

FORMAL OBJECTION

State Significant Development 40–48 Redan Street, Mosman NSW 2088 SSD-93020230

To:	The Consent Authority — NSW Department of Planning, Housing and Infrastructure
Assessment Planner:	Edwina Ross
Phone:	02 9274 6120
Re:	State Significant Development — Residential Flat Building with In-fill Affordable Housing
Application No.:	SSD-93020230
Applicant:	Time & Place (associated with James Packer interests)
Exhibition Period:	17 March 2026 – 30 March 2026
Objector Name:	Confidential
Address:	Confidential
Email:	Confidential
Date:	24 March 2026

1. Introduction

I formally object to the proposed State Significant Development (SSD) at 40–48 Redan Street, Mosman (SSD-93020230). This proposal seeks to demolish five existing homes — 40, 42, 44, 46 and 48 Redan Street — and replace them with twin residential towers of up to 10 storeys, comprising 53 apartments, two basement levels and 106 car parking spaces, at an estimated construction cost of \$105,839,929.

The SSD pathway is triggered solely by the inclusion of 11 "affordable housing" apartments — representing 15% of gross floor area — for a minimum period of 15 years only. This threshold activates a 30% uplift in permissible height and floor space ratio, bypassing Mosman Council entirely, with the final determination resting with the NSW Department of Planning, Housing and Infrastructure.

CORE OBJECTION SUMMARY

- 10-storey twin towers are grossly out of scale with Redan Street's low-rise residential character
- SSD status is triggered by 11 affordable units for 15 years only — permanent height/bulk for temporary benefit

- Proposal requires a Clause 4.6 variation to exceed height controls, yet is described as 'compliant'
- Affordable tenants are segregated to lower levels accessed through a 4-metre-wide back laneway
- 106 basement car spaces will generate unsustainable traffic through constrained local streets
- Cumulative impact with other LMR/SSD approvals in Mosman has not been adequately assessed
- The proposal fails the public interest test under s 4.15 of the EPA Act 1979 and must be REFUSED

The proposal fails every material planning test and must be refused. The reasons are set out in full below.

2. Excessive Height, Bulk and Scale

The proposal represents the most extreme densification yet attempted on Redan Street — a street characterised by low-rise residential development, heritage homes, generous landscaped setbacks and a fine-grain streetscape of considerable heritage and character value.

2.1 Ten Storeys is Grossly Disproportionate

The proposed twin towers of up to 10 storeys represent an extraordinary escalation in height, bulk and intensity that is incompatible with Redan Street and its immediate context. Specifically:

- Redan Street is characterised by single and two-storey homes, many of Federation and inter-war heritage character;
- The proposed 10-storey height is multiple times taller than anything currently existing on the street;
- The 3,233 sqm amalgamated site with an 89.6 m Redan Street frontage would produce an unbroken wall of built form visible across a wide area, including views towards Balmoral;
- No 10-storey residential development exists or has been approved anywhere in the immediate vicinity;
- The proposal creates an abrupt, permanent and visually dominant intrusion into a sensitive established streetscape.

2.2 Clause 4.6 Variation — A Fundamental Credibility Problem

Despite requiring a Clause 4.6 variation to exceed the applicable height controls, the proposal is described in the application as "compliant." This characterisation is misleading and undermines the integrity of the EIS. A development that seeks to breach fundamental planning controls must be assessed on that basis, not presented as if it meets the standards it actually exceeds. The Clause 4.6 variation must not be granted where the departure is this significant and the impacts are demonstrably adverse.

2.3 30% Height/FSR Uplift — Policy Misuse

The 30% uplift in permissible height and floor space ratio is obtained solely by dedicating 15% of gross floor area to "affordable housing" for 15 years. Once that period expires, every square metre of the uplift remains — permanently baked into the Mosman skyline

— while the affordability obligation entirely dissolves. The mechanism is being used not to deliver genuine housing outcomes, but to maximise development yield on a premium harbour-adjacent site.

3. Incompatibility with Local Character and Residential Amenity

The proposal will impose severe and irreversible amenity impacts on surrounding residents and the broader Mosman community.

