

Concept Refusal

Section 750 of the *Environmental Planning & Assessment Act 1979*

I refuse to give approval for the concept plan referred to in Schedule 1, for the reasons listed in Schedule 2.



Anthony (Tony) Kelly MLC
Minister for Planning

Sydney

14 FEB 2011

2011

SCHEDULE 1

Application No.:

MP05_0113

Proponent:

Tiffany Developments Pty Ltd

Approval Authority:

Minister for Planning

Land:

Oxford Falls Road, Oxford Falls (Lots 1110, 1111, 1113 and 1336 in DP 752038, Lot 20 in DP 842523 and Lot 80 in DP 846099)

Project:

Concept Plan for Oxford Falls Seniors Living Development, including:

- Use of the site for Seniors Living, office, retail, recreational and open space purposes and adaptive reuse of existing buildings on site for ancillary services.
- Construction of 20 buildings ranging in height from 3-4 storeys comprising 393 self care dwellings, 100 serviced apartment dwellings and 80 bed high care (nursing home) facility.
- 607 car parking spaces comprising 547 residents and 60 visitors spaces
- Total GFA of 63,550m²

SCHEDULE 2

REASONS FOR REFUSAL

1. The proposal does not satisfactorily demonstrate it would meet the sustainability criteria contained within the Department of Planning's former *Sydney Metropolitan Strategy 2005* and *Metropolitan Plan for Sydney 2036* to justify development of identified "non-urban" land.
2. The proposal is located on land which has poor access to public transport, services and facilities and is likely to result in social isolation and adverse impact on the well being of future seniors residents.
3. The proposal is inconsistent with the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.
4. The proposal is incompatible with the key planning directions for the area including the Desired Future Character Statement for Oxford Falls Valley "B2 Locality - Oxford Falls Valley" as identified in the *Warringah Local Environmental Plan 2000*.
5. The proposed land use would be prohibited under the "E3 Environmental Management" zone pursuant to the *Warringah Draft Local Environmental Plan 2010*.
6. The height, bulk, scale and density of the proposal will have an unacceptable visual impact on the semi-rural/residential character of the Oxford Falls Valley.
7. The proposal is not in the public interest.