

30 March 2026

Executive Director

Department of Planning, Housing and Infrastructure

Objection to Development Application SSD-93020230 at 40–48 Redan Street, Mosman

I strongly object to the above development proposal which as proposed is illegal under the Environmental Planning and Assessment Act due to its:

Zoning

The proposal is non permissible under the current Scenic Protection Zone. The scenic protection zone has been in place for over 50 years and the Minister for Planning has said it will not be removed.

Under the Mosman LEP the entire front section of proposed development ie approx half of the subject land is zoned 'scenic protection'.

Scenic Protection is to (s.6.4 Mosman LEP):

'Recognise and protect the natural and visual environment of Mosman and Sydney Harbour'

'To reinforce the dominance of landscape over built form because it is part of the iconic Balmoral slopes ridgeline and clearly visible from Balmoral Beach and the harbour beyond.'

In addition the Mosman LEP (the legal planning instrument) provides that:

development consent must not be granted to any development on land zoned scenic protection unless the consent authority is satisfied that:

'The development will maintain the existing natural landscape and landform'

The conclusion of the VIA (Appendix E) that the twin tower 10 storey development is 'unlikely to be visible from Sydney Harbour to an extent that would result in any significant or unreasonable visual impacts on the built and natural and visual environment' is inadequate, unacceptable and false.

My own preliminary investigations standing down at Balmoral Beach reveal the ridgeline including the actual development site is clearly visible from many points even from the iconic heritage Balmoral rotunda and surrounds.

Failure in duty to genuinely consult with the local community,

The EIS parades a letterbox drop which didn't even reach all households in the same street and presents a gathering of 3 residents as meaningful community consultation. There was no meaningful engagement therefore no response from the community to this development

during the preparation of the EIS. There is now large scale community opposition to this illegal proposal as the consent authority will find in the many submissions of opposition that have been sent despite a lack of community awareness as the State Development assessment process requires no public notice at the site. Many locals even in the same residential block, and nearly all of the wider Sydney community that visit Mosman and Balmoral Beach remain unaware of the proposal.

I live in the street and will be adversely impacted if the proposal is approved. Yet, I and the other 5 adult members of my household received no communication from the developer or the Department. I became aware of the project through social media. That is unacceptable and has deprived me of the opportunity to participate in the process in a meaningful way. I have been denied a proper chance to be heard and there has been a process error as a consequence.

Failure to adequately consult with Council a major stakeholder

One meeting in December 2025 with no official minutes and documentation of who attended and what was agreed etc is not adequate for a development of this size and does not meet community expectation or SEARS requirements.

Failure to incorporate Council's concerns regarding no vehicular access from Redan st (Appendix E) and garbage to be collected onsite (Appendix E). It is proposed that garbage will be hoisted to level failure to meet height excessive bulk and scale and seeks to have the planning framework altered to allow it.

The proposal is a mockery of the LMR SEPP. A review of the EIS and accompanying documentation demonstrates the developer has designed a non complying development that meets none of the planning, heritage and environmental constraint on this steeply sloping highly sensitive site. Rather an army of consultants have been engaged in an attempt to justify a request to amend/override the environmental, heritage and vehicular access planning constraints to suit the outrageous development proposal.

I hold a degree in Landscape Architecture and a Masters of Environmental Planning and have worked professionally in both areas for many years in private and public practice. After reviewing this proposal, it is my professional opinion that not only should the development application be refused outright this site, due to its high heritage, environmental and scenic sensitivity should be removed from the LMR provisions and maps and the existing zoning and height restrictions set by the Mosman LEP should prevail. If the developer is keen to assist in Sydney's housing shortage and provide genuine affordable housing as they state numerous times in the documentation in an attempt to have the planning framework amended for their illegal proposal there are other less sensitive and less expensive sites in

Mosman closer to appropriate transport corridors and existing services which will not result in the permanent loss and destruction of the iconic Balmoral slopes.

The Balmoral slopes are the entry way and scenic backdrop to Balmoral Beach enjoyed by many thousands of local and international tourists who flock here every weekend to enjoy the harbourside beauty of Balmoral and its leafy surrounds, the other harbourside beaches and Taronga Zoo. As the proposal clearly does not meet any of the heritage, environmental, zoning, height, traffic management, stormwater constraints of this sensitive site and seeks special treatment to have the planning framework amended to allow it this is a pivotal moment for the State approval authority to fulfil its legislative charter and responsibilities under the Environmental Planning and Assessment Act which overrides the LMR SEPP in environmental assessment and refuse this non permissible development and protect the iconic beauty of this harbourside area for future generations. If approved developments like this will desecrate the eclectic mix of heritage houses, create wall to wall concrete highrise along the Balmoral ridgeline viewable from iconic Balmoral Beach and even Sydney Harbour.