3.1 Privacy and Overlooking

With 53 apartments across 10 storeys, the development will generate pervasive overlooking into the private open spaces, living areas and bedrooms of neighbouring properties that is entirely incompatible with the scale and expectations of a Mosman residential street.

3.2 Solar Access and Overshadowing

The massing and orientation of the proposed towers will cause substantial overshadowing of neighbouring homes and private open spaces, particularly given the 89.6 m frontage generating a continuous shadow plane. The EIS must be scrutinised carefully to confirm whether overshadowing complies with the Apartment Design Guide's minimum solar access requirements.

3.3 Visual Dominance and Streetscape Harm

The proposal will fundamentally and permanently alter the character of Redan Street. The 10-storey towers will dominate sightlines from the street, neighbouring properties and distant viewpoints including Balmoral approaches. This level of visual intrusion is inconsistent with the character, scale and heritage fabric of the area.

3.4 Segregated Affordable Housing — Poor Design Outcome

Of the 11 affordable apartments, eight face Redan Lane — a rear service laneway only approximately 4 metres wide, without footpaths — with a further three facing Redan Street. The smallest affordable apartments have a footprint of only 57 sqm. This design concentrates affordable housing in the least desirable locations, accessed through a constrained service lane, while the 42 luxury apartments (including 40 three-bedroom residences of 129–321 sqm and two penthouse units with uninterrupted Balmoral views) occupy the superior levels. This is not equitable housing design; it is tokenistic affordability layered over luxury development.

4. Traffic, Transport and Road Safety Impacts

4.1 Local Road Network Already Under Pressure

Mosman's road network is characterised by narrow residential streets, steep gradients and high on-street parking demand. The suburb has no rail connection. All traffic must ultimately funnel through the Military/Spit Road corridor, which already suffers from congestion at peak times. Redan Street itself is not heavily trafficked, but it sits within a network with limited spare capacity.

4.2 106 Basement Car Spaces — Underestimated Traffic Generation

The provision of 106 basement car parking spaces at this location is, of itself, a significant statement about the expected private vehicle dependence of future occupants. The Traffic Impact Assessment must demonstrate, but almost certainly has not:

- Accurate vehicle trip generation for all 53 dwellings using contemporary data;
- Driveway queuing analysis for the basement entry to Redan Street;
- Impact of delivery vehicles, trades, removal trucks, visitor parking and ride-share pick-up/drop-off on Redan Street;
- Cumulative impact of this development added to all other approved and pending LMR and SSD developments in Mosman.

A development providing over 100 car spaces at 40–48 Redan Street while claiming to be appropriately transit-oriented is internally inconsistent.

4.3 Redan Lane — A Dangerously Constrained Access Point

The proposal relies on Redan Lane — a rear laneway of only approximately 4 metres in width, without footpaths — for access by eight affordable housing tenants and, critically, for waste collection, deliveries and service vehicles. This presents serious safety risks:

- A 4-metre laneway is barely adequate for a single vehicle, let alone service trucks or waste collection vehicles;
- There are no footpaths, meaning pedestrians — including affordable housing tenants — will share the laneway with vehicles;
- Increased service vehicle activity in this space creates genuine risk of collision and injury;
- The laneway is not designed, constructed or maintained for the volume of use proposed.

Any condition of consent requiring service vehicles to operate within the Redan Lane envelope must be supported by a detailed swept-path analysis and physical safety measures. The current proposal does not provide this.

4.4 Construction Traffic — Years of Major Disruption

The proposed two-level basement excavation under a 3,233 sqm site in a residential street will involve significant construction traffic, including spoil removal, concrete pours, crane operations and materials deliveries, over an extended construction period. No credible daily truck movement analysis, construction traffic routing plan, queuing assessment or emergency vehicle access study has been provided in the EIS. This is not acceptable for a development of this magnitude.

