

22 September 2025

Our reference: 223094

Justin Keen

Department of Planning, Housing and Infrastructure
justin.keen@dpie.nsw.gov.au

RE: Response to Submissions and Amendment Report for State Significant Development SSD-79316759 at 45-53 Macleay Street, Potts Point

Thank you for notifying Sydney Water of the Response to Submissions and Amendment report for SSD-79316759 at 45-53 Macleay Street, Potts Point, which seeks concept approval for a 13 storey shop top housing development, with three levels of basement parking, ground floor retail, and residential above.

Sydney Water has reviewed the application based on the additional information supplied and provide the following comments to assist in understanding the servicing needs of the proposed development.

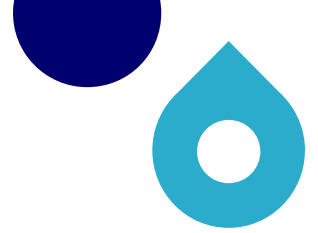
We understand that the proponent is seeking an amendment to the application to include Stage 1 demolition works as part of the proposal. Sydney Water's advice dated 23 April 2025 remains applicable. A copy has been enclosed.

If you require any further information, please contact the Growth Analytics Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

Growth Analytics Team

Growth and Development, Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150



23 April 2025

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Department of Planning, Housing and Infrastructure
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RE: State Significant Development SSD-79316759 at 45-53 Macleay Street, Potts Point – concept approval

Thank you for notifying Sydney Water of SSD-79316759 at 45-53 Macleay Street, Potts Point, which seeks concept approval for a 13 storey shop top housing development, with three levels of basement parking, ground floor retail, and residential above.

The proposed development will have a maximum total GFA of 5,529.8m² and facilitate 12-13 ongoing jobs. The reference scheme provided indicates the provision of approximately 34 apartments.

SSD-79316759 seeks concept approval only and does not involve any physical works. Construction works are subject to future detailed applications.

Sydney Water has reviewed the application based on the information supplied and provide the following comments to assist in understanding the servicing needs of the proposed development.

Water and Wastewater Servicing

- Our preliminary assessment indicates that water and wastewater servicing should be available for the proposed development.
- Amplifications, adjustments, deviations and/or minor extensions may be required.
- Detailed requirements will be provided at the Section 73 application stage.

Next steps

- For future detailed development applications relating to SSD-79316759, Sydney Water would require the following conditions be included in the development consent.
 - Section 73 Compliance Certificate
 - Building Plan Approval

Further details of the conditions can be found in **Attachment 1**.

- DPHI is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides more information on Infrastructure Contributions.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

The Department can read further advice on requirements for future detailed development applications relating to SSD-79316759 in Attachment 1. Should the Department require further information, please contact Joanne Chan from the Growth Analytics Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Manager, Growth Analytics and Strategic Partnerships
Growth and Development
Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Enclosed:

- Sydney Water Development Application Information Sheet (for proponent)

Sydney Water Corporation ABN 49 776 225 038

1 Smith Street, Parramatta, NSW 2150 | PO Box 399, Parramatta, NSW 2124

Telephone 13 20 92 Media (24/7) 8849 5151 sydneywater.com.au



Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's [Technical guidelines – Building over and adjacent to pipe assets](#).