

28 March 2026

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AESTHETICS

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The Secretary
NSW Department of Planning, Housing and Infrastructure
4 Parramatta Square,
12 Darcy Street,
PARRAMATTA NSW 2124

and

The General Manager
Mosman Council
PO Box 211
53 Military Road
SPIT JUNCTION 2088
E: council@mosman.nsw.gov.au

RE : Objection to State Significant Development (SSD) / Proposal for 10-storey residential apartment building at 40 – 48 Redan Street, MOSMAN SSD-93020230

Dear Sir / Madam,

This proposal is a **HIGHLY SENSITIVE** potential development – it signals the **DESTRUCTION** of Mosman's current urban environment as we know it. The preservation of Mosman's urban environment has been at the centre of all the applicable planning controls (MLEP 2012 and DCP 2012) since the initial introduction of the first statutory planning instrument in the Mosman local government area.

While I recognise the need for appropriate development within our community, I believe this particular proposal will have a detrimental impact on the character, amenity, and liveability of the neighbourhood. I acknowledge that the proposal is within the LMR zone, but approval of this proposal risks setting a precedent for further inappropriate overdevelopment in the area, undermining planning controls designed to preserve Mosman's unique environment and community feel.

I am writing to strongly oppose and formally lodge my objection to the above proposal for a 10-storey residential apartment building at 40–48 Redan Street, MOSMAN on the following planning grounds.

For clarity I refer to the Mosman Local Environmental Plan 2012 (LEP 2012) and the Mosman Residential Development Control Plan 2012 (DCP 2012) which establish the statutory numeric controls, objectives and townscape expectations for residential development in Mosman.

A KEY NON - COMPLIANCES

Summary of the grounds of objection (key non-compliances)

1 BUILDING HEIGHT + VIEW LOSS

Exceeds maximum building heights required by the LEP and DCP's townscape expectations. The LEP requires that the height of any building must not exceed the maximum height shown for the land on the Height of Buildings Map (cl. 4.3). The DCP emphasises Mosman's **predominantly low-rise character** and explicitly notes that Council may require building heights less than 8.5 metres in cases where **view loss** is a concern. The DCP also sets objectives to "*minimise the effects of bulk and scale of new buildings*" and to **retain the small-scale, low-rise townscape**. A 10-storey tower is inconsistent with these statutory height controls and the DCP's stated objectives for low-rise character and view sharing.

The LMR Height Plane is 22m and the proposed building exceeds the height plane by 11.75m

The "Affordable Housing" uplift Height Plane is 28.6m and the proposed building exceeds the height plane by 5.15m

Refer FJC Studio Drawing Sheet 3000B

Refer Section C –

The Misleading, Fallacious and Impossible Claim of Providing "Affordable Housing".

This section discusses the definition of "Affordable Housing" and the reasons why this project cannot actually deliver genuine affordable homes.

Consequently the "Affordable Housing" uplift Height Plane should NOT be applied to this Proposal.

2 FLOOR SPACE RATIO

Unacceptable, inconsistent and very excessive breach of the LEP floor space ratio (FSR) limits. Clause 4.4 of the LEP states that the maximum FSR is the ratio shown for the land on the Floor Space Ratio Map; Clause 4.4A further prescribes an FSR of 0.75:1 for this site.

The LMR and Infill Affordable Housing Provisions of the Housing SEPP override this control.

Section 180 of the State Environmental Planning Policy (Housing) 2021 states that the following non-discretionary development standards apply in relation to development on land on a low and mid-rise housing inner area

- (a) a maximum floor space of 2.2:1
- (b) for residential flat buildings- a maximum building height of 22m.

The minimum Affordable Housing component is 10%.

30% additional FSR is permitted for proposals delivering up to 15% Affordable Housing, based on the maximum permissible FSR for the land, in accordance with Section 16 (1) and (2)

Refer FJC Studio Drawing Sheets 2800B and 2801B

Proposed Total Floor Space Area is	9,214.8m ²
Proposed Affordable Housing Floor Space Area is	1,353.9m ²

Therefore Affordable Housing component of development is $1,353.9 \div 9,214.8 = 14.69\%$

The Site Area is	3,233m ²	
Allowable Floor Space Area 2.2 x 3,233 =		7,112.6m ²
Plus 30% additional FSR for Affordable Housing		<u>2,133.8m²</u>

TOTAL PERMISSABLE FSR (including Affordable Housing 30% bonus)	9,246.4m²
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The proposal seeks approval for a Total Floor Space Area of 9,214.8m².
However this includes the **Affordable Housing 30% bonus** .

