-15 metres (compared to the proposed 21.1m) could still deliver a viable seniors housing development whilst maintaining compatibility with the surrounding area.

## **7. Public Interest Considerations**

Section 4.15(1)(e) of the EP&A Act requires the consent authority to consider the public interest when determining a development application. In this case, the public interest strongly favours refusal or substantial redesign of the proposal.

The public interest is served by:

- Maintaining the established character of residential neighbourhoods;
- Protecting coastal environments from inappropriate development;
- Ensuring development is consistent with democratically established planning controls;
- Avoiding precedents that undermine long-term planning objectives;
- Delivering housing that meets community needs without imposing unacceptable impacts on existing residents; and
- Promoting sustainable development that minimises environmental risks and maximises environmental performance.

This proposal, in its current form, fails to serve the public interest. It prioritises private commercial outcomes over community amenity, environmental protection, and planning integrity. Whilst I support the private sector's role in delivering seniors housing, that role must be exercised within appropriate planning parameters that protect the broader public interest.

## **8. Governance and Process Concerns**

### **A. Inadequate Community Consultation**

According to the Community Engagement Report, only a pre-lodgement meeting was held with Council on 17 June 2025. There appears to have been no meaningful consultation with the local community prior to lodgement of this application. Given the scale and significance of the proposal, early engagement would have allowed the community to understand the project, express concerns, and potentially work with the proponent to identify design solutions that better meet community expectations.

The absence of consultation undermines public confidence in the planning process and creates an adversarial dynamic that could have been avoided through genuine early engagement.

### **B. Insufficient Public Exhibition Period**

The public exhibition period runs from 23 October 2025 to 5 November 2025, a period of less than two weeks. This is inadequate for a development of this complexity and significance. The EIS comprises more than 40 separate documents and technical studies spanning hundreds of pages. Residents require adequate time to review this material, seek professional advice if needed, and prepare considered submissions.

A minimum exhibition period of four weeks would be more appropriate for a State Significant Development of this nature.

**C. Absence of Independent Design Review**

For a development of this scale and significance, particularly one seeking a 71.5% departure from the applicable height standard, review by an Independent Design Review Panel (IDRP) or State Design Review Panel (SDRP) should have been mandatory. Such panels provide objective expert scrutiny of design quality, contextual appropriateness, and compliance with design excellence principles.

The absence of independent design review raises questions about the rigour of the design development process and reduces confidence that the proposal represents genuine design excellence as required by the Housing SEPP.

**9. Requested Determination**

Based on the matters outlined in this submission, I respectfully request that the Department of Planning, Housing and Infrastructure:

**1. Refuse consent for SSD-76220734 in its current form due to:**

- Non-compliance with the design quality principles in Schedule 9 of the Housing SEPP 2021, particularly regarding context, built form, and scale;
- A 71.5% departure (8.8m) from the applicable building height standard of 12.3m, resulting in an excessive 21.1m building height that is incompatible with the surrounding low-rise coastal character;
- Non-compliance with the Coastal SEPP 2018 coastal hazard and environmental protection provisions, particularly regarding the 10.9m deep excavation below the water table;
- Inconsistency with the objectives and intended character of the R3 Medium Density Residential zone under the Northern Beaches LEP 2011;
- Breaches of the Northern Beaches DCP 2019 provisions relating to solar access, privacy, and landscaping;
- Inadequate assessment of coastal hazards, flooding, and groundwater risks associated with three-level basement construction;
- Unacceptable impacts on neighbourhood amenity and character;
- Failure to demonstrate environmental sustainability beyond minimum standards; and
- Setting an inappropriate precedent for future development in Narrabeen that will permanently alter the coastal character of the area.

Or, alternatively:

**2. Require a comprehensive redesign and resubmission that addresses the following:**

- Reduction in building height to a maximum of 12-15 metres (compared to the proposed 21.1m) to maintain better contextual alignment with surrounding development and comply with or achieve only modest variation from the 12.3m applicable standard;
- Reduction in excavation depth and basement levels to minimise groundwater and coastal hazard risks;
- Improved building modulation, articulation, and roof variation to reduce visual bulk and improve architectural quality;
- Demonstrated compliance with solar access requirements for neighbouring properties, with verified no-worsening outcomes;
- Compliance with building separation and privacy standards consistent with the Apartment Design Guide;
- Retention and protection of existing mature canopy trees and provision of meaningful deep soil landscaping zones, with a commitment to achieve net positive tree canopy outcomes;
- Substantially improved sustainability and BASIX performance, including passive solar design, natural ventilation, water reuse, and renewable energy integration that exceeds minimum standards;

- Comprehensive coastal hazard, flooding, and groundwater management strategy endorsed by suitably qualified experts, specifically addressing the risks of deep excavation in a coastal flood-prone site;
- Detailed traffic and parking assessment addressing cumulative impacts on the local road network;
- Construction management plan addressing noise, vibration, heavy vehicle movements, and extended construction timeframes;
- Review by an Independent Design Review Panel or State Design Review Panel to ensure design excellence and contextual appropriateness; and
- Re-exhibition with a minimum four-week public submission period and genuine community consultation process, including community information sessions.

## 10. Conclusion

I want to conclude by reiterating my support for well-designed seniors housing and appropriate development that contributes to our community's housing needs and local economy. I am not opposed to development at this site. I am opposed to overdevelopment that is out of scale with its context, creates unacceptable impacts, and establishes a damaging precedent for Narrabeen's future.

This proposal, as currently designed, fails fundamental tests of planning appropriateness. It does not comply with applicable planning instruments, it creates significant amenity and environmental impacts, the site is not suitable for development at this scale and intensity, and approval would not serve the public interest.

Most critically, this development will set a precedent that permanently changes Narrabeen's character. A 71.5% departure from the applicable height standard cannot be justified by the design outcomes achieved. Once approved, it cannot be undone, and it will open the door to similar applications along Ocean Street and throughout the peninsula. The low-rise coastal character that makes Narrabeen a valued place to live will be lost.

There is a better way forward. A thoughtfully redesigned proposal can achieve the worthy objectives of providing seniors housing and supporting the local economy whilst respecting Narrabeen's established character, complying with planning controls, and protecting coastal environmental values. A building height of 12-15 metres would still deliver substantial seniors housing capacity whilst maintaining compatibility with the surrounding neighbourhood.

I strongly urge the Department to refuse this application in its current form and to work with the proponent to achieve a redesigned proposal that better serves both the needs of older Australians and the long-term interests of the Narrabeen community.

The decisions made on this application will shape Narrabeen's future for generations to come. I trust that the Department will exercise its responsibilities with the care, rigour, and long-term perspective that this significance demands.

Signed,



Chris Jamieson  
Resident & Property Owner  
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