

### Reasons for Refusal:

1. The proposal does not comply with the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (the Seniors Living SEPP) in particular:
  - a. Pursuant to Clause 31 and 33, the proposal is unacceptable due to adverse impacts on the amenity of adjoining residents. Clause 31 of Seniors Living SEPP requires consideration, among other matters, the provisions of *Seniors Living Policy: Urban Design Guideline for Infill Development* published by the Department of Infrastructure, Planning and Natural Resources in March 2004. The proposal is unacceptable due to excessive height, FSR and inadequate setbacks/building separation.
  - b. The proposal is inconsistent with the provisions of Clause 34 as it will have adverse acoustic and visual privacy impacts on the adjoining properties.
  - c. The proposal is not entitled for bonus FSR as a Site Compatibility Certificate is not provided.
  - d. The proposal is inconsistent with the provisions of Clause 45(6) as it fails to offer 10% of accommodation as 'affordable places'.
  - e. The proposal is inconsistent with the provisions of Clause 48 of Seniors Living SEPP as inadequate landscaped area is provided.
2. The proposal does not comply with the provisions of Randwick Local Environmental Plan 2012 (RLEP 2012) in particular:
  - a. The proposal is inconsistent with the objectives of R3 Medium Density Residential zone pursuant to Clause 2.3 of RLEP 2012 that requires, among other, '*to protect the amenity of adjoining residents*'. The proposal is considered to impact on the amenity of adjoining residents through adverse impacts on acoustic and visual privacy, overshadowing, view loss and visual amenity.
  - b. The proposal does not comply with the maximum FSR standards of 0.9:1 and seeks a FSR of 1.276:1 which is not supported by an acceptable Clause 4.6 variation statement with adequate environmental planning grounds.
  - c. The proposal exceeds the maximum 12.0m height standard of RLEP 2012 and seeks a height of 14.2m which is not supported by an acceptable Clause 4.6 variation statement with adequate environmental planning grounds.
3. The proposal does not comply with the provision of Randwick Comprehensive Development Control Plan 2013 (RDCP 2013) in particular:
  - a. Pursuant to Section 2.2.1, Part C2 of RDCP 2013, the proposal needs to provide minimum 1355m<sup>2</sup> of landscaped area. The proposal only provides 1157m<sup>2</sup> of landscaped area.

## **Attachment A**

- b. Pursuant to Section 3.4.2, Part C2 of RDCP 2013, the proposal offers inadequate side setbacks.
  - c. Pursuant to Section 4.4, Part C2 of RDCP 2013, the proposal fails to comply with the external wall height controls.
- 4. In view of the above non-compliances and the submissions received, the proposal is not considered in the public interest.