Refer Section C –

The Misleading, Fallacious and Impossible Claim of Providing “Affordable Housing”.

This section discusses the definition of “Affordable Housing” and the reasons why this project cannot actually deliver genuine affordable homes.

Consequently the “Affordable Housing” 30% FSR bonus should NOT be applied to this Proposal.

3 NEIGHBOURHOOD CHARACTER, BULK AND SCALE

Incompatible bulk and scale with DCP siting and scale objectives. The DCP’s Part 4 (Siting and Scale) states that siting, height, FSR and setbacks regulate the bulk of development and are intended to reflect the **existing or desired pattern of housing** in Mosman.

Its aims include

- i **Protecting the small-scale, low-rise character of townscapes,**
- ii **Limiting bulky buildings,** and
- iii **Minimising view loss and overshadowing.**

Redan Street is a quiet residential street with a distinctive village-like atmosphere. The scale, bulk, and design of the proposed development are out of keeping with the existing streetscape and will erode the heritage and character that define this area.

The proposal’s massing across ten storeys is contrary to those aims and objectives and should therefore be refused.

4 NUMERICAL DESIGN CONTROLS

Non-compliance with the DCP numerical design controls (setbacks / upper-storey set back / landscape expectations). The DCP contains specific numeric guidance (for example, an upper-storey addition setback of 1.5m from side boundaries is shown in the DCP as the minimum guideline for upper storeys). An eight-storey building that presents continuous vertical façades to side boundaries and the street will fail to meet the DCP's upper-storey setback controls, landscaping expectations and privacy/solar access objectives. The DCP aims (Part 1) and the siting/scale planning controls require a balance between landscaping and built form and **preservation of views and amenity**.

5 VIEW SHARING, OVERSHADOWING + PRIVACY

Adverse impacts on view sharing, overshadowing, privacy and neighbourhood amenity contrary to the DCP objectives. The DCP aims explicitly include protecting scenic amenity and **minimising view loss**, and require that development **must not significantly obstruct views** (Council may require lower maximum heights than the LEP if views would be affected). The proposed eight-storey building will generate **substantial overshadowing and privacy impacts on neighbouring properties and public spaces** and will not be consistent with the DCP's objectives for view sharing, heritage protection and townscape character.

A development of this size and scale is an **abuse of the definition of view sharing** for the surrounding properties. It will completely **OBLITERATE** the existing views available from **ALL** the properties to the west of the site all the way back to Military Road.

The proposed height and massing will create significant overlooking into neighbouring properties and outdoor living spaces, while also casting extensive shadows that will reduce access to natural sunlight and block harbour views.

6 TRAFFIC, PARKING + INFRASTRUCTURE

Traffic, parking and infrastructure impacts — the DCP aims include limiting additional traffic and ensuring adequate infrastructure. The proposed eight-storey building will result in a substantial increase in dwelling numbers will materially increase traffic and parking demand.

B ENVIRONMENT IMPACT STATEMENT

Dated 27 February 2026

Below I have addressed a number of the comments / claims made in the above EIS.

1.0 PAGE 19 - "Any other site Matters" – SCENIC PROTECTION AREA

Page 19 notes that the site is affected by Scenic Protection Area under the Mosman Local Environment Plan 2012

Regardless of the proposal being declared an SSD, the LEP **must still be considered** as part of the assessment by the **consent authority** .

The Proposal is subject to MLEP 2012 Clause 6.4 controls –

6.4 Scenic protection

- (1) The objectives of this clause are as follows—
 - (a) to recognise and protect the natural and visual environment of Mosman and Sydney Harbour,
 - (b) to reinforce the dominance of landscape over built form,**
 - (c) to ensure development on land to which this clause applies is located and designed to minimise its visual impact on those environments.**

- (2) This clause applies to land identified as “Scenic Protection Area” on the Scenic Protection Map.

- (3) Development consent must not be granted to any development on land to which this clause applies unless **the consent authority** is satisfied that—
 - (a) measures will be taken, including in relation to the location and design of the proposed development, to minimise the visual impact of the development to and from Sydney Harbour, and**
 - (b) the development will **maintain the existing natural landscape and landform.**

The consent authority must assess the following :

- A Bulk and scale
- B Building silhouette against the skyline
- C Visibility from water and public areas

The implication is that even if the proposal complies with height/FSR, the proposal **can still be refused if it is visually intrusive.**

The controls expect the development to *“Blend into the landscape”*.

