

Ms L. Moore
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5 November 2025

Department Secretary – State Significant Development Assessments
Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attention: Najeeb Kobeissi

Submission of Objection – SSD-76220734
Indigo By Moran – 156 Ocean Street, Narrabeen (Lot 11/DP775997)

1. Introduction

Before turning to the statutory assessment matters, it is necessary to ask:

What is the realistic market price of a newly constructed, strata-titled two-bedroom apartment with ocean views in Narrabeen?

Note: Recent sales evidence indicates two-bedroom oceanfront and ocean-view apartments in Narrabeen commonly sell for \$1.4–\$1.9 million, with several beachfront sales in 2024–2025 recorded between \$1.36 million and \$1.70 million, and exceptional newer or oversized stock occasionally exceeding \$2.0 million.

What is being proposed is –

149 ILUs in form of 2 Bedroom, 2 Bedroom plus study and 3 Bedroom apartments, ranging from 100m² to 153m² in internal areas

But of course, the proposal is way over the FSR and height allowable and should be **REFUSED**.

The question of cost is fundamental to the assessment of **SSD-76220734** application because the intent of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) is to facilitate diverse housing options that meet the needs of vulnerable seniors and lower-income cohorts.

It is therefore reasonable to question how a project delivering high-end dwellings at premium prices on a constrained coastal site can credibly be characterised as contributing to the housing diversity or affordability objectives of the State. This proposal fails any reasonable community, policy, or equity test.

The use of the State Significant Development (SSD) pathway to bypass local planning assessment in this instance—without demonstrating genuine State or regional significance—is inappropriate. This approach diverts Departmental resources away from truly significant projects and undermines public confidence in the planning system.

2. Legislative Context

2.1 Environmental Planning and Assessment Act 1979 (EP&A Act)

The objects of the Act (Section 1.3) include promoting the social and economic welfare of the community, facilitating ecologically sustainable development, protecting the environment, promoting affordable housing, good design, and ensuring community participation.

3. Cost of Development and SSD Threshold

The applicant asserts that the development qualifies as State Significant Development because it exceeds the \$30 million capital investment threshold. **However, no substantiated Cost of Development Report appears on the planning portal. EIS – incomplete.**

Under the Environmental Planning and Assessment Regulation 2021 – Clause 6 (Estimated Development Cost): The estimated development cost of proposed development means the estimated cost of carrying out the development, including design, erection, demolition, and associated works, but excluding land costs, marketing, maintenance, and GST.

Applying that definition:

Site Area: 10,599.9m²
Allowable FSR: 0.5:1
Gross Floor Area: 5,299.95m²
Typical Development Cost: \$5,000/m²
Estimated Development Cost = \$26,499,750

Accordingly, the proposal falls below the \$30 million SSD threshold and should not be assessed as State Significant Development. If the proposal complied with the SEPP height and FSR controls and retained the significant trees on site, it would further reduce the overall cost of works.

4. Non-Compliance with the EP&A Act and Housing SEPP

4.1 Section 4.15 – Matters for Consideration

The consent authority must consider the relevant environmental planning instruments, the likely environmental and social impacts, site suitability, and the public interest. This proposal fails on multiple grounds:

- Environmental impact: Excessive excavation, removal of mature trees, and likely adverse impact on coastal landscape character.
- Social impact: No demonstrable housing affordability or social benefit.
- Public interest: Inconsistent with community expectations and the strategic intent of the Housing SEPP.

Non-discretionary Standards

Where development fails to comply with non-discretionary standards, the consent authority is not compelled to approve it. The Housing SEPP contains mandatory development standards for height, FSR, and setbacks that must be met. Variations through Clause 4.6 of the LEP are not applicable to SEPP-based development standards.

5. Environmental and Amenity Impacts

- **Tree Removal:** The proposal results in the loss of significant coastal trees contributing to Narrabeen's established canopy and character. These trees should be retained consistent with the Housing SEPP's design principles and Schedule 8.
- **Excavation:** Excessive excavation indicates overdevelopment. A compliant scheme would substantially reduce site works, retaining more natural topography and vegetation.
- **Amenity Impacts:** The proposed bulk and scale cause unacceptable overshadowing, view loss, and visual dominance inconsistent with SEPP objectives of good design and residential amenity.

