

**SUBMISSION IN OBJECTION State Significant Development Application No.
SSD-93020230 40–48 Redan Street, Mosman NSW 2088**

Submitted by: Philip Hartman 19 Mandolong Road, Mosman NSW 2088

1. PERSONAL STATEMENT

My wife and I have lived at 19 Mandolong Road for many years, having built our lives here deliberately. We were drawn by the unique heritage character of Mosman's streets, the seamless relationship between the built form and the landscape, and the enduring low-rise scale of a neighbourhood shaped by generations of careful planning and community stewardship. Our home sits approximately 300 metres from the proposed development site.

I am writing this submission because the proposal for 40-8 Redan Street has caused us genuine distress—a word I do not use lightly. We have spent an exhausting amount of time interrogating the Development Application; in my view, the documentation is carefully engineered to minimise the appearance of impact while concealing the harsh reality of it. The process has been anxiety-inducing and deeply demoralising for us and many of our neighbours.

As an assessor, I urge you to visit the site in person. You will immediately see the discordance of placing an enormous 10-storey tower in an area defined by traditional residential housing. This scale is entirely out of character for this part of the suburb and would be far better suited to a location closer to a major transport hub or town centre.

The applicant's singular aim is to position a high-rise structure at the furthest edge of the R3 designation to capture premium views—and the resulting profits—at the direct expense of the community's amenity. By prioritising private gain, they are permanently destroying the views and solar access of existing householders.

If allowed to proceed, this development will be remembered as one of the most significant planning failures in Mosman's history. Crucially, it would set a dangerous **precedent** for further over-development along this corridor. Please also consider that Mosman Council is currently finalising a strategic plan for increased density; notably, it excludes the Redan Road corridor precisely because this site is considered inappropriate for such intensity.

Detailed comments below:

2. BULK, SCALE AND VISUAL DOMINANCE

The proposed building is a 12-storey structure (including two basement levels) in a neighbourhood of predominantly single- and two-storey dwellings. The applicant argues that façade articulation, stepping and podium design will soften its presence. This argument should not be accepted.

Architectural modulation introduces visual variation. It does not reduce scale. The building will still be experienced as large, continuous and overbearing. From the Balmoral foreshore, from Redan Street, from Redan Lane, from Muston Street and from Almora Street, it will present as a dominant vertical mass that overwhelms the fine-grain, landscape-embedded character of the surrounding built form.

The Land and Environment Court has been clear on this point: bulk and scale must be assessed by reference to real visual impact, not design intent (*Newcastle City Council v White* [2019]). The real visual impact of this building, in this context, is manifestly unacceptable. The building will visually

enclose adjoining properties, eliminate the sense of openness that characterises the area, and create a built form disproportionate to everything around it. These are not impacts that conditions or further design work can resolve.

3. VIEW LOSS — NOT VIEW SHARING, VIEW DESTRUCTION

Properties along Redan Lane, Redan Street, Muston Street and Almora Street currently benefit from open outlooks, sky views and, in many cases, views to Manly, North Head, South Head and the Middle Harbour waters. These are not peripheral or incidental glimpses. They are the defining outlooks of these homes — outlooks that contribute materially to the amenity, liveability and value of the affected properties.

The proposed building will eliminate these views. It will replace open sky and water views with a building mass ten storeys tall. The sense of enclosure created will not be peripheral to the living experience of affected residents — it will dominate it. The impact will be permanent.

The applicant's characterisation of the impact as blocking only "open sky" is, frankly, misleading. Loss of open sky, loss of water views, and loss of the visual relief afforded by a low-rise environment are not trivial consequences. They represent a fundamental and lasting diminution of residential amenity. Under *Tenacity Consulting v Warringah*, the reasonableness of view loss must be assessed against the cause and scale of the impact. Here the loss is significant, the cause is the applicant's election to build at a height five times the base controls, and the outcome is unreasonable.

4. HOW THE LOOPHOLE WORKS: STACKED INCENTIVES AND THE SSD PATHWAY

The applicant has simultaneously invoked:

- The Low and Mid-Rise Housing Policy
- A 30% height bonus under the infill affordable housing incentive provisions
- A Clause 4.6 variation to exceed the resulting (already inflated) height limit
- The State Significant Development pathway

The result is a proposed building height that is approximately five times the underlying permitted maximum under the Mosman Local Environmental Plan. The affordable housing component is the key that unlocks this entire mechanism. Without it, none of the other incentives would apply at the scale sought. Yet the affordable housing outcome is quantitatively minor (21%), qualitatively inferior (segregated entrance), and temporary (15 years only). The permanent and irreversible impacts detailed in this submission are being traded against a temporary, partial and structurally unequal benefit.

