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RE: Objection to Development Application SSD-93020230 at 40-48 Muston St, Mosman

My name is Jilly Gibson and I'm a relatively new resident of Moman. My home is at 2/77 Muston St and is located directly behind the proposed ten storey development at 40 – 48 Redan St.

I write this objection with a great deal of experience in State Significant Development proposals. Before retiring I was the second longest serving Mayor of North Sydney – 2012 – 2022. I was also the longest serving female councillor of North Sydney with 25 years of service. My knowledge and expertise in local D.A.'S, town planning, commercial development, regional development et al is extensive. During my 25 years in Local Government, I was known as being pro development ...pro **good** development to be precise. That hasn't altered.

In theory I support the initiatives of Premier Minns and the basis of introducing the LMR. Local Government can build unreasonable hurdles to residential and commercial development. This needs to be acknowledged.

I have examined the SSD for 40 – 48 Redan Street extensively and with an open mind. Unfortunately, I find the proposal disappointing and unacceptable in numerous ways. I cannot support this application in its current form and suggest this application be refused and the developers start from scratch.

The proposal does little to provide new homes for local families or local workers. In truth it will simply provide extra luxury apartments for the mega-affluent. This does nothing for social cohesion or social equality.

The development is out of character with its surrounds and would be better suited to Military Rd or Spit Rd. Balmoral Slopes is an attractive leafy residential area with many lovely old family homes and items of heritage. All new developments in this area should preserve the visual qualities of the slopes and adhere to the principles of maintaining the amenity of the Mosman Scenic Protection Area.

The proposed residential building is non-compliant and therefore fails at the first hurdle.

It is out of scale with existing developments. It gives no consideration to the well-known 'tenacity principle' of view sharing. It takes a 'first in best-dressed' approach to the new LMR legislation. If allowed to proceed it will virtually prevent further development by grabbing all the existing views and 'sterilising' potential sites on Muston St, Post Office Lane, Upper Almora St and so on. This is not what the legislation - or - Premier Chris Minns intended!

Appropriate development on Balmoral Slopes would follow the natural topography of the land with the highest buildings situated on the ridge.

Good development should take the community along with it. Not invoke outrage and distress.

This current process – with only two weeks for submissions – has denied affected residents the opportunity to consult and/or engage professional planners and lawyers.

Again, I'm sure this is not what Premier Minns intended. Please extend the exhibition period. Also please facilitate a public meeting so those residents who aren't computer literate can have their say face to face.

It's particularly galling that this is being pushed the Department of Planning and Infrastructure when Mosman Council is preparing an alternate plan (Masterplan) which, I believe, will deliver more new homes than the current LMR plan.

I urge you to put this proposal on hold until Council has completed its Masterplan.

Key points of objection to Development Application SSD-93020230 at 40-48 Redan Street, Mosman

Inadequate Notice Period and Insufficient Consideration for Residents' Wellbeing

As a 70-year old resident, I wish to express my concern regarding the inadequate notice period provided for community submissions. The limited timeframe has placed unnecessary stress on elderly and mobility-impaired residents, many of whom have struggled to prepare a proper response. This is neither reasonable nor consistent with fair planning practice.

- ✚ The compressed consultation period has prevented many affected residents from engaging professional advisers to assist with their submissions.
- ✚ Requests for a public meeting have been denied, further limiting community participation and transparency.
- ✚ I have been unable to lodge my submission through the online portal due to a recurring technical error. Despite contacting support over the past three days, the issue remains unresolved. Additional time is therefore required to ensure all residents can lodge their submissions.
- ✚ These factors collectively demonstrate a lack of procedural fairness and inadequate consideration for community wellbeing.

Impacts on physical and mental wellbeing

- ✚ I have recently been diagnosed with a brain aneurism. I have spent significant time over recent weeks seeking specialist opinions from neurosurgeons and other specialists. During my treatment, the key message from medical professionals was a very clear one – keep stress to a minimum! Trying to meet your deadline has not only taken away from focussing on my health, it has also added significant stress, both mentally and physically. The department of planning are in my opinion are accountable for the significant deterioration in my health. I am seeking legal advice on this matter as I officially requested an extension via email to Ms Ross, and it was denied.

