

SUBMISSION OBJECTING TO

Residential flat building with in-fill affordable housing

35-39 Darley Street East, Mona Vale | SSD-113872990

SUBMITTER	John Dorrington	POSITION	Object
CAPACITY	Mona Vale resident	EXHIBITION CLOSES	3 August 2026

REQUESTED OUTCOME

Refuse the proposal. Alternatively, require removal of the bonus upper two storeys, major redesign and public re-exhibition supported by independent shadow, visual and traffic reviews.

I strongly object to SSD-113872990.

I support well-planned housing and genuinely affordable housing in appropriate locations. My objection is not to development itself. It is to using a limited, minimum 15-year affordable housing component to justify a permanently oversized eight-storey building that reaches virtually every available bonus control, is out of scale with the existing two- and three-storey setting, creates acknowledged additional shadow and visual impacts, and is supported by technical material containing material inconsistencies.

The application should be assessed on its actual impacts, not on the assumption that every theoretical bonus must be consumed. Permissibility is not the same as planning merit. Section 20(3) of the Housing SEPP still requires compatibility with the desirable elements of the local character or, in a transitioning precinct, the desired future character. A transition can be planned and graduated; it need not begin with the maximum possible eight-storey envelope on a street of predominantly two- and three-storey buildings.

Application at a glance

Measure	Existing/base position	Final proposal
Dwellings	18 existing dwellings	53 dwellings: 44 market + 9 affordable
Height	Pittwater LEP: 8.5 m; LMR base: 22 m / 6 storeys	28.6 m / 8 storeys - the full 30% bonus
Floor space ratio	LMR base: 2.2:1	2.86:1 (7,659 m ²) - within 4 m ² of the maximum

Measure	Existing/base position	Final proposal
Local density control	13.39 dwellings recorded as permissible under PLEP clause 4.5A	53 dwellings; a recorded exceedance of 39.61 dwellings
Affordable housing	Not currently provided as registered affordable housing	9 dwellings / 15.5% GFA for at least 15 years
Parking	Existing residential parking	124 spaces over three basement levels
Trees	42 trees assessed	37 removed; only 5 retained

1. Excessive height, scale and density

The proposal is not a modest response to the new controls. It is a maximum-yield scheme: 28.6 m high, eight storeys, FSR 2.86:1 and 7,659 m² of gross floor area against a calculated maximum of 7,663 m². This is a permanent increase from 18 to 53 dwellings on a 2,679.4 m² site.

The EIS itself describes the immediate area as typically two and three storeys. The applicant's Design Verification Statement concedes that the building is larger than the immediate low-scale context. Appendix 3 also records that the Pittwater LEP density control would permit 13.39 dwellings and that the proposal exceeds that figure by 39.61 dwellings, requiring a clause 4.6 variation.

The application identifies no completed eight-storey precedent in the immediate setting. Its case for 'future character' relies substantially on other proposals: 159-167 Darley Street West is six storeys, while the seven-storey application at 20 Darley Street East was deemed refused and is under appeal. A refused or unbuilt proposal is not evidence that an eight-storey form is already compatible with the locality.

The slab-like length, broad façades and stacked upper levels read as a large institutional or hospital-style building rather than the fine-grained, landscaped coastal residential character of Mona Vale. Stepping back the top four levels does not overcome the building's total height, width or dominance.

2. The visual and character impacts are acknowledged, not resolved

Northern Beaches Council's pre-lodgement comments are direct: an eight-storey building in a generally two-storey setting would have a significant impact on the existing streetscape and character. The applicant's answer is essentially that the height is available under the Housing SEPP. That does not demonstrate compatibility or good design; it merely repeats the source of the bonus.

Appendix 29, the Visual Impact Assessment, records:

- Viewpoint 6 on Darley Street East: 87% of the new development visible; impact rated moderate-to-severe.
- Viewpoint 7 on Darley Street East: 92% visible; impact rated moderate-to-severe.
- Viewpoint 8 from the Darley Street East footpath: 63% visible; impact rated moderate.

The VIA also explains that a multi-storey proposal in a two- to three-storey context would ordinarily have a significant local-scale visual impact. Yet its final recommendation treats those effects as

acceptable largely because the maximum envelope is permissible. That reasoning is circular. The planning framework permits consideration of a larger building; it does not predetermine that this particular maximum envelope is acceptable.

