

COMMUNITY OBJECTION

State Significant Development Application No. SSD-93020230 • 40–48 Redan Street, Mosman NSW 2088

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Long-term resident of Sydney's Lower North Shore • Frequent visitor to Mosman and Balmoral for many decades

01 Background

Mosman belongs to all of Sydney – not only to those who live within its boundaries.

I live at 47 Robert Street, Willoughby. I am a long-term resident of Sydney's Lower North Shore. For many decades, I have regularly visited Mosman — drawn by Balmoral Beach, its green foreshore environment, heritage lanes, Federation streetscapes, and the unique coastal-village character of the suburb. I have close friends in Mosman and have walked its streets, harbour paths, and historic residential precincts more times than I can count.

I am writing because what is proposed at 40–48 Redan Street is more than just a local planning issue. It is a proposal to permanently and irreversibly change one of the most important heritage and landscape precincts on Sydney's Lower North Shore – a precinct valued not only by locals but also by the wider community that visits, moves through, and cares about this part of Sydney.

The Balmoral precinct – including the foreshore, ridgelines, and the well-preserved Federation streetscapes of Mosman, along with the visual connection between the built environment and harbour landscape, is a public asset. Its character can be enjoyed from the water, the foreshore, Redan Street itself, and from the streets and viewpoints overlooking this elevated, topographically prominent part of the suburb. Installing a 10-storey luxury tower in this precinct would permanently alter that character. It cannot be undone.

I am submitting this objection because the impacts of this proposal extend far beyond the neighbours directly affected. They impact the wider community that values Mosman for what this development would ruin.

02 Understanding the Proposal and How It Gets to Ten Storeys

What is being proposed

The application seeks approval for a 12-storey residential building – 10 storeys above ground, with two basement levels for parking – comprising 53 apartments at 40–48 Redan Street, Mosman. The site is occupied by Federation-era dwellings and is located within one of Mosman's most well-preserved and historically significant residential areas. The proposed building height is roughly five times the maximum allowed under the Mosman Local Environmental Plan.

The stacking of incentive mechanisms

To achieve this height, the applicant has not relied on just one planning provision. Instead, it has identified and applied every available State-level mechanism simultaneously:

- The Low and Mid-Rise Housing SEPP – unlocking increased height and density near designated town centres,
- A 30% bonus height uplift under the infill affordable housing incentive provisions,
- A Clause 4.6 variation – to exceed the height that remains after both of the above are applied, and
- The State Significant Development pathway – removing the application from local council assessment entirely

Each of these mechanisms was designed for a legitimate purpose. None was intended to be combined with all the others simultaneously on a single site within a low-rise heritage precinct. The cumulative effect results in a permitted height around five times the maximum specified in the Mosman LEP.

The most significant point of the entire application is this: even after applying the Low and Mid-Rise SEPP, the 30% bonus, and the SSD pathway, a Clause 4.6 variation is still necessary. This application has exhausted every concession the planning system can offer – and then sought even more.

The role of affordable housing in this mechanism

The affordable housing component enables these mechanisms. Without it, the 30% bonus does not apply and the SSD pathway is not available at this scale. Affordable housing isn't the aim of this development; rather, it serves as the entry price for the planning bonuses the applicant needs to make the development commercially viable at this size.

What that affordable housing actually delivers – and what it costs the community – is examined in detail below.

03 The Balmoral Precinct: A Public Asset Under Threat

Some places belong, in a meaningful sense, to the whole city. The Balmoral precinct is one of them.

Balmoral Beach and its surrounding environment attract visitors from all over Sydney and beyond. The foreshore, green ridgelines, harbour outlook, and the low-rise streets behind and above the beach are not private spaces. They are part of a public landscape shaped over generations through thoughtful planning.

The Redan Street site is elevated and topographically prominent. Its connection to the Balmoral foreshore, nearby ridgelines, and the harbour is clear and significant. A 10-storey tower there would not just be a small, local feature. From the foreshore, water, access roads, and walking tracks leading to Balmoral, it would stand out, seem dominant, and clash with the surroundings.

