

25 September 2025

Our Ref: R/2025/4/D
File No: 2025/553139
Your Ref: SSD-79316759

Justin Keen
Senior Planning Officer, Affordable Housing Assessments
Department of Planning, Housing and Infrastructure

Via Major Projects Portal

Dear Justin

**Advice on Amendment Report – Concept Proposal for mixed-use with time limited
Affordable Housing – 45-53 Macleay Street, Potts Point – SSD-79316759**

Thank you for your correspondence dated 12 September 2025 inviting the City of Sydney Council (the City) to comment on the Amendment Report prepared to amend SSD-79316759 to include demolition and removal of existing structures on the site to the ground floor slab (Stage 1 demolition works).

The City notes that no amendments have been made to the concept envelope nor the associated reference scheme to address the concerns raised in the City's previous submissions.

The City continues to **object** to SSD-79316759 despite the City's commitment to support approvals of residential dwellings that genuinely contribute to housing targets.

The City reiterates that departures from the setback/separation controls provided in the Apartment Design Guide results in significant and unreasonable amenity impacts.

Until the concept envelope has been amended to provide an acceptable framework for the comprehensive redevelopment of the site, it cannot be relied upon by the proposed Stage 1 demolition works to satisfy section 7.19 of Sydney LEP 2012.

The City also raises the following concerns related to the impacts associated with the proposed Stage 1 demolition works:

1 Inconsistent scope of demolition

The Amendment Report states that the Stage 1 demolition works only includes demolition of the existing building to the ground floor slab, with no ground disturbance. However, the Demolition Work Plan in Appendix C includes demolition of slab on ground and foundations in section 5. The demolition elevation prepared by SJB does not provide any clarification.

Section 1.0 of the Demolition Work Plan also identifies the removal of trees, shrubs and soil on Macleay Street and McDonald Street to enable the erection of B-class hoarding

and scaffolding. However, the Tree Protection Specifications and Plan (TPSP) in Appendix H identifies all trees to be retained.

The scope of demolition must be clarified, and all documents must be amended to ensure consistency.

2 Impacts on Street Trees

The existing street trees form an avenue of London Plane trees, are of good health and high amenity value, and are listed on the City of Sydney Significant Tree Register. The TPSP must continue to identify all street trees to be retained.

The TPSP must include detailed assessment on the extent of pruning necessary to accommodate hoarding and scaffolding, including any required clearances. Only minor pruning would be acceptable, being branch removals not exceeding 50mm diameter and the removal of no more than 5% live canopy. The design of hoarding and scaffolding must be modified as necessary to minimise impacts on the existing street trees.

Furthermore, the TPSP must better assess any potential impacts on the roots of the existing street trees and identify the existing building footings along Macleay Street to be retained. This is because previous root explorations found a concentrated mass of tree roots within those front gardens. The retention of existing footings is necessary to avoid damage to structural roots, at least until detailed root investigation is undertaken to allow further assessment.

The TSPS and the Demolition Work Plan need to be updated to provide consistent information. No removal of any trees, shrubs or soil within the public domain will be permitted.

3 Construction Vibration Management

The Construction Noise and Vibration Management Plan (CNVMP) in Appendix D references the German Standard DIN 4150-3. However, it fails to identify the appropriate criteria for the neighbouring buildings.

The CNVMP must be amended to adopt the most stringent Category 3 criteria of the DIN 4150-3. This is because the adjoining buildings to the south are identified as heritage items.

It is also noted that neither the Demolition Work Plan nor the CNVMP include site-specific vibration management strategies. It is recommended that a site-specific Vibration Management Plan be prepared prior to the commencement of any works to set out the maximum vibration limits as per Category 3 criteria of the DIN 4150-3 and as verified and recommended by a suitably qualified structural engineer. The Vibration Management Plan must also outline actions if an exceedance occurs including measures to review and alter the demolition methodology.

4 Construction Traffic Management

A Construction Pedestrian and Traffic Management Plan is to be prepared in consultation with the City prior to the commencement of works. This can be required by a condition of consent.

Notwithstanding, should the Department recommend the application for approval, the City requests the opportunity to view the recommended conditions of consent and provide further advice. It is expected that conditions will be imposed to ensure

compliances with the submitted Remedial Action Plan with the *City of Sydney Code of Practice for Construction Hours/Noise 1992*.

Should you wish to speak with a Council officer about the above, please contact Bryan Li, Senior Planner, on 9265 9893 or at bli@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'GJahn', written over a large, faint, light-grey watermark of the same signature.

Graham Jahn AM LFRAIA Hon FPIA
Chief Planner / Executive Director
City Planning | Development | Transport