4.5 Public Transport Cannot Justify This Density

While Redan Street is within walking distance of Mosman Village and the Balmoral/Mosman Bay ferry wharves, this proximity does not justify 10-storey development at this scale, for the following reasons:

- Ferry services from Mosman Bay and nearby wharves are designed and timed primarily for CBD commuting, not all daily trips;
- Walking to ferry wharves from Redan Street involves gradients and distances that are unrealistic for elderly residents, parents with children, or anyone with mobility limitations;
- No additional wharf infrastructure, ferry capacity or bus frequency is proposed or funded;

- When ferries are cancelled due to weather or maintenance, all additional residents default back to the road network;
- Mosman has no rail station; all overflows go to the Military/Spit Road bus corridor which is already congested.

5. Infrastructure Capacity — Sewer, Stormwater and Emergency Services

5.1 Sewer and Stormwater

The EIS must demonstrate with engineering certainty that the downstream sewer network can accommodate waste from 53 additional dwellings and that stormwater from the increased hard surface area can be managed without increasing downstream flood risk or harbour water quality impacts. On-site detention does not eliminate risk — it merely delays the peak. On a harbour-adjacent site in a dense residential area, the consequences of infrastructure failure are significant.

5.2 Emergency Services — A Critical Concern

Mosman currently operates with a single fire station. The introduction of a 10-storey residential building into narrow residential streets raises urgent practical questions:

- Can contemporary aerial fire appliances safely operate in Redan Street at the height of the proposed towers?
- Can emergency vehicles access the site through Redan Street and Redan Lane simultaneously?
- Has the adequacy of emergency services capacity across Mosman been assessed in light of the total development wave proposed under the LMR/SSD pathway?

These questions must be answered by a formal emergency services and access assessment, not left to conditions of consent.

5.3 Schools, Parks and Community Services

The Social Impact Assessment must quantify, not merely list, impacts on Mosman public school catchments, Mosman park and open space capacity, medical services and community infrastructure. The cumulative demand from this and other approved and pending developments in Mosman must be modelled, not assumed.

6. Tree Loss, Canopy Reduction and Environmental Harm

6.1 Loss of Mature Canopy Trees

The complete demolition of five homes and basement excavation across 3,233 sqm will necessitate removal of all significant mature canopy trees currently on the site. These trees provide cooling shade, slope stability, biodiversity habitat and visual softening. Their loss will be permanent in any practical timeframe.

6.2 Inadequate Canopy Replacement

Any landscape concept relying on podium or rooftop planting to claim "canopy recovery" must be rejected on the following grounds:

- Podium trees have shallow root zones, limited soil volume, and high mortality rates;
- Rooftop planting provides minimal microclimatic benefit to the street and surrounding properties;
- No contained planting scheme can replicate the root structure, hydrological function or ecological value of existing mature trees;
- Claimed canopy recovery projections over 20–40 years are theoretical and cannot be relied upon as mitigation.

6.3 Urban Heat and Biodiversity Impacts

Replacing five landscaped residential lots with a 10-storey building mass and two levels of basement concrete will measurably increase the urban heat island effect in this part of Mosman, reduce habitat for urban wildlife and fragment movement corridors. These impacts compound across the suburb as the LMR/SSD development wave proceeds.

7. Cumulative Impacts — Not Properly Assessed

The Redan Street proposal is not an isolated project. It is part of a broader pattern of SSD and LMR-triggered development that, if it proceeds, will collectively transform Mosman in ways no individual EIS has assessed. The combined effect of multiple developments on:

- Road network and intersection capacity;
- Sewer and stormwater infrastructure;
- Schools, parks, medical services and emergency services;
- Tree canopy loss across the suburb;
- Character, heritage and streetscape values;

has not been assessed either in this EIS or elsewhere. The LMR policy is a blanket zoning instrument, not a precinct infrastructure plan. Each approval in isolation understates the real, aggregate impact. This is a fundamental deficiency.