The proposal does not complement the local character.

“Overbuilt” sites are a red flag

1.0.1 View sharing and protection of harbour vistas

A key planning consideration is:

Maintaining views to the harbour and landmarks

The consent authority must assess:

- A **Loss of views from neighbouring properties**
- B **Cumulative impact of multiple developments**

This proposal is for a 10 storey residential apartment building in an area which is predominantly composed of 2/3 storey houses. The “Loss of views” impact on the neighbouring properties is devastating and **SEVERE**. Furthermore the “Loss of views” impact of multiple developments will similarly be devastating and **SEVERE**.

The bulk and scale of the proposal should be heavily scrutinised in this context.

Compliance with standards is NOT enough !

Incremental visual degradation should be actively resisted by the consent authority.
The proposal should be **refused under the Scenic Protection provisions**.
The **indisputable severe visual impact** should override compliance.

2.0 PAGE 31 - "Option 2 : LEP Scheme"

Page 31 notes that

"A proposal which does not utilise the LMR provisions and affordable housing bonus would mean a direct loss of 11 affordable housing dwellings on the site . In a high-demand location..... undermining both the economic efficiency of the site and the broader policy objective of improving housing affordability"

Refer Section C –

The Misleading, Fallacious and Impossible Claim of Providing "Affordable Housing".
This section discusses the definition of "Affordable Housing" and the reasons why this project cannot actually deliver genuine affordable homes.
Consequently the "Affordable Housing" 30% FSR bonus should NOT be applied to this Proposal.

3.0 PAGE 31 - "Option 3 : Fully Compliant Scheme"

Page 31 notes that

"A proposal which does not seek to amend the maximum height of building control would result in a revised building envelope. This option would fill the maximum height and FSR within a central envelope across the site.

Whilst this option would technically comply with the planning controls, it would result in an adverse impact on two key issues: view corridors and heritage

A compliant envelope would result in a singular monolithic form across the full extent of the site, with no breaks or through links for view sharing and creating an imposing 'wall' of development along Redan Street and the laneway. This form would also have an imposing interface with the adjoining heritage-listed residential dwelling at 38 Redan Street, and a stark transition between a 28.6m permitted height and a single dwelling height. This would also result in reduced solar access to the property's primary area of open space in the front of the property and to the heritage listed property to the south-east of the site.

Overall, whilst compliant with controls, this option would not achieve a contextually appropriate design."

This paragraph clearly admits the inappropriate scale of the proposal.

Firstly the proposed "view corridor" is available above Level 4 (RL71.9).

The proposed "view corridor" width is
9.0m less 2 x 0.9m (for the angled window projections on the end walls of each tower) =
7.2m clear width.

The width of the Level 3 podium is
88.39m less 6.0m (South Setback) – 9.0m (North Setback)



3PM

FJC Studio Sheet 6002



/Rendered View of Proposal



/Concept Model of proposal

APPENDIX H – Architectural Design Verification Statement – page 9

Building Scale & View Sharing



Opening up a gap aligned with Balmoral Avenue

APPENDIX H – Architectural Design Verification Statement – page 17

TO BE CONTINUED

This submission is incomplete at this stage .

There are over 25 lengthy documents containing over 850 pages on the portal.

It is IMPOSSIBLE to prepare a meaningful submission in response to the proposal in the 2 week exhibition time .

C THE MISLEADING, FALLACIOUS AND IMPOSSIBLE CLAIM OF PROVIDING “AFFORDABLE HOUSING”

The Low and Mid-Rise Housing Policy (2023) includes an “infill affordable housing pathway” to “unlock” more medium-density housing (duplexes, terraces, **3–6 storey apartments**) and includes **incentives to integrate “affordable housing” into private developments.**

The “infill affordable housing” pathway sounds progressive but functions as a developer incentive, not a social outcome. It produces short-term, market-discounted dwellings, not true affordable housing in perpetuity.

Its promise is misleading (policy branding), fallacious (economically unsound), and impossible (given land costs and developer motives) — especially in suburbs like Mosman.

The NSW Government defines “affordable housing” in this context as:

“Housing that is rented at below-market rates to households on low to moderate incomes, managed by a registered Community Housing Provider (CHP).”

Rents are typically capped so that the tenant pays **no more than 30%** of their gross income.