A Scenic Protection Area boundary passes through the site. This is more than a technical detail; it reflects a well-considered, longstanding planning decision that this part of Mosman – due to its topographic prominence and visual link to the harbour landscape – needs protection from development that could appear intrusive or overpowering. The SPA is designed to safeguard the public's experience of this landscape, not just the private amenity of nearby residents.

The proposed development contradicts all the objectives of the Scenic Protection Area framework: it introduces a prominent vertical form within a sensitive visual catchment, appears intrusive from surrounding streets and the Balmoral foreshore, disrupts the established low-rise coastal village character, and does not respond to the topography and landscape setting. Approving it would create a precedent that the Panel should avoid setting.

The Scenic Protection Area conflict isn't about technical compliance. It's about whether a public landscape asset, enjoyed by all of Sydney, should be permanently and visibly degraded for the private gain of one developer.

04 Heritage Impact: Permanent Damage to an Irreplaceable Precinct

The significance of the Redan Street precinct

The site consists of Federation-era residences built around 1900–1902: Federation and Federation Queen Anne homes at 40, 42, 44, 46, and 48 Redan Street. Nearby are important heritage items – 36–38 Redan Street (a Federation Arts & Crafts semi-detached pair), 52 Almora Street (Federation Queen Anne, located at the front of Redan Lane), and the wider Redan Street streetscape.

The importance of this precinct extends beyond the architectural style of individual buildings. It stems from the collective whole: the consistent low-rise scale, the relationship between buildings and the landscape, the visual flow of a streetscape that has endured for many decades despite development pressures. Mosman's Federation precincts are among the most well-preserved in Sydney. Once damaged, this ensemble cannot be fully restored.

What a 10-storey building does here

Heritage buildings that currently serve as main features within a cohesive low-rise streetscape will become secondary elements behind a dominant tower. The loss is not just visual; it also results in the loss of heritage significance, clarity, and context – qualities that make this place understandable as a distinct location, linking it to its history and to the experiences of those who use and visit it.

The applicant proposes setbacks, podium articulation, and architectural stepping as mitigation. These measures do not address the core issue. No design detail reduces the building's height or diminishes the visual dominance that height creates within a streetscape of single- and two-storey dwellings.

The Land and Environment Court has addressed this issue directly. In 'Project Venture Developments v Pittwater Council', the Court stated that new development must not dominate or overwhelm heritage items. In 'Corkery v Sutherland Shire Council', it confirmed that heritage significance includes setting, spatial relationships, and context – not just physical fabric. This proposal is incompatible with both principles. Heritage impact alone provides sufficient grounds for refusal.

05 The Affordable Housing Trade-Off: What Is Really Being Offered

The word 'affordable' should not be allowed to do the work the applicant is asking it to do here.

What the affordable housing provision actually delivers

The proposal includes 11 affordable units out of a total of 53 dwellings, roughly 21%. Of these, 8 are bedsits located along Redan Lane at the rear of the site – the least desirable and smallest units in the building. The other 3 are labelled as 'executive affordable' – a classification that raises questions since the development is aimed at ultra-high-net-worth buyers. The remaining 42 units are spacious, multi-bedroom luxury apartments. The affordable component is not the primary aim of this development. It is the entry price for planning bonuses that make the project financially viable at this scale. The affordable housing provisions were not intended to

be a tool for unlocking luxury towers in heritage streetscapes. Their use here reverses their original purpose.

The 'poor door': social inequality by design

The market apartments are accessed from Redan Street, the primary frontage. The affordable units are accessed via a separate entrance on Redan Lane, the back lane. This 'poor door' setup is not due to site layout but a conscious design choice. Affordable residents will use a different entrance, have a different address, and be physically separated from the shared areas, facilities, and the community within the market building.

Affordable housing policy aims to foster socially mixed communities. However, this approach contradicts that goal. Instead, the policy is being used as a planning tool while its social aims are deliberately undermined. The outcome is social division built into the fabric of communities.

