

23 March 2026

Hon. Paul Scully MP
Minister for Planning and Public Spaces
Via the NSW Planning Portal

Dear Minister,

OBJECTION – State Significant Development

Application SSD-80626208 Redevelopment of 8–10 New McLean Street, Edgecliff

1. The publicly-available planning proposal material for this (entire) site records substantial uplift settings, including RL 91 – “effectively 18 storeys” – and FSR 3.7:1 [1].
2. I agree with and adopt other objection grounds that have been raised in the several objections that have been lodged by other residents and community representatives; including infrastructure shortfall, traffic and parking impacts, overshadowing and loss of amenity to Trumper Park, noise, vibration and broader construction impacts and inadequate affordable housing outcomes.
3. The public record shows the uplift was contested. The relevant Planning Panel record of decision was a split decision (3:2) and the published dissent raised concerns about (among other matters) the heritage context, lack of reasonable transition to nearby low–mid scale residential development and traffic/parking pressures [2]. These are directly relevant to the SSD assessment.
4. I specifically endorse and support the objections lodged by Councillors Merrill Witt and Mark Silcocks and ask the Department to consider them closely.
5. Cr Witt’s objection, in particular, raises material concerns about the application’s staging and dwelling-number logic, including the risk that early-stage delivery does not match existing dwelling-counts and that later-stage delivery may not be enforceable or timely. In my respectful submission, if the public is asked to accept major impacts, the public benefits must be clear, direct and enforceable – not contingent.
6. Without intending to derogate in any way from the other grounds of objection mentioned above, the focus of *this* objection is my contention that the proposal (as exhibited and as foreshadowed by the planning uplift sought for the site) would cause serious and irreversible damage to the heritage setting and public amenity of the Paddington Heritage Conservation Area and its immediate surrounds.
7. The value of a heritage precinct is not only in individual façades, but in the precinct’s *readability* as a historic place – its human scale, rooflines, streetscapes and the way it is experienced by residents and visitors in the public domain [2].

8. I recognise Sydney's need for more housing and the Government's focus on delivery. However, the NSW planning system requires the consent authority to consider planning controls, impacts, submissions and the public interest [3].
9. The objects of the planning law include not only housing (including affordable housing), but also the sustainable management of built and cultural heritage and the promotion of good design and amenity [4].
10. This context matters because it frames the intensity of development being pursued at a *heritage-edge* location.
11. *Standard Instrument (Local Environmental Plans) Order 2006* (NSW) includes among its objectives the conservation of "the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views" [5].
12. That means the consent authority should treat severe adjacent visual dominance and loss of coherent setting as a genuine heritage impact, not merely a matter of taste.
13. The surrounding streetscape includes terrace housing and historic urban form dating from c. 1881. The reason these precincts matter is that they allow the public to experience a coherent historic environment in real space: scale, rhythm, roofscape, street alignment and skyline are all part of how a place is understood.
14. That the precinct is readily accessible to the whole population of Sydney, by train to Edgecliff Station, is a good reason (among other good reasons) for protecting the historical character of the area – consistent with its zoning as a Heritage Conservation Area.
15. Woollahra's Paddington HCA controls emphasise that the area must be understood as a *whole precinct* and that "the whole is greater than the sum of its parts" [6]. They also recognise that *public views* from streets and parks are prized because they allow people to "see and interpret" the place and its setting [6].
16. Allowing a very tall modern building at the immediate edge of this environment risks permanently changing the visual frame against which the historic streets are experienced and thereby reduces the precinct's readability and public amenity.
17. Best-practice heritage guidance supports this approach. The *Burra Charter* states that conservation requires retention of an appropriate setting, including visual and sensory setting and that intrusions which adversely affect setting are not appropriate [7]. NSW's *Design Guide for Heritage* likewise promotes conserving and enhancing heritage places through good design, rather than allowing development that overwhelms heritage character [8]. Heritage NSW guidance also supports considering setting/context and the way significance is understood and experienced [9].
18. I accept that housing supply is a legitimate objective. But the public interest question in this case is whether it is appropriate to impose a large, permanent heritage and public-amenity cost in order to obtain a housing outcome that may be significantly shaped by

view-driven, higher-priced dwellings, with at best little (and possibly zero) increase to affordable housing. The planning system's objects require housing outcomes to be pursued alongside heritage and amenity protection, not at their expense [4].