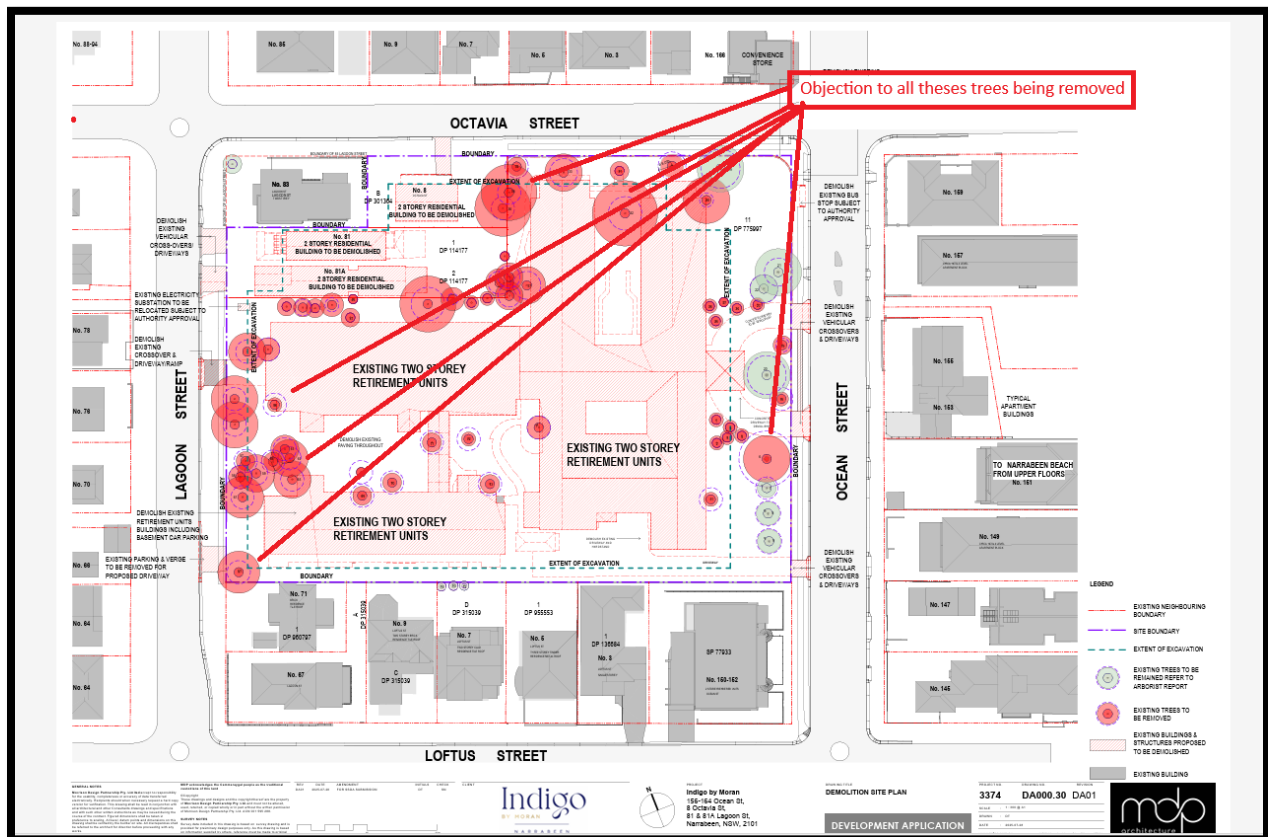


Figure 1: Overlay (with comment) of the Existing dwellings and significant trees to be removed. For SDD 76220734

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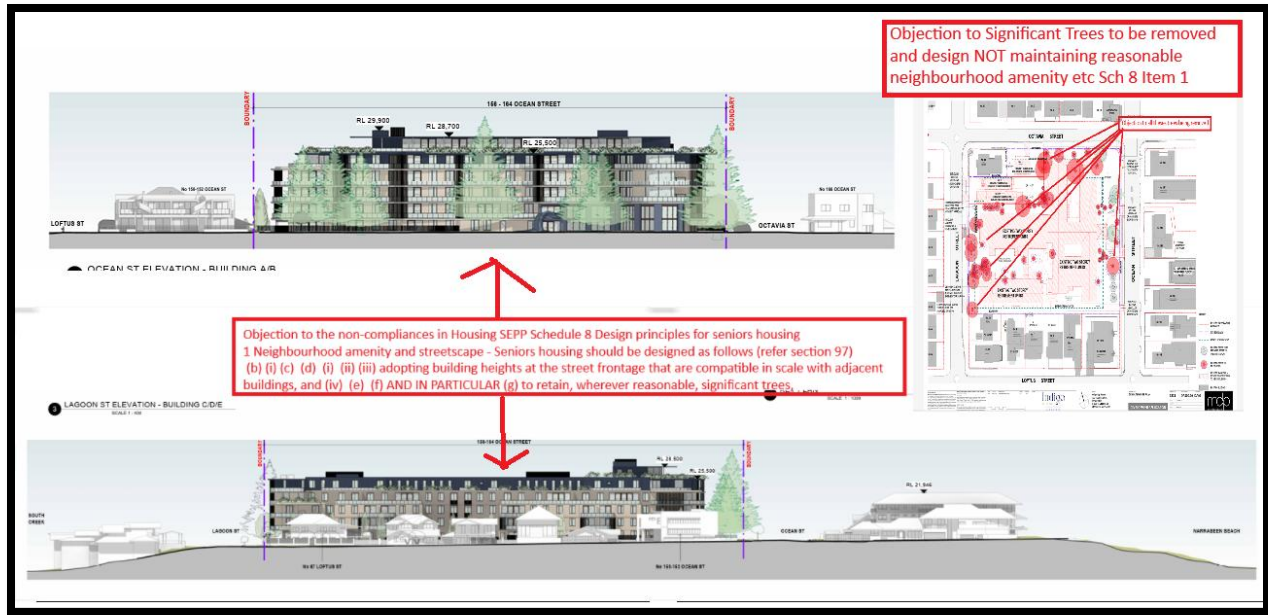