Incorrect Images, Measurements and Critical Documentation Errors

The Development Application contains significant inaccuracies that undermine its credibility and reliability. The visual montages, diagrams, and supporting documents misrepresent key aspects of the proposal.

- ✚ Military Road is incorrectly labelled as Redan Lane (see pages 2–3 of the architectural drawings).
- ✚ The width of Redan Lane has been inaccurately depicted. In the renders, it appears as a wide two-way street, whereas in reality it is a narrow laneway.
- ✚ Setbacks from Redan Lane have been incorrectly measured from the centreline of the road rather than from the site boundary. This is a fundamental error and misrepresents the true bulk and scale of the proposal.

These inaccuracies are material and require correction before the application can be properly assessed.

Key Grounds for Objection

✚ Lack of Genuine Community Consultation

Consultation has been minimal and ineffective. Residents were given only three hours' notice to attend an information session at Time and Place's George Street office, and many affected residents received no notification at all. This falls well short of acceptable engagement standards.

✚ Non-Compliance with Height Controls

The proposed development exceeds the applicable height limits. While the building steps down towards the heritage-listed property at 36-38 Redan Street, the transfer of bulk to the northern portion of the site is inappropriate and unjustifiable. If the application is not refused outright, the northern elevation must be significantly reduced in height while maintaining the 9-metre setback.

✚ Pedestrian Safety on Redan Lane

Redan Lane has no footpath, and residents—including school-aged children—are forced to walk on the roadway. Traffic counts provided by the applicant do not reflect actual conditions, including vehicles travelling at unsafe speeds. Any increase in pedestrian activity without proper infrastructure presents a serious safety risk.

✚ Non-Compliance with the 400m Statutory Guideline

The site falls outside the required 400-metre safe walking distance. Furthermore, Redan Lane cannot be considered a safe or appropriate pedestrian access route due to the absence of footpaths.

✚ Excavation and Geotechnical Concerns

The proposal includes two levels of basement parking, requiring deep excavation into sandstone. This presents risks to adjoining properties, including 77 Muston Street, and may create stormwater and structural stability issues. The site is not suitable for excavation of this scale.

Loss of Sunlight

All apartments at 77 Muston Street, including my own (Apartment 2), currently receive sunlight from sunrise to sunset. The proposed development would eliminate 100% of morning sunlight. Access to natural light is essential for physical and mental wellbeing, and its complete removal is unacceptable.



Current sunrise and natural light flow to 2/77 Muston St



Loss of Views

The proposal would remove all harbour and horizon views currently enjoyed by the five apartments at 77 Muston Street. The main views are from living and dining rooms, kitchens and balconies. Despite the introduction of LMR controls, the principle of equitable view sharing remains relevant. The tenacity principle cannot and shouldn't be set aside! The loss of views to HMAS Penguin, Balmoral Baths, South Head, the Balmoral foreshore, the Island, and the sky itself is total and unreasonable.



Current view from main living area and kitchen of 2/77 Muston St

📌 Questionable use of the In-fill Affordable Housing pathways.

The affordable housing component is minimal, segregated and placed on a services Lane. The obvious question needs to be asked 'Are the tiny bedsits - which are at the rear of the building, being added simply for developer greed? Also remembering that these bedsits will only be allocated for affordable housing for fifteen years. They are then sold off by the developer for extra profit.

Conclusion

I support the broader objective of increasing housing density within Mosman. However, the current planning instrument is overly simplistic and fails to consider the unique topography and character of Balmoral slopes.

If the SSD for 40–48 Redan Street is approved in its current form, it will:

- Dominate the surrounding precinct
- Severely restrict redevelopment potential on both sides of Muston Street and Post Office Lane & Military Rd
- Undermine the strategic intent of placing the tallest buildings along Military Road and Post Office Lane, with height stepping down appropriately towards Redan Street

This proposal represents poor planning and an inequitable distribution of development burden. All potential redevelopment sites must be considered holistically, not on a “first in, best dressed” basis.

For these reasons, I respectfully request that the application be refused or substantially redesigned to address the significant issues outlined above.

If you'd like, I can also format this into a formal letter, tighten the legal language even further, or tailor it to a specific council's submission style.