

# MOSMAN HEIGHTS ACTION GROUP

## WAPC Part 17 Significant Development Agenda

### Meeting No. 30, 10 August 2023

#### Agenda Item 10.1 Significant Development Application

Proposed Demolition of Shopping Centre and  
Construction of Five Storey Mixed-Use  
Development, 46 Manning Street, Mosman Park

# WHO IS MHAG?

**Mosman Heights Action Group is a not-for-profit community group that seeks sustainable development of the Neighbourhood Centre in Mosman Park**



## **300+ community members**

We represent a large community group to voice our views on the proposed development.



## **Independent expert opinions**

We engaged traffic, planning and legal experts to ensure our opinion is well informed, legally sound and accurate.



## **Promote sustainable development**

We support sustainable development, consistent with the contemporary planning framework of our neighbourhood.



# OUR ASK

We ask for the WAPC to recognise the voice of the Mosman Park Town & Community

## WAPC should:

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**Decline** to follow the SDAU officer's recommendation; and



**Defer** consideration of the Application; or



**Refuse** the Application.

## SDAU should recommend refusal because the Application:

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Contravenes the **local planning scheme** and **local planning policies**



Disregards **orderly and proper planning**



Will result in **permanent loss of amenity** of the locality



Is **irrelevant to any economic-based** need derived from effects of COVID-19



Is **inconsistent** with State planning policies and Region Planning Schemes



Represents an **aberration in the SDAU process**

# COMMUNITY SNAPSHOT

Mosman Park is a diverse and thriving community

## SNAPSHOT



### Diverse population

- Couples
- Disabled
- Elderly
- Families
- Youth



### Multiple corridors undergoing major development

*McCabe St, Glyde St, Stirling Hwy*



### Multiple Aged Care Facilities



### Green Spaces



### Mixed Residential Status

*Homes, apartments, renters, mortgagees, public housing*

- *MP has 6% of the States public housing vs. a metropolitan average of 3.8%*



### Local Primary School

*1 local primary school inclusive of Deaf School*



### Cultural Heritage

*10 Aboriginal sites including: Swan River, Rocky Bay, Colonial Sugar Refinery, Blackwell Reach Mosman Park*



### Rocky Bay disability facility



# CRITICAL FACTORS (1 of 2)

The revised ADC development plan does not align to current Mosman Park planning regulations and has ignored community feedback and consultation

Purpose & intent local planning	<ul style="list-style-type: none"><li>MHAG supports LPS3 &amp; endorses low-rise development on the site</li></ul>
Height & plot ratio	<ul style="list-style-type: none"><li>Is <b>inconsistent</b> with the intent of Centre Zone in LPS3</li><li>Are <b>not complementary</b> to the existing neighborhood <b>low density and natural form</b></li></ul>
Traffic	<ul style="list-style-type: none"><li>Development plans only have <b>ONE</b> entry and exit for deliveries, residents, visitors and shop visitors</li><li>Significant adverse impact upon local road network</li><li>Increased traffic generation, flow, safety and street parking availability</li></ul>
Parking	<ul style="list-style-type: none"><li>On-street parking is in the public realm, &amp; the Town of Mosman Park has confirmed <b><u>it will not cede this land</u></b> to the Applicant</li></ul>
Transport	<ul style="list-style-type: none"><li>Public transport options are <b>minimal</b> and not in close proximity</li></ul>
Public Realm & Loss of Amenity	<ul style="list-style-type: none"><li>Application does not reflect the <b>existing or desired future scale</b> of development within the local area, nor respond to the changes in topography in relation to the whole of the development area.</li><li>Email from SDAU to ADC 22.04.21 – “pretty sure we already have a ministerial on this one with info to come. Basically, the local won’t sign the DA-waiting on advice as to whether the Minister has any ability to sign over the top”</li><li><b>Currently there is no agreement reached between the Town</b></li></ul>
Community Benefits	<ul style="list-style-type: none"><li>Listed benefits are developer requirements and <b><u>do not</u></b> add value to the community</li></ul>

# CRITICAL FACTORS (2 of 2)

The revised ADC development plan does not align to current Mosman Park planning regulations and has ignored community feedback and consultation

Community Consultation	<ul style="list-style-type: none"><li>• There has been <b>no</b> community consultation undertaken for the revised development Application</li><li>• Claimed 'community consultation' only refers to abandoned Local Development Plan process – which was <b>refused</b> by the Town of Mosman Park.</li><li>• SDAU have not complied with the Department of Planning, Lands and Heritage's <i>Access and Inclusion Plan</i>.</li></ul>
Legal considerations	<ul style="list-style-type: none"><li>• This development should be under the consideration of <b>JDAP</b> and <b>local government</b></li><li>• The exercise of <b>discretion</b> by the Commission under <b>Part 17</b> remains untested by the courts</li><li>• The 3<sup>rd</sup> SDRP meeting raises 'conflict of interest' and 'apprehension of bias' issues</li><li>• The developer (unlike the Town or Community) was afforded the opportunity to address both <b>SPP4.2</b> when it was in draft form and Part C.</li><li>• The proposal is <b>inconsistent with clause 67(t)</b> of the Deemed Provisions as the proposal is deemed to have a significantly adverse impact upon the local road network in terms of traffic generation, flow, safety and street parking availability.</li></ul>
Current Economic State	<ul style="list-style-type: none"><li>• Proposal <b>is not</b> shovel ready and may be considered speculative</li><li>• COVID-19 is no longer a threat to the community or a State of Emergency</li><li>• Strained building industry</li></ul>



# FUTURE OUTLOOK