Fifteen years: a time-limited benefit against permanent impacts

The requirement for affordable housing lasts for 15 years. After that, the units may revert to market-rate housing at the operator's discretion. The community gains a temporary, segregated, and minor benefit. Meanwhile, the developer gains 42 luxury apartments, and the neighbourhood is permanently changed. The heritage streetscape does not return after 15 years. The views are not restored. The solar access for affected residents does not come back. The character of the Balmoral precinct is not restored. Once these elements are gone, they are gone.

The table below sets out what is permanently lost against what is temporarily offered:

WHAT IS PERMANENTLY LOST	WHAT IS TEMPORARILY OFFERED
Heritage streetscape permanently overwhelmed – one of Sydney's most intact Federation precincts lost	8 bedsits, accessed via back-lane 'poor door' – smallest, least desirable units in the building
Iconic views to Manly, North Head, South Head and Middle Harbour eliminated for multiple residences	3 'executive affordable' units elsewhere in the building
Total solar loss from early morning on 21 June for 77A, 77B and 77C Redan Lane – effectively all day	Affordable obligation expires after 15 years; units revert to full market housing
Privacy destroyed for all neighbours along Redan Lane and Muston Street – close-range, elevated, permanent	Zero integration with the market building's common areas or community
Permanent canyon-effect acoustic environment along Redan Lane	Applicant retains 100% of the economic benefit of 42 luxury apartments
Structural traffic overflow and multi-year construction closure of Redan Street	No public open space, community facilities or enduring public benefit of any kind

This is not a reasonable planning trade-off. It involves exploiting provisions meant for a different purpose, permanently harming a heritage precinct, a scenic landscape, and the residential amenity of an established community.

View loss: elimination, not sharing

Properties along Redan Lane, Redan Street, Muston Street, and Almora Street currently enjoy open outlooks and, in many cases, views of Manly, North Head, South Head and the Middle Harbour waters. These outlooks define these homes—views that significantly enhance residential amenity, liveability and the character of everyday life.

The proposed building will replace the view with a 10-storey mass. The open sky becomes a façade. Harbour glimpses will be replaced by a roofline. The sense of openness that characterises this part of Mosman – the relationship between buildings, sky, harbour, and landscape – will be permanently replaced by enclosure.

The applicant describes this impact as merely blocking “open sky.” However, this description is misleading. In a low-rise neighbourhood where views of the sky and glimpses of the harbour are key features of residents' amenity, their loss results in increased enclosure, psychological effects and a long-term decline in residents' quality of life.

Under ‘Tenacity Consulting v Warringah’, view loss must be evaluated based on reasonableness. The loss here is considerable; the cause is a developer’s decision to build at five times the permitted height, and the result is unreasonable. Its consequences should not be permanently borne by the residents of Redan Lane and Muston Street.

Solar access: total loss on the winter solstice

On 21 June – the winter solstice, the day with the poorest solar access – properties at 77A, 77B, and 77C Redan Lane will experience total solar loss from early morning. The shadow diagrams show that these properties will receive no meaningful direct sunlight in the morning, minimal solar access at midday, and will be fully in shadow from mid-afternoon. There is essentially no period on 21 June when these properties get adequate direct sunlight.

This should not be described as ‘morning shadow’ or partial overshadowing. During mid-winter, the sun moves low across the northern sky. A 10-storey building on the northern side of these properties does not cast a morning shadow followed by afternoon sun. Instead, it causes near-total solar loss throughout the day. This is not a minor planning issue; it effectively denies solar access for an entire day, even on the worst day of the year, to permanently occupied residences.

Privacy: permanent, elevated, irremediable overlooking

Multiple levels of balconies and habitable rooms in the proposed building will look directly across Redan Lane and towards Muston Street at close range. These are not distant or oblique views. They are elevated, downward-facing, direct-sight lines into the most private spaces of neighbouring homes: lounge rooms, kitchens, bedrooms, and private outdoor areas.

Overlooking from an elevated building cannot be addressed by fencing, landscaping, or privacy screens. These measures are ineffective when the overlooking is elevated and persistent across multiple storeys. The practical consequence for affected residents is that they will need to close blinds during daylight hours, retreat from outdoor spaces, and significantly change how they live in their own homes. This results in a permanent and substantial loss of residential amenity.