The plans nominate 11 of the total of 53 Units to be “affordable” housing.

It is very unlikely that **any Units on the slopes of Balmoral will be practically “affordable”.**

1 WHY THE “AFFORDABLE HOUSING” CLAIM IS MISLEADING AND FALLACIOUS

In this case (and in any case in Mosman) the “affordable housing” claim is **misleading and fallacious.** In practice, this claimed “infill affordable housing” project cannot actually deliver genuine affordable homes for the following reasons -

(a) The Developer gets bonuses without long-term affordability

The developer is gaining access to height, floor-space, and density bonuses by nominating part of the project as “affordable housing,” but:

- The affordable component will expire after 10–15 years.
- After that period, units revert to full market rents or are sold outright.
- No guarantee exists for perpetual affordability.

So the public benefit is temporary, but the private uplift (extra density, profits) is permanent.

(b) “Affordable” rents are benchmarked to unrealistic incomes

“Moderate-income” thresholds used by the NSW Department of Communities and Justice (DCJ) are statewide averages, not suburb-specific.

In Mosman, where median rents are 2 – 3 times the Sydney average, a 20–25% discount still leaves rents unaffordable to most key workers.

For instance, a “discounted” \$900/week apartment might be considered “affordable” under the policy — but is clearly not for a teacher, nurse or police officer.

This is why the term “affordable” becomes meaningless in high-value areas.

(c) Lack of community housing provider involvement

Many developers claim an “affordable housing” component to obtain planning approval, but:

- They don’t have an agreement with a CHP to manage the units.
- They may use a “private discounted rent” model, which is not regulated.

That means the so-called “affordable units” may never actually house eligible tenants.

(d) Policy contradiction in high-cost suburbs like Mosman

The LMRHP aims to “increase supply and diversity,” but:

- Land values in Mosman make true affordable rents financially unviable without subsidies.
- Developers rarely include genuine low-rent stock voluntarily.
- Council has limited ability to enforce affordability once consent is granted under State rules.

In short, it is impossible to deliver genuinely affordable housing on \$5,000/m² land cost unless someone absorbs the cost — and the policy doesn’t.

The project will actually increase luxury density while using “affordability” to justify the height/density bonuses.

2 THE “INFILL AFFORDABLE HOUSING” ILLUSION IN MOSMAN

Projects like 48 – 50 Almora Street illustrate the problem:

- Developers promise “affordable housing” for 15 years (in this case 3 of 14 apartments).
- These units may rent at a small discount to market price (e.g., 80% of market rate).
- That still equals \$750–\$900 per week — unaffordable to low-income households.

The project thereby meets the letter of the SEPP, but **not the spirit of affordability.**

It’s more like a temporary discount on “Luxury Apartments” **but only if the renter can meet the strict eligibility requirements.**

Below is a side-by-side rent cost example under the SEPP formula v actual Mosman market rent to make the illusion very clear.

Example A:

One-bedroom “affordable” apartment in Mosman, 2025 for a moderate-income single

Parameter	Value	Details
Market rent (Mosman)	≈ \$750 – \$900 / week	Based on recent listings, Domain and SQM Research (Oct 2025)
Affordable housing discount (typical under SEPP)	20 % – 25 %	SEPP (Housing) 2021 “infill affordable housing” requirement
Discounted (‘affordable’) rent	≈ \$600 – \$720 / week	After applying 20– 25 % discount
Max rent affordable to ‘moderate-income’ single	≈ \$430 / week	If earning \$74,000 p.a. (max for moderate-income single in Sydney) × 30 % affordability rule
Gap between ‘affordable’ rent too high	\$170 – \$290 per week	Means the unit still consumes 40–50 % of income

Result: Even after the “affordable” discount, rent remains unaffordable to a single moderate-income worker (teacher, nurse, police officer).

Example B:

Two-bedroom “affordable” apartment in Mosman, 2025 for a moderate-income couple with one child

Parameter	Value	Details
Market rent (Mosman)	≈ \$1,000–\$1,200 / week	Typical 2-bed in 2088 postcode
‘Affordable’ rent (–25 %)	≈ \$750 – \$900 / week	Discount under SEPP
Max rent affordable to ‘moderate-income’ couple+1	≈ \$570 / week	Based on \$99,800 p.a. × 30% affordability rule
Gap	household income limit \$180–\$330 / week Too high	So housing stress still exists

Even with the policy discount, the family must spend 40–45 % of income on rent, breaching the affordability threshold.