Non existing adequate Vehicular access

The entire vehicular access relies on the proposed illegal access assumption of a major vehicular crossing along the eastern frontage from heritage listed Redan st. Access from the rear narrow highly constrained Redan Lane would not be feasible for the proposed multi storey basement parking of 106 carparking spaces and services and would create major flooding issues in high rainfall events for any basement car parking as has been observed in a new development further up along the lane.

This assumption is very disturbing as Mosman Council does not allow any vehicular access from Redan st due to its historic verge and the very beautiful scenic quality the whole high side of Redan st on both sides of Almora st provides as a high quality pedestrian experience with no driveway disturbance, leafy verges and Sydney garden spp and as a backdrop for the numerous heritage listed houses along Redan St. The Redan St Council verge also provides habitat for native bandicoots and many bird species. We often see the Bandicoots on our nightly walks along here. The development proposal will disturb and remove this habitat and replace it with a sterile landscape on a public nature strip designed to showcase a private development.

Direct communication with Council's head planner we carried out as due diligence when we purchased our own property in Redan st confirmed this as we were told directly that 'permission for vehicular access from the high side of Redan st would never be granted' due to the heritage value and scenic quality of the Council verge.

The EIS record of the 'consultation' with Council seems to consist of one single meeting on 29TH Jan 2026. A single meeting with Council would be entirely inadequate and not constitute meaningful consultation with a major stakeholder if this is all that has occurred. This is the same consultation that a minor DA would involve. The 4 dotpoints from the meeting in the EIS (p.53) do not mention disturbing the heritage listed wall only 'Council sought clarification about vehicular crossings in rising street verge'. Given the scale of this development and its reliance on gaining vehicular access from Redan st to be feasible minutes of the the actual meeting and agreement with Councils planning department including in principle agreement to do this work should be provided with the EIS. Given the road and verge are owned by Council the question must be asked is a separate DA approval required for this work. Community interest and outrage over this development would indicate that any proposal to demolish a heritage listed wall on a heritage listed road to create special access for a developer should be publicly exhibited for separate community comment and approval like all other private developments. Approval that, if granted, would fall outside and be inconsistent with the rights given to private residents of the street and which would result in an extremely bad precedence and outcome for the long term heritage, visual quality and pedestrian experience of Redan st.

Inadequate Waste Management

Proposed waste management planning for the site is unacceptable and inadequate. Consultation with Council regarding this issue also appears inadequate. Council has indicated that onsite waste collection for developments greater than 20/25 units is necessary (Appendix E) As the development proposes to absorb nearly the whole site with underground car parking and built form they haven't provided for this and are proposing that 'cleaners' will take the waste out each collection day and bring it in. Obviously 104 garbage bins or equivalent) will not fit along Redan Lane a very narrow and highly constrained service lane with resident driveways all along. A drive down Redan Lane on rubbish collection day will verify this. It is also unfair on garbage collectors to have to block the laneway to collect bins and on existing residents to be unable to access their properties while the equivalent of 104 bins are collected. Garbage collection should be from the site.

Other major issues of concern and objection I have with the development proposal but have been unable to articulate in full due to the short unacceptable 14 day timeframe the community has been given to object include but are not limited to the following:

- If approved, the development would have a serious and irretrievable impact on other heritage listed properties at 34 and 36 Redan Street and 29 Balmoral Avenue.