The proposal would also establish a harmful precedent. Once one maximum-height building is approved, it will be cited to support the next. Cumulative change should be led by a coherent precinct plan, infrastructure program and graduated built-form strategy, not by isolated developer-led applications each relying on the last application as evidence of 'future character'.

3. Overshadowing is substantial and the upper two storeys make it worse

The assertion that shadow impacts are insignificant is not supported by the applicant's own documents. Northern Beaches Council stated that the shadow impacts are significant. In Appendix 7A, the applicant expressly acknowledges that the bonus upper two storeys will cast additional shadow.

The EIS also concedes that overshadowing is unavoidable and identifies impacts to 28-30 and 32 Golf Avenue, 25-31 and 33 Darley Street East, with additional afternoon shadow extending to 34-36 Golf Avenue. Architectural shadow drawings PLA-DA-4100 and PLA-DA-4101 show new shadow extending across neighbouring land from 9 am through 3 pm on 21 June. The drawings do not support any suggestion of 'no impact'.

The detailed neighbouring solar diagrams focus on 33 Darley Street East. Even there, the proposal leaves only four of five living rooms meeting the two-hour benchmark. The EIS asserts that a six-storey option would produce a similar outcome, but no clear side-by-side, independently verified comparison of the six- and eight-storey envelopes is presented to substantiate that claim.

Before determination, the Department should require an independent peer review of the shadow model, quantified results for every affected dwelling and private open space, and a comparative analysis demonstrating the reduction achieved by deleting the upper two levels. Additional shadow should not be dismissed merely because a bonus exists.

4. The traffic assessment is too narrow and internally inconsistent

Darley Street East is a two-way local street with one traffic lane in each direction and on-street parking on both sides. It provides an important connection between Barrenjoey Road, local residences, aged care, the golf course and the beach precinct. Congestion is particularly acute during summer, beach-weather weekends and holiday periods. Those conditions are not captured by a generic weekday peak-rate calculation.

Appendix 31 does not report observed traffic counts on Darley Street East, intersection modelling at Barrenjoey Road, queue lengths, weekend or summer surveys, or a cumulative development scenario. Instead, it applies generic TfNSW trip-generation rates. It models the existing 18 dwellings at 55 daily trips and the proposed 53 dwellings at 81 daily trips - a net increase of 26 daily trips - while relying on lower per-dwelling trip rates for the larger high-density building to describe the weekday peak increase as only three AM trips and one PM trip.

The submitted material contains material contradictions that must be resolved:

- Appendix 7A says the Traffic Impact Assessment confirms 28 additional AM trips and 17 additional PM trips. Appendix 31 instead identifies only 10 total AM and 8 total PM trips for the completed development, with net increases of 3 and 1. Both versions cannot be correct.

- Appendix 31 describes the entry/exit driveway as 5.5 m wide, but later concludes that a proposed 6.1 m width satisfies a 6.0 m minimum.
- Council required a maximum 5% gradient for the first 6 m. Appendix 7A confirms the proposed 8:1 gradient is not compliant with AS/NZS 2890.1, yet the EIS and traffic report broadly conclude that the access meets the relevant standards.
- Waste collection requires a Council truck to stop in Darley Street East while bins are serviced, adding a recurring obstruction to a constrained street.

A credible assessment must include observed traffic and queue surveys during representative weekday, weekend and peak-summer conditions; pedestrian and cycling safety; kerbside waste operations; cumulative traffic from approved and foreseeable developments; and a reconciled, independently reviewed access design.

5. Cumulative infrastructure and service capacity have not been demonstrated

The EIS states that cumulative impacts have been assessed, but the supporting traffic study does not model surrounding approved or proposed developments. Similarly, broad statements that existing infrastructure and community facilities can accommodate anticipated growth are not supported by quantified assessments of health services, schools, open space, emergency access or local transport capacity.

This omission matters in the Northern Beaches context. Acute services at Manly Hospital and Mona Vale Hospital were consolidated or reconfigured when Northern Beaches Hospital opened, and the NSW Parliament Public Accounts Committee tabled a report on the safety and quality of services at Northern Beaches Hospital in July 2026. Whatever view is taken of that hospital model, projected residential growth should be accompanied by transparent evidence of health-service capacity, not a generic assertion that several hospitals are nearby.

Sydney Water's feasibility advice about connection requirements is not the same as a transparent cumulative capacity analysis for the full Mona Vale growth pipeline. The Department should require agencies to confirm capacity and planned upgrades across water, sewer, electricity, transport, health and community services before approving maximum-density projects.