Example C :

Three-bedroom “affordable” apartment in Mosman, 2025 for a moderate-income couple with 2 children

Parameter	Value	Details
Market rent (3-bed apartment, Mosman 2088)	≈ \$1,400–\$1,700 /week	CoreLogic / Domain listings, Oct 2025
SEPP “affordable housing” discount	20–25 % off market	The minimum discount required for “infill affordable housing”
Advertised “affordable” rent	≈ \$1,050 – \$1,275 / week	The rent level claimed under the policy
Household-2 adults+2 children	“Moderate income” threshold ≈ \$123,000 p.a.	NSW DCJ 2025 Income Limits (Sydney region)

Max affordable rent	\$710 per week @ 30 % income rule	$30\% \times (\$123,000 \div 52)$
Actual gap	\$340 – \$565 / week too high	Even the discounted rent exceeds affordability by 50–80%

What this means in real terms

All of the nominated 3 “affordable housing” apartments in the proposed development are 3 bedroom apartments. For this 3-bed “affordable” apartment to meet the 30% rule, the weekly rent would need to fall to **\$710 per week**.

The required discount from market is therefore **50–60%**, not the token 20–25 %.

At Mosman’s land + construction costs, that level of rent reduction would only be possible if:

- The developer receives a direct government subsidy or tax credit, or
- The land were publicly owned or heavily discounted, or
- The project were cross-subsidised by selling high-end dwellings at a premium.

Since none of those apply to most “infill” private developments, **true affordability is economically impossible** without external intervention.

Conclusion :

Discounts are pegged to market rent, not income — so in expensive suburbs like Mosman, the **OUTCOME REMAINS UNAFFORDABLE**.

POLICY PROMISE

“20 % below market = affordable”

“Helps key workers live locally”

“Creates lasting affordability”

“Delivers social benefit”

REALITY IN MOSMAN

Still 40 – 50 % of moderate income spent on rent

Key workers (eg teacher, nurse or policeman) still priced out

Temporary only; expires after 15 years

Mainly delivers developer density bonuses

No subsidy or land-value capture means developers can’t reduce rents further without losing profit.

After 10–15 years, units revert to full-market rents, so **affordability disappears entirely**.

The inescapable logic is that in Mosman (and similar high-value suburbs) , a “20% below market” rent still bears **NO RELATIONSHIP** to what low- or moderate-income households can actually afford.

Without a structural subsidy, public ownership, or mandatory long-term affordability controls, these “infill affordable housing” projects:

- Deliver luxury units with a marketing discount, not true affordable homes.
- Exploit the policy for density bonuses and planning concessions.
- Create only short-term pseudo-affordability (10–15 years max).

D CONCLUSION

On the basis of the above I respectfully request that the consent authority, the NSW Department of Planning and Environment refuse consent for this inappropriate and excessive proposal because it is inconsistent with and significantly breaches the Mosman LEP 2012 principal development standards (height and FSR maps / cl. 4.3 and 4.4) and with the Mosman Residential DCP 2012 objectives and numeric design controls for siting, scale, setbacks, landscape and view sharing.

Page 19 of the EIS notes that the site is affected by Scenic Protection Area under the Mosman Local Environment Plan 2012

Regardless of the proposal being declared an SSD, the LEP **must still be considered** as part of the assessment by the **consent authority** .

The **indisputable severe visual impact** of this proposal should override compliance. Incremental visual degradation should be actively resisted by the consent authority. The proposal should be **refused under the Scenic Protection provisions**.

Development should enhance, not diminish, the qualities that make Mosman such a valued and liveable community. This development signals the imminent threat of applications proposing a large cluster of residential towers in very close proximity to the beach. The outcome would be akin to the unfortunate scale of over-development at Surfers Paradise and Broadbeach with excessive, inappropriate, incongruous and aesthetically damaging inappropriately scaled buildings sited within low-rise neighbourhoods and not incorporating any sympathetic transition in scale. The project's urban form is visually intrusive, like a mini medium-rise precinct dropped into a low-scale area.

I trust the NSW Department of Planning and Environment will act to protect the amenity and character of Redan Street and its surrounds for current residents and future generations.

I would appreciate acknowledgement of receipt of this objection and confirmation that it will be considered in the assessment of SSD-93020230.

If you require any further information please do not hesitate from contacting me. Thank you for considering my submission.

Yours Sincerely,

Tony Camilleri

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AESTHETICS

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