07 Noise Impacts: Construction and Permanent Operation

Construction

Constructing this development involves deep excavation into sandstone, heavy machinery, continuous truck movements, and a construction period lasting several years. Redan Lane and Muston Street are narrow; their layout will cause noise to reflect and amplify rather than disperse, concentrating it within the nearby residential areas. Residents will experience persistent daytime noise, early morning construction activities, and vibrations from rock excavation over an extended period.

For context: the last development on Redan Street included just six units and used all available on-street parking from 7am to 5pm, six days a week, for eighteen months. This proposal is nearly nine times the size. The construction impact on the surrounding neighbourhood will be proportionate.

Permanent operational noise: the canyon effect

Once constructed, the development will create a permanent new acoustic environment. Multiple stacked balconies along the rear and side façades will generate continuous, overlapping noise from 53 households. The combination of hard surfaces, parallel façades and narrow separation distances along Redan Lane will produce a 'canyon effect': sound reflecting between building surfaces, travelling further than expected and lasting longer than in an open residential area. These impacts are inherent in the building's geometry and scale. They cannot be fixed through acoustic management plans or conditions of consent.

08 Traffic, Parking and Safety

The proposal offers 106 car spaces for 53 apartments. In Mosman, where residents often own multiple vehicles, this ratio causes overflow onto Redan Street and nearby local roads that are not designed to handle it, especially for a development of 42 large luxury apartments. One driveway for 106 cars concentrates vehicle movements at a single point on a quiet residential street throughout the day and night.

Redan Lane is very narrow and has no footpaths. The affordable housing units are accessed through a separate entrance on Redan Lane. Increased foot traffic, service vehicles, and delivery traffic to this entrance will pose safety risks for pedestrians, cyclists, and residents who regularly use the lane.

The construction phase will effectively close Redan Street to regular residential use for several years. The last six-unit development on Redan Street took eighteen months and occupied all on-street parking during that time. This proposal is nine times larger. Once completed, the permanent traffic impact will be structural and irreversible: more vehicles, concentrated access at a single driveway, and overflow parking absorbed by a local road network not designed for a 53-apartment building.

09 Misleading Visual Material

The photomontage package submitted with this application includes hypothetical future buildings – 'maximum envelopes' – that do not currently exist. These phantom buildings are inserted into the visual material to make the proposed development appear contextually consistent with a denser future urban environment that the applicant has invented for this purpose.

The technique is designed to normalise excessive bulk by comparing the proposal not to the current neighbourhood but to a neighbourhood that only exists in the applicant's projections. It misrepresents the existing character, creates a false baseline for evaluation, and attempts to justify current overdevelopment by assuming future overdevelopment. The Panel should assess this application against the existing neighbourhood, not one that has been fabricated.

The repeated description of the proposal's impact as only blocking "open sky" is also misleading. Losing open sky and harbour views in a coastal village setting is not a minor or insignificant effect. It signifies a fundamental alteration to the visual and spatial character of the area. The Panel should not accept that framing.

10 Community Consultation: Form Without Substance

The applicant claims to have distributed 1,676 postcards to the immediate neighbours of 20–48 Redan Street. The catchment area includes roughly 50–100 households. No resident of Redan Street who has been asked has received one. Most in the community heard about the proposal through the Department of Planning rather than the developer. Where postcards did arrive – in nearby streets rather than the directly affected ones – they were delivered in the evening with an invitation to a community meeting the next morning.

The outcome: 43 survey responses and 6 participants across two focus group sessions. For a 10-storey development in an established heritage neighbourhood, this does not represent a proper consultation. It is the statistical outcome of a process designed to minimise participation while meeting the procedural minimum.

When Mosman Council met the developer in January 2026 and raised specific concerns about scale, heritage, traffic, and stormwater, every concern received the same response: "The project team have considered and responded to each of the Council's queries throughout each of their technical reports." Not one specific answer. Not one commitment. This is the appearance of engagement without any of its substance.

11 Bulk, Scale and Visual Dominance

The proposed building is 12 storeys tall – with 10 levels above ground and two basement levels – in a neighbourhood mainly composed of single- and two-storey houses. The applicant argues that façade articulation, stepping and podium design will lessen its visual impact. This argument should not be accepted.

