

OBJECTION SUBMISSION

SSD-93020230 (40-48 Redan Street, Mosman)

My name is Sarah Pike. I reside on Redan Street, Mosman, opposite the site of the proposed development at 40-48 Redan Street. I submit this objection in my personal capacity as a directly affected resident and ask that the application be refused.

I will confine my objection to the grounds I consider most substantive from a planning and legal perspective. I do not oppose housing development. I do oppose this application, for the reasons set out below.

1. THE POLICY FRAMEWORK CONFERS NO ENTITLEMENT TO THIS SCALE OF DEVELOPMENT

The applicant proceeds on the basis that the Low and Mid-Rise Housing Policy, combined with the Infill Affordable Housing pathway and the SSD mechanism, collectively establish a development envelope to which they are effectively entitled. That premise is wrong.

The Low and Mid-Rise provisions create a discretionary planning pathway. They do not pre-authorise volumetric outcomes. The SSD mechanism does not convert discretionary policy uplifts into cumulative rights to build. Each layer of the framework requires independent merit justification. The applicant's approach — treating stacked discretionary provisions as an assumed baseline and then seeking further uplift on top — inverts the statutory task. The proper question is whether this building, at this scale, is appropriate for this site. Assessed honestly, it is not.

2. THE APPLICATION CANNOT PROPERLY BE DESCRIBED AS COMPLIANT

The application characterises the proposal as "compliant." That characterisation should be rejected.

A proposal requiring two separate Clause 4.6 variations to exceed the applicable height standard, after exhausting every available State policy incentive, is by definition non-compliant. It is an application for an exception to the rules, not a demonstration of compliance with them. The Department should assess it accordingly and should not afford it the credibility that genuine compliance would warrant.

3. THE AFFORDABLE HOUSING COMPONENT DOES NOT JUSTIFY THE UPLIFT

The planning uplift sought in this application is substantial and permanent. The affordable housing offered in return is modest and time-limited.

Eleven of fifty-three apartments will be available as affordable housing for fifteen years. After that period the developer faces no restriction on their use or sale. The applicant has provided no financial modelling demonstrating that the rents to be charged will be accessible to households actually in housing stress in this area. The developer's own Social Impact Assessment confirms that 99 percent of very-low-income renters in Mosman are already in rental stress, yet makes no attempt to connect that finding to the pricing of the proposed affordable units.

An unverified public benefit of temporary and limited scale does not satisfy the established planning principle of proportionality between benefit and uplift. The Department should not treat it as doing so.

4. THE SCENIC PROTECTION AREA DESIGNATION IS A LEGAL CONSTRAINT, NOT A GUIDELINE

The site falls within a Scenic Protection Area. This designation carries legal force. Development within such an area must not compromise the scenic values it exists to protect.

The developer's own Visual Impact Assessment concedes that the impact on neighbouring properties ranges from "severe to devastating." The report then concludes, without adequate justification, that those impacts are acceptable. A finding of severe to devastating impact does not become acceptable by assertion. It is a refusal ground. I ask the Department to treat it as such.

A twelve-storey building on the mid-slope of the Balmoral foreshore will be visible from Balmoral Beach and Sydney Harbour. The applicant's characterisation of the site as being on the ridgeline is factually incorrect. The architectural plans themselves demonstrate a mid-slope condition with land falling to the east. This mischaracterisation materially understates both the visual impact and the downward overlooking impacts on properties below, including my own. The Department should not rely on an EIS that misrepresents the site's topography.

5. THE HERITAGE CONTEXT IS INCOMPATIBLE WITH THIS PROPOSAL

Redan Street is a designated Heritage Road with a heritage-listed street verge. Heritage-listed properties at 36 and 38 Redan Street sit directly adjacent to the proposed development.

Heritage significance extends beyond the physical fabric of listed buildings to include their setting and curtilage. A twelve-storey building constructed on this site would overwhelm the setting of the adjacent heritage items and permanently alter the character of a street afforded heritage protection precisely because that character is considered worth preserving. That outcome is inconsistent with the heritage objectives applicable to this location, and the Land and Environment Court has been consistent in holding that height controls reflecting such intent should not be casually set aside.

6. THE CONSTRUCTION IMPACT HAS NOT BEEN HONESTLY ASSESSED

The EIS does not adequately assess the impact of construction on existing residents. The most recent development on this street, the Redan Lane project of six units, occupied the street for approximately two years and rendered on-street parking unavailable from 7am to 5pm throughout that period.

The proposed development is of a categorically different order of magnitude: fifty-three apartments, a 3,000 square metre footprint, and two full basement levels of sandstone excavation. The construction period will be substantially longer. The disruption to this narrow residential street will be commensurately greater.

CONCLUSION

This application relies on a misreading of the policy framework, describes a non-compliant proposal as compliant, offers an unverified and time-limited public benefit as justification for a permanent and substantial built form, and produces visual impacts that its own assessment concedes are severe. It would permanently alter a Heritage Road within a Scenic Protection Area in ways that cannot be undone.

Taken together these grounds are sufficient to warrant refusal and I ask the Department to refuse this application.

Yours faithfully,

Sarah Pike
29 March 2026