6. The affordable housing benefit is limited and temporary

Only nine of the 53 dwellings are proposed as affordable housing; the remaining 44 are market dwellings. The affordable component is concentrated on Level 1 and is secured for the statutory minimum period of at least 15 years. The extra height, mass, shadow and precedent are permanent, while the identified affordable-housing obligation is time-limited.

I support genuinely affordable housing. However, the public benefit must be proportionate to the permanent planning impacts. The Department should not treat a minimum 15-year component as automatically outweighing unacceptable design, traffic, shadow and cumulative impacts. If any revised proposal proceeds, the affordable component should be increased, distributed equitably through the building and secured for a substantially longer period or in perpetuity.

7. Tree loss and landscape character

The proposal removes 37 of the 42 trees assessed on and adjoining the site, retaining only five. Newly planted small and medium trees will take many years to provide the canopy, screening, habitat and cooling benefits of mature vegetation, and some planting sits over structures or in constrained areas.

This scale of tree removal reinforces the building's hard, institutional appearance and weakens the landscaped character relied upon to soften it. More mature tree retention and substantially greater deep-soil planting should shape the building footprint from the outset, rather than landscaping being used to decorate a maximum envelope after it has been fixed.

8. Documentation errors undermine confidence in the assessment

The application material contains several errors or unresolved inconsistencies:

- The Visual Impact Assessment summary describes a 55-apartment building, while the application is for 53 apartments.
- The statutory compliance table states that 38 of 53 apartments equals 67.9% and is below the 70% solar benchmark, while the EIS and Design Report state that the same 38 apartments equals 71.7% and complies.
- The conflicting traffic-generation, driveway-width and driveway-gradient statements described above remain unresolved.
- The EIS alternately describes 159-167 Darley Street West as being at response-to-submissions stage and as recently approved.

Some of these may be drafting errors, but taken together they demonstrate inadequate quality control across reports used to justify a development of this scale. The Department should require a consolidated corrections schedule and updated technical reports before assessment is completed, followed by re-exhibition if the corrections are material.

9. Requested determination and safeguards

For the reasons above, I request that the Department refuse SSD-113872990 in its present form.

If the Department is not minded to refuse it outright, the application should be deferred and the applicant required to:

- delete the bonus upper two storeys and redesign the development to a maximum six-storey/22 m envelope, with further reduction where necessary to protect streetscape character and neighbours' solar access;
- break the building into smaller, clearly separated forms with greater side and rear setbacks and a genuinely recessive upper form;
- provide independent peer reviews of visual impact, overshadowing, traffic, access and cumulative impacts;
- undertake observed traffic, pedestrian and queue surveys during weekdays, weekends and representative peak-summer conditions, including cumulative development scenarios;
- resolve the non-compliant driveway gradient and all contradictory driveway dimensions before determination;
- retain substantially more mature trees and increase deep-soil planting along all boundaries;
- increase and extend the affordable housing commitment so the public benefit is proportionate to the permanent impacts; and
- publicly re-exhibit the amended scheme and corrected technical material.

CONCLUSION

Mona Vale can accommodate new housing without accepting a maximum-yield, eight-storey form that overwhelms its immediate setting and pushes unresolved impacts onto existing residents and public infrastructure. This proposal should be refused or fundamentally redesigned and re-exhibited.

John Dorrington

Mona Vale resident

Key documents relied upon

- [NSW Planning Portal project page - SSD-113872990](#) - Project details and exhibition dates.
- [Environmental Impact Statement](#) - Sections 2.3-2.5, 3.1, 5.4 and 6.7-6.15.
- [Appendix 3 - Statutory Compliance Table](#) - PLEP density variation, ADG and Housing SEPP assessment.
- [Appendix 7A - Engagement Summary Tables](#) - Community, agency and Northern Beaches Council comments.
- [Appendix 12 - Architectural Plans](#) - Shadow drawings PLA-DA-4100, PLA-DA-4101 and neighbouring solar drawings.
- [Appendix 13 - Design Report](#) - Built form, local context and ADG summary.
- [Appendix 29 - Visual Impact Assessment](#) - Viewpoints 6-8 and summary assessment.
- [Appendix 31 - Transport Impact Assessment](#) - Sections 6-7 and 10.
- [Housing SEPP 2021](#) - Sections 20-21: character assessment and minimum affordable-housing period.
- [NSW Parliament - Northern Beaches Hospital inquiry](#) - Report tabled July 2026.