Figure 2: Overlay (with comment) SDD 76220734 does not address Schedule 8 Item 1.

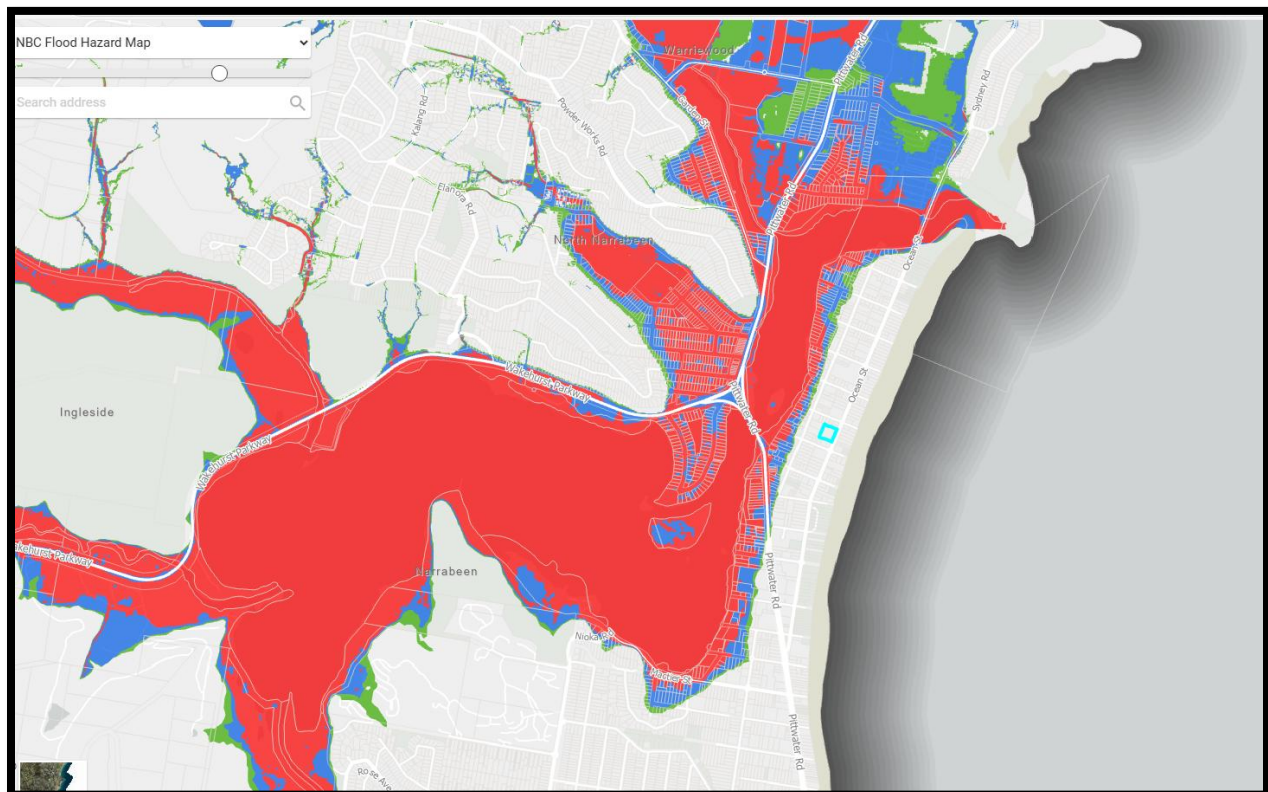


Figure 3: Extract Flood Management Plan

6. Conclusion

This proposal cannot reasonably be considered State Significant Development. The application does not meet the capital investment threshold, fails to deliver diverse or affordable housing outcomes, and is inconsistent with the objects of the Environmental Planning and Assessment Act 1979 and the Housing SEPP 2021.

The development represents an overdevelopment of the site, with unacceptable environmental and social impacts. It should be refused and redirected for assessment at the local level where appropriate scrutiny and community engagement can occur.

Prepared by:

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