5. MISUSE OF AFFORDABLE HOUSING PROVISIONS

5.1 The 'Poor Door' and Social Segregation The affordable housing units are accessed via a separate entrance from Redan Lane—the back lane—while market apartments use the primary street frontage. This 'poor door' configuration is a deliberate architectural decision that encodes social inequality into the fabric of the building. This is antithetical to the purpose of affordable housing policy, which is to create socially integrated, mixed-income communities.

5.2 Ultra-High-Net-Worth Market, Minimal Community Benefit The 42 market apartments are premium luxury products for an ultra-high-net-worth market. The planning trade-off this proposal asks the community to accept is a permanent loss of heritage streetscapes, views, and privacy in exchange for 11 units that revert to market rates after 15 years. This is not a reasonable planning trade-off; it is an exploitation of provisions designed for a different purpose.

6. HERITAGE IMPACT — PERMANENT AND IRREVERSIBLE

The site and its immediate surroundings represent one of the most intact Federation-era residential precincts in Mosman. A 10-storey building introduced directly adjacent to this context will transform the heritage condition in a fundamental and irreversible way. Heritage buildings that currently read as primary elements within a coherent low-rise streetscape will be reduced to subordinate foreground objects. No design detail can offset the visual and spatial dominance of a building ten storeys tall in a streetscape of single- and two-storey dwellings.

7. SCENIC PROTECTION AREA

A Scenic Protection Area (SPA) boundary runs through the site. This framework exists to protect the landscape character of the locality and limit development that would read as visually dominant or intrusive. The site's topography elevates the building, extending its visual impact far beyond the immediate streetscape. From the Balmoral foreshore and surrounding ridgelines, a 10-storey tower will be conspicuous and disruptive. The proposal destroys the very scenic value the SPA was designed to preserve.

8. OVERSHADOWING AND PRIVACY

8.1 Overshadowing On 21 June (the winter solstice), properties at 77A, 77B and 77C Redan Lane will be in shadow for most of the day. This is a near-total and continuous loss of solar access on the worst day of the year.

8.2 Privacy The development includes multiple levels of balconies with direct, elevated, downward-facing sightlines into the private living spaces and bedrooms of existing homes. Fencing and landscaping cannot protect against overlooking from this height. The practical consequence for affected residents is that they will be forced to close blinds and curtains during daylight hours and withdraw from their own outdoor spaces.

9. NOISE — DURING CONSTRUCTION AND IN PERPETUITY

9.1 Construction Deep excavation into sandstone and sustained use of heavy machinery in narrow local streets will concentrate noise for years. The impact on health, wellbeing, and the ability to work from home will be substantial.

9.2 Permanent Operational Noise The building mass itself will act as an acoustic reflector, creating a 'canyon effect' along Redan Lane. Overlapping noise from 53 households on stacked balconies will fundamentally and permanently alter the currently quiet residential environment.

10. TRAFFIC, PARKING AND PEDESTRIAN SAFETY

106 car parking spaces for 53 apartments ensures overflow parking will flood the surrounding network. Redan Lane presents a specific safety concern: it is very narrow with no footpaths, yet the 'poor door' entrance will direct additional foot traffic and service vehicles there, increasing safety

risks for pedestrians and cyclists. The construction phase, being eight to nine times larger than recent local projects, will render Redan Street practically inaccessible for the duration.

11. MISLEADING PHOTOMONTAGES AND VISUAL MATERIAL

The applicant's photomontages include representations of hypothetical future buildings that do not exist to make the proposal appear contextually consistent. This misrepresents the existing context and creates a false baseline for assessment. The Panel should not accept the framing of "open sky" loss as a minimisation of impact.

12. COMMUNITY CONSULTATION

The applicant's claim of broad consultation is a procedural exercise. Most residents of the street learned of this proposal through the Department of Planning, not the developer. When Mosman Council raised specific concerns about scale and traffic, each was met with an identical non-answer referring back to existing technical reports.

13. CUMULATIVE IMPACT AND CONCLUSION

Each of the impacts identified-heritage, scenic protection, view loss, bulk and scale, overshadowing, privacy, noise, and traffic-represents a cumulative impact that is severe and interrelated. Eleven bedsits and 'executive' units, available for just fifteen years, do not justify the permanent destruction of a heritage streetscape and the loss of amenity for families. A proposal that delivers irreversible harm for a temporary, segregated benefit is not in the public interest.

FORMAL RECOMMENDATION I submit that the proposal fails to achieve an acceptable planning outcome and should be refused.

Yours faithfully,

Philip Hartman 19 Mandolong Road, Mosman NSW 2088