Architectural articulation adds visual interest to a façade. It does not diminish the building's height, mass, or the visual dominance created by its height and bulk when placed within a one- and two-storey residential setting. From every surrounding vantage point—Redan Street, Redan Lane, Muston Street, Almora Street, and the Balmoral foreshore—the building will appear large, continuous, and overbearing.

The Land and Environment Court established in 'Newcastle City Council v White' [2019] that bulk and scale must be assessed based on visual impact rather than design intent. The actual visual impact of a 10-storey building in this context is not reduced by architectural details. It is clearly unacceptable.

12 The Public Interest

Technical compliance does not establish public interest. The Panel must answer that question separately.

The applicant will argue that the planning framework allows this development and that the Panel's role is therefore limited. That argument misinterprets the Act. Section 4.15 of the 'Environmental Planning and Assessment Act 1979' requires the Panel to consider the public interest. Technical compliance with stacked incentive provisions only shows that the applicant has navigated a series of mechanisms to reach a certain height. Whether that outcome benefits the public interest is a separate and vital question.

I write as a member of the public who values Mosman – not as a resident with a direct financial stake, but as someone concerned about what happens to this part of Sydney. The Balmoral precinct, the heritage streetscapes of Mosman, and the scenic beauty of this elevated landscape – these matter to the broader community. Their permanent degradation causes public harm, not just a local issue.

The public interest is not served by:

- The permanent destruction of one of Sydney's most intact Federation heritage precincts in exchange for 15 years of segregated affordable bedsits
- A proposal that still requires a Clause 4.6 variation even after all available State-level concessions have been utilised
- The complete loss of solar access for Redan Lane residents on an entire winter solstice day
- The permanent loss of views to Manly, North Head, and Middle Harbour for several residences.
- An affordable housing outcome that embeds social segregation into the building's design through a 'poor door' setup
- The decline of a Scenic Protection Area that exists specifically to preserve a landscape enjoyed by all of Sydney

A temporary, segregated and quantitatively minimal affordable housing benefit does not justify permanent, irreversible harm to an established heritage precinct, a protected scenic landscape, and the residential amenity of an established community. The public interest requires refusal.

13 Summary and Recommendation

This application is opportunistically structured. It utilises all available State planning mechanisms simultaneously to exceed the permitted maximum height by five times, then requires an additional Clause 4.6 variation on top of that. The affordable housing used to justify this approach is minimal, temporary, segregated by design, and located in the least desirable parts of the building.

The cumulative impacts are severe, interrelated and permanent:

1. Permanent and irreversible heritage damage to one of Mosman's most well-preserved Federation precincts
2. Conflict with the Scenic Protection Area framework – a deliberate, long-standing planning control protecting a landscape of city-wide importance
3. Elimination of views to Manly, North Head, South Head and Middle Harbour for multiple properties along Redan Lane, Muston Street and Almora Street

4. Effective total solar loss on 21 June for 77A, 77B and 77C Redan Lane – from early morning through the day
5. Systematic, permanent loss of privacy due to close-range, elevated overlooking
6. Sustained noise impacts during a multi-year construction phase and permanently afterwards due to canyon-effect acoustics
7. Structural traffic and parking overflow onto a local road network not designed for a 53-apartment building

None of these impacts can be resolved by conditions, redesign, or management plans. They are a direct result of the building's scale. The damage is permanent.

Having regard to section 4.15 of the 'Environmental Planning and Assessment Act 1979' – and in particular to s.4.15(a) (consistency with applicable planning instruments including the Scenic Protection Area controls and Mosman LEP heritage provisions), s.4.15(b) (the likely impacts on the natural and built environment), and s.4.15(e) (the public interest) – I argue that this proposal fails on multiple independent grounds, each of which weighs heavily against approval.

The Panel should refuse this application.

Yours faithfully

Christine Bowen

47 Robert Street, Willoughby NSW 2068

Long-term resident of Sydney's Lower North Shore and frequent visitor to Mosman and Balmoral