PRECEDENT RISK

- Time & Place have indicated a broader vision for large-scale redevelopment across Mosman
- If 40-48 Redan St is approved, it creates a precedent for further 10-storey SSD proposals
- Each approval shifts the planning baseline for the next application
- The cumulative character and infrastructure impact is irreversible

8. The "Affordable Housing" Component Does Not Justify the Permanent Harm

The SSD status and the 30% height/FSR uplift are triggered entirely by 11 affordable apartments for 15 years. At the end of that period:

- All 11 units revert to full market value — which, given Mosman's trajectory, will be extremely high;
- The affordability benefit ceases entirely;
- The permanent impacts — 10-storey towers, traffic, infrastructure, canopy loss, character damage — remain forever.

The arithmetic of this trade-off is stark: 11 affordable units for 15 years against permanent, irreversible harm to an established residential neighbourhood. The 42 luxury apartments — including penthouses priced at levels commensurate with Mosman's \$19M-plus apartment sales record — demonstrate that the project's commercial driver is luxury property, not housing affordability.

Affordable housing is a legitimate planning objective. But it is not a legal shield, and a temporary, numerically minimal affordability component cannot justify permanent, large-scale harm to the public interest.

9. The Public Interest Test — Section 4.15 EPA Act 1979

The consent authority must consider each of the matters listed in section 4.15(1) of the Environmental Planning and Assessment Act 1979. In this case:

s 4.15(1) Consideration	Assessment	Basis
(a) Environmental impacts	FAILS	Mature canopy loss; stormwater risk; urban heat increase; biodiversity loss
(b) Social impacts	FAILS	Privacy loss; displacement of five households; segregated affordable tenants; construction disruption
(c) Economic impacts	MIXED	Construction employment; but long-term infrastructure cost burden on Council/community
(d) Site suitability	FAILS	10-storey towers incompatible with Redan St character; Redan Lane constraints; heritage context
(e) Public interest	FAILS	Temporary/minimal affordability benefit against permanent, large-scale harm

In every material respect, this proposal fails the comprehensive public interest test. The adverse impacts substantially and permanently outweigh any claimed benefits.

10. Formal Request

For all of the reasons set out in this submission, I respectfully request that the consent authority REFUSE the State Significant Development application SSD-93020230 for 40–48 Redan Street, Mosman.

In the alternative, and without prejudice to the primary request for refusal, should the consent authority be inclined to approve the proposal in some form, I request that the following matters be addressed as mandatory preconditions:

- Significant reduction in height and bulk to be compatible with the Redan Street streetscape — a maximum of 4–5 storeys should be considered;
- Redesign to eliminate the Clause 4.6 variation requirement;
- Equitable distribution of affordable housing throughout the building — not segregated to lower levels with Redan Lane access;
- Comprehensive construction traffic management plan including independent daily truck count modelling;

- Emergency services access study approved by Fire & Rescue NSW;
- Independent cumulative traffic impact assessment covering all approved and pending LMR/SSD developments in Mosman;
- Heritage impact assessment for the Redan Street streetscape;
- Full geotechnical report and neighbour impact assessment for basement excavation;
- Infrastructure capacity confirmation from Sydney Water, Council and relevant utilities.

[Confidential]

Signed by the Objector

ANNEX A — LEGAL RESPONSE TO LMR/IAH JUSTIFICATION

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A1. Purpose of This Annex

This Annex responds to anticipated or express reliance by the Applicant and/or the Consent Authority on the NSW Government's In-fill Affordable Housing (IAH) State Environmental Planning Policy as a justification for the 30% height and FSR uplift, the bypassing of Mosman Council, and the acceptance of traffic, infrastructure and environmental impacts. This Annex demonstrates, as a matter of law, that the IAH SEPP does not displace mandatory impact assessment, infrastructure capacity constraints, or the public interest test under NSW planning law.

A2. Permissibility Is Not Consent — s 4.15 Still Applies

All development — including IAH-triggered SSD developments — remains subject to section 4.15 of the Environmental Planning and Assessment Act 1979 (NSW). The consent authority must consider environmental, social and economic impacts, infrastructure capacity, traffic and transport, visual and character impacts, cumulative impacts and the public interest. While the IAH SEPP alters permissibility and increases FSR and height, it cannot lawfully pre-approve adverse impacts. The question is not whether development is allowed in theory, but whether it is acceptable in practice at this site.

