

Submission Against SSD Application SSD-86122958

From: Andrew Bell & Daniela Marconi – Owners Unit 2 / 2 Hamilton Street, Rose Bay (Strata Plan No. 94125)

To: Department of Planning, Housing and Infrastructure

Via: NSW Planning Portal

Date: 1 December 2025

Formal Submission

We, Strata Plan No. 94125 - owners of 2 Hamilton Street, Rose Bay - formally object to the proposed State Significant Development Application SSD-86122958, located at 2-16 Spencer Street, Rose Bay. Our objection is lodged pursuant to the Environmental Planning and Assessment Act 1979 (EP&A Act), particularly section 4.15, which requires that the consent authority consider the environmental, social and economic impacts of the development, as well as the overall public interest.

1. Relevant Statutory Framework

This submission has been prepared with reference to the following provisions of the EP&A Act:

- Section 1.3 - Objects of the Act, including promotion of ecologically sustainable development, amenity, safety and orderly land use.
- Section 4.15 - Matters for consideration by the consent authority, including impact on locality, suitability of the site and public interest.

2. Grounds of Objection

The proposed development fails to satisfy the intent of the EP&A Act and raises the following significant concerns:

2.1 Inappropriate Bulk, Height and Scale

The proposed 9-storey form - even within current planning controls - represents excessive scale relative to the existing neighbourhood context. Overshadowing, loss of privacy and visual dominance would materially impact nearby residents, including those at 2 Hamilton Street (Strata Plan No. 94125).

2.2 Traffic Congestion and Local Road Capacity

The inclusion of 120 car spaces over three basement levels will substantially increase vehicle movements. The Spencer Street site is serviced only by Old South Head Road and New South Head Road, both of which already experience gridlock conditions during peak hours. This conflicts with the EP&A Act's objective to promote safety, orderly development and sustainable transport outcomes.

2.3 Emergency Evacuation and Public Safety Risks

Emergency access and evacuation are serious concerns given the constrained road network and increased population density. There is no demonstrated capacity for efficient evacuation in a catastrophic event. This is inconsistent with the Act's objectives around protection of human life and community safety.

2.4 Infrastructure Burden

The proposal provides no credible evidence that local infrastructure - including traffic, utilities, drainage, public space, community services and waste management - can support the proposed density without adverse impacts. The application also fails to address cumulative impacts.

2.5 Lack of Demonstrated Public Interest

Under section 4.15 of the EP&A Act, the consent authority must consider the public interest. While reference is made to in-fill affordable housing, the proposal does not credibly demonstrate that the benefits outweigh the negative impacts on amenity, congestion, safety and infrastructure capacity.

3. Conclusion and Request

For the reasons outlined above - including inconsistency with the EP&A Act objectives, inappropriate development scale, inadequate traffic planning, emergency access risk and strain on infrastructure - Strata Plan No. 94125 respectfully requests that SSD-86122958 be refused. Should the proposal proceed, it must be substantially redesigned to align with neighbourhood context, infrastructure capacity and safety obligations.

4. Notification

We respectfully request notification of any amendments, modifications or decisions relating to this application. We reserve our rights to further action under the EP&A Act should assessment processes not adequately consider statutory requirements.

Yours faithfully,



Andrew Bell



Daniela Marconi

Owners of 2/2 Hamilton Street, Rose Bay