

ATTACHMENT 1 - REASONS FOR REFUSAL

- (1) The application is not satisfactory for the purposes of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the use of the site for a residential care facility is prohibited by virtue of the proposal not being able to satisfy clause 26 (Location and access to facilities) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
- (2) The application is not satisfactory for the purposes of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the submissions pursuant to clause 4.6 of Ryde Local Environmental Plan 2012 are not well founded relative to variations sought to the following provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004:
 - (i) Clause 26 - Location and access to facilities; and
 - (ii) Clause 40(4) - Height in zones where residential flat buildings are not permitted.
- (3) The application is not satisfactory for the purposes of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as site planning and built form outcomes do not meet the provisions of clause 33 (Neighbourhood amenity and streetscape) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
- (4) The application is not satisfactory for the purposes of Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979 as it is not in the public interest to vary the building height controls in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for the purpose of building which is not satisfactory when evaluated against clause 33 (Neighbourhood amenity and streetscape) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.