- Excessive execution and construction proposed for 2.5-3 years (likely more) will have a devastating impact on local residents and visitors to Balmoral and Mosman. Residents in close vicinity will have construction noise 6 days a week for 3 years. Sound acoustics of the hillside mean excessive noise for nearly all of the Balmoral slopes. A recent large scale development in Redan Lane has seen double loaded semitrailers bank up Ragland and Almora Sts waiting for access. This has caused traffic havoc and danger as motorists and buses attempt to swing around them especially during peak hour and school drop off and pick up times for the numerous schools in the area. Construction management plan is non existent and will not be able to ameliorate this due to the excessive scale of the development on a steeply sloping site with narrow roads and laneways and poor visibility at junctions due to steep gradients.
- The Development Application relies upon requests to operate outside of the relevantly applicable legislative limits. The LMR sets maximum limits, not minimum bases for development within designated town centre walking distance indicative maps
- The proposed development due to its excessive bulk and height would have a devastating impact on the surrounding houses and apartments, particularly behind in Muston St who will have all of their outlooks to the harbour and across the front of their properties totally blocked. The proposed break in the towers does very little to ameliorate this and should not be used as a justification to exceed height limits either side. The development should fulfil statutory requirements to take into consideration heritage and impacts on neighbouring properties within the existing legal planning framework not seek special exemptions and zoning changes to respond to site limitations. The EIS does not meet the SEARS requirements or EPA Act framework in regards to this.
- The social housing uplift proposal assumes the uplift is a right. It is not. The consent authority must consider the proposal and apply its discretion within the relevant legislative framework. The social housing proposed is not “affordable”, it is not inclusive in proposing “servants entrances” for the residents of the so-called affordable housing, and will not for those and other reasons satisfy the consent authority’s application of the discretion.
- the scale of excavation required for the proposed basement structure is dangerous given the topography and geo-technical features of the site, being predominantly sandstone and with well-known flooding and waterflow problems.
- Landscaping/Green space proposed is inadequate and does not appear to meet the deep soil requirements of the LMR SEPP which require landscaped areas to be

horizontally connected to the soil system and local groundwater system with no barriers between. Nearly all onsite landscaping is on slab.

- Urban heating due to the developments excessive bulk and scale removal of existing green areas on natural ground. Excessive concrete slabs and use of planter box and podium slab planting are highly likely to fail in the future due to difficult growing conditions and high maintenance requirements. The built result will not reflect what is shown on the drawings due to this. The design does not present an Australian vernacular in keeping with the iconic existing streetscape and the proposed units will have to rely on airconditioning due to lack of breezeways, lack of eaves, high areas of glass that absorb summer heat and lack of good urban design. This is in direct contradiction to the governments latest policies regarding urban heating in Western Sydney.
- I note that the Development Application relies upon the SEPP and a series of discretionary factors sought in aid of the project and which seek to override the EPAA, the relevant LEP, and the local DCP. Those other planning controls should prevail and it would be unreasonable and irrational for the consent authority to otherwise determine.

In conclusion

The proposal is a mockery of the LMR SEPP. A review of the EIS and accompanying documentation demonstrates the developer has designed a non complying development that meets none of the planning, heritage and environmental constraints on this steeply sloping highly sensitive site. Rather an army of consultants have been engaged in a attempt to justify a request to amend/override the environmental, heritage and vehicular access planning constraints to suit the outrageous development proposal.

I hold a degree in Landscape Architecture and a Masters of Environmental Planning and have worked professionally in both areas for many years in private and public practice. After reviewing this proposal, it is my professional opinion that not only should the development application be refused outright this site, due to its high heritage, environmental and scenic sensitivity should be removed from the LMR provisions and maps and the existing zoning and height restrictions set by the Mosman LEP should prevail. If the developer is keen to assist in Sydney's housing shortage and provide genuine affordable housing as they state numerous times in an attempt to have the planning framework amended for their illegal proposal there are other less sensitive and less expensive sites in Mosman closer to appropriate transport corridors and existing services which will not result in the permanent loss and destruction of the iconic Balmoral slopes and scenic Sydney Harbour foreshore.

The Balmoral slopes are the entry way and scenic backdrop to Balmoral Beach enjoyed by many thousands of local and international tourists who flock here every weekend to enjoy the harbour side beauty of Balmoral and its leafy surrounds, the other harbour beaches and Taronga Zoo. As the proposal clearly does not meet any of the heritage, environmental, zoning, height, traffic management, stormwater constraints of this sensitive site and seeks special treatment to have the planning framework overridden this is a pivotal moment for the State approval authority to fulfil its legislative charter and responsibilities under the Environmental Planning and Assessment Act which overrides the LMR SEPP in environmental assessment and refuse this non permissible development and protect the iconic beauty of this harbourside area for future generations.

If approved developments like this will desecrate the eclectic mix of existing houses and smaller scale units and create wall to wall concrete high rise along the Balmoral ridgeline viewable from iconic Balmoral Beach and even Sydney Harbour.

My rights are fully reserved.

Jacqueline Breakspear BLArch, MSc (Environmental Planning)