A3. The IAH SEPP Cannot Override Infrastructure Capacity Constraints

Nothing in the IAH SEPP authorises approval of development where local streets exceed safe traffic capacity, Redan Lane is too narrow for safe service vehicle access, pedestrian safety is compromised, emergency service access is constrained, or sewer and stormwater systems face surcharge risk. Infrastructure capacity remains a hard refusal ground, even where height and density controls are relaxed.

A4. The IAH SEPP Cannot Neutralise Environmental Harm

The IAH SEPP does not override tree protection requirements, authorise unacceptable canopy loss, excuse biodiversity degradation, or neutralise urban heat impacts. Environmental harm is tested under site merit, local environmental context and actual impacts — not theoretical zoning entitlements. A SEPP may permit a form; it cannot approve a consequence.

A5. The Affordable Housing Component Has No Protective Legal Force

The Applicant relies on 11 affordable dwellings — capped at 15 years — to justify permanent bulk, permanent skyline change, permanent infrastructure loads and permanent environmental harm. As a matter of law, affordable housing is a planning benefit, not a legal shield. It is time-limited, does not offset permanent impacts, does not override s 4.15 assessment, and does not negate public interest failure. Once the 15-year affordability period expires, the benefit disappears while the adverse impacts remain indefinitely. This imbalance is fatal under public interest analysis.

A6. The IAH SEPP Does Not Override Character, Heritage or Streetscape Protection

NSW planning law and case law consistently confirm that character protection, heritage streetscape values, view sharing and visual catchment impact remain refusal-capable impacts even where height controls are raised by SEPP. Redan Street's heritage homes, landscaped setbacks and fine-grain streetscape are planning assets that cannot be overridden by a density instrument.

A7. Cumulative Impact Must Still Be Lawfully Assessed

The IAH SEPP is a blunt instrument for enabling housing. It is not a precinct infrastructure plan. Under NSW law, approval authorities must still assess the combined effect of multiple rezonings and approvals, including aggregated traffic burden, cumulative sewer and stormwater load, collective canopy loss and combined urban heat effects. Failure to assess cumulative impact renders any approval legally vulnerable and potentially challengeable.

A8. SSD Pathway Strengthens, Not Weakens, Impact Scrutiny

SSD status elevates the assessment threshold. It requires a robust Environmental Impact Statement, demonstrated environmental acceptability, clear infrastructure feasibility and a satisfied public interest test. Reliance on IAH permissibility as justification for reduced scrutiny represents a category error and a legal vulnerability. SSD assessment must be more rigorous than a standard DA, not less.

A9. The Public Interest Test Overrides All IAH Objectives

Under s 4.15(1)(e), the consent authority must be satisfied that approval is in the public interest. This proposal results in permanent 10-storey skyline intrusion in a low-rise residential street, long-term traffic congestion on a constrained network, permanent loss of canopy and environmental values, and only temporary, segregated and minimal affordability benefit. This is a net public detriment, regardless of IAH policy intent.

A10. Conclusion

The In-fill Affordable Housing SEPP may enable more housing in principle, but it does not approve poor site outcomes, does not override infrastructure failure, does not neutralise environmental harm, and does not validate permanent damage in exchange for 15 years of affordable rents. The proposal at 40–48 Redan Street remains fully vulnerable to refusal on lawful, impact-based grounds notwithstanding the IAH policy framework or SSD pathway.

ANNEX B — CONSOLIDATED TECHNICAL AND STRATEGIC REBUTTALS

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B1. Rebuttal of Mitigation Philosophy — Systemic Defect

Across traffic, flood, landscape, acoustic, contamination and construction impacts, the EIS mitigation strategy relies on future Construction Management Plans, future Landscape Maintenance Plans, future Traffic Control Plans and future Flood Emergency Plans. As established in the body of this submission, the impacts of this development are structural and permanent, not operational inconveniences. Conditions of consent cannot cure fundamental site unsuitability. The mitigation approach transfers long-term risk to future strata owners, ratepayers and the community rather than resolving it.