19. Research cautions against assuming that high-end supply reliably produces low-income affordability through "filtering." AHURI's Australian research concludes filtering is *not* a reliable source of low-income housing supply in Australian cities [10]. This strengthens the need for the Department to scrutinise whether any claimed affordability benefit is direct, enforceable and proportionate to impacts.
20. The development area is sufficiently large that 250 dwellings (be they luxury, "affordable" or even *actually affordable*) could be built without the erection of towers of 10 storeys or higher.
21. For these reasons I request that the Department recommend refusal of SSD-80626208.
22. Further, or in the alternative, I request that approval only be granted following substantial redesign and with enforceable conditions which, at minimum:
 - (a) materially reduce height/bulk at the heritage interface to protect heritage setting and public views/vistas;
 - (b) require an independent heritage-setting and visual impact assessment using sensitive public-domain viewpoints (e.g., Cameron Street and other streets and lanes immediately adjacent to the proposed development);
 - (c) ensure housing outcomes (including any "no net loss" logic and affordable housing commitments) are not dependent on an uncertain later stage; and
 - (d) impose robust, enforceable conditions addressing construction noise/vibration, traffic/parking impacts and Trumper Park amenity.
23. I respectfully request that the Department's assessment report clearly explain how it has evaluated and protected heritage setting and public-domain amenity, consistent with the statutory framework and relevant heritage/design guidance. [3] [8] [10]

Yours faithfully,



David Liebhold

Endnotes

[1] NSW Planning Portal (Major Projects), SSD-80626208 project page (proposal summary and exhibition details): <https://www.planningportal.nsw.gov.au/major->

[projects/projects/redevelopment-8-10-new-mclean-st-edgecliff](#); Woollahra Municipal Council, planning proposal page for 8–10 New McLean Street, Edgecliff (RL 91 “effectively 18 storeys”; FSR 3.7:1): <https://www.woollahra.nsw.gov.au/Building-and-development/Development-Rules/Previous-and-proposed-exhibitions/Planning-proposal-for-8-10-New-Mclean-Street-Edgecliff>

[2] Woollahra / Sydney Central City Planning Panel record of decision (post-exhibition) for PP-2023-1648 (includes 3:2 decision and dissent concerns).

<https://www.woollahra.nsw.gov.au/files/assets/public/v/1/pp-2023-1648-record-of-decision-post-exhibition-finalisation-public-meeting-9-december-2025.pdf>

[3] *Environmental Planning and Assessment Act 1979* (NSW), s 4.15.

<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1979-203#sec.4.15>

[4] EP&A Act, s 1.3 (objects of the Act).

<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1979-203#sec.1.3>

[5] Standard Instrument (Local Environmental Plans) Order 2006, cl 5.10 (heritage; “settings and views”). <https://legislation.nsw.gov.au/view/whole/pdf/inforce/2021-11-10/epi-2006-0155>

[6] Woollahra Development Control Plan 2015, Chapter C1 (Paddington Heritage Conservation Area) (whole-precinct approach; public views).

<https://www.woollahra.nsw.gov.au/files/assets/public/v/1/building-and-development/documents/chapter-c1-paddington-hca-may-2024.pdf>

[7] Australia ICOMOS, *The Burra Charter* (2013), Article 8 (setting).

<https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>

[8] NSW Government Architect NSW / Heritage Council of NSW, *Design Guide for Heritage*.

<https://www.planning.nsw.gov.au/government-architect-nsw/design-guidance/design-guide-for-heritage>

[9] Heritage NSW (NSW Government), *Assessing heritage significance* guidelines.

<https://www2.environment.nsw.gov.au/sites/default/files/assessing-heritage-significance-guidelines-assessing-places-objects-against-criteria-230167.pdf>

[10] AHURI, *Filtering as a source of low-income housing in Australia: conceptualisation and testing* (Final Report No. 387, 2022). <https://www.ahuri.edu.au/research/final-reports/387>