B2. Rebuttal of Traffic Impact Assessment

The Traffic Impact Assessment for 40–48 Redan Street is inadequate on multiple grounds:

- Vehicle trip generation is likely understated using crude averages that fail to account for 106 basement car spaces, ride-share, deliveries and visitor parking;
- No swept-path analysis is provided for Redan Lane service vehicle movements — a critical omission given the 4-metre laneway constraint;
- Weekend traffic, including Saturday morning sport traffic along Mosman streets, is not properly modelled;
- Cumulative impact of this development combined with other approved and pending LMR/SSD projects in Mosman is not assessed;
- Construction traffic numbers, routes and queuing are not modelled with sufficient detail for a two-level basement excavation under a 3,233 sqm site.

B3. Rebuttal of Flood and Stormwater Assessment

The flood and stormwater assessment must demonstrate:

- That the addition of 53 dwellings, two basement levels and substantial hard surfaces does not increase peak stormwater discharge to downstream streets and the harbour;
- That basement freeboard is adequate under climate-intensified rainfall scenarios;
- That the Probable Maximum Flood scenario does not strand residents on site or compromise evacuation;
- That flood risk is not transferred to Redan Street, Redan Lane or neighbouring properties.

B4. Rebuttal of Landscape and Tree Assessment

The complete removal of all mature canopy trees from five residential lots cannot be adequately mitigated by podium or rooftop planting. Canopy recovery claims relying on theoretical 20–40-year tree growth in constrained soil volumes are not credible mitigation and must not be accepted as compensatory. The net canopy loss will be permanent in any practical planning timeframe.

B5. Rebuttal of Social Impact Assessment

The Social Impact Assessment is fundamentally deficient because:

- The displacement of five existing households — and the impact on the rental market from their replacement by 42 luxury apartments — is not assessed;
- The equity implications of segregating affordable housing tenants to lower-floor, Redan Lane-accessed units while luxury buyers occupy upper floors and penthouses is not acknowledged;
- Multi-year construction impacts on neighbouring residents are described as temporary inconveniences rather than quantified amenity losses;
- Infrastructure demand modelling for schools, parks and health services uses listings, not capacity analysis.

B6. Rebuttal of the 'Cities Evolve' and Housing Supply Narrative

The housing supply narrative is regularly invoked in SSD applications of this type to suggest that community concerns are parochial or anti-progress. This framing must be rejected. The relevant planning question is not whether Mosman should accommodate more housing in general, but whether this specific proposal at this specific site, at this scale, delivers an outcome that is consistent with the law, the evidence and the public interest. On those tests, the proposal fails.

Furthermore, the concentration of large-scale luxury apartment development in high-value harbour suburbs does not address the fundamental housing affordability and supply crisis, which is driven by shortages in affordable and medium-density housing across Sydney's middle and outer ring. Forty-two apartments priced at Mosman market rates — and eleven "affordable" apartments at 80% of market rents for 15 years only — do not meaningfully address the housing crisis.

CONSOLIDATED CONCLUSION

When read together, the body of this submission, Annex A and Annex B establish that the proposal at 40–48 Redan Street, Mosman (SSD-93020230) fails every material planning test:

- Excessive height and bulk incompatible with Redan Street's established character — FAILS
- Clause 4.6 variation required yet proposal described as 'compliant' — MISLEADING
- Traffic generation from 106 car spaces understated; Redan Lane unsafe for service vehicles — FAILS
- Affordable housing benefit temporary and numerically minimal; segregated in design — FAILS
- Tree canopy loss permanent and inadequately mitigated — FAILS
- Emergency services and infrastructure capacity not adequately assessed — FAILS
- Cumulative impact with other Mosman LMR/SSD developments not assessed — FAILS
- Public interest test under s 4.15 EPA Act 1979 not satisfied — FAILS

Accordingly, the proposal must be REFUSED.

Make your submission at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/residential-development-fill-affordable-housing-40-48-redan-street-mosman>

Submissions close: 30 March 2026