

29 April 2025

**SSD-79316759 – 45-53 Macleay Street, Potts Point**

My name is Janet Pennington and I own **Apartment 5 in the Yellow House, 57-59 Macleay Street, Potts Point, NSW 2011.**

Thank you for the opportunity to provide feedback on the Concept Proposal for 45-53 Macleay Street, Potts Point SSD-79316759. I wish to object to several elements of the concept plan.

**1. Disingenuous argument regarding affordable housing – is this a circumvention of the planning process?**

The existing building accommodates 80 studio apartments, one of the largest supplies of affordable housing in the area. The concept to demolish the existing building and in the new development incorporate a nominal number of affordable apartments is disingenuous. The argument that this concept plan is entitled to bonus floor space is illogical and contradicts Federal, NSW State and City of Sydney policies to increase affordable housing.

**2. Heritage and Historical Significance of Yellow House Downplayed**

Section 1 of the Design Report makes mention of the Macleay Regis “being one of the most interesting...”, but says nothing about the Yellow House, its heritage and historical significance except to include it within the remaining 5 remaining Victorian terraces at the south of the site. Special mention should be made of the Yellow House (*Item No: “Former Artists Studio - The Yellow House – including interiors” – within Heritage Conservation Area C20 and of Local Significance Sydney 2012*). The impact of this bulky concept plan on the Yellow House has been underestimated, or worse still, ignored.

In addition to the impact on solar access, over-shadowing and noise (see below), particular mention must be made about the loss of sightlines to the artwork screens by artist Matthew Johnson incorporated at the rear of the Yellow House as part of the development consent at the time. See the attached mark-up of plans that illustrate this. The value of the sight line was recognised in the NSW LEC 2017 judgement no. 1391.

**3. Solar Access and Over Shadowing – No Analysis of Intersection of Buildings**

The sheer bulk of the footprint will have an adverse impact on apartments at rear of Yellow House, and other low-rise buildings in close proximity to the south (12-16 Challis) and the south-west (10C Challis) of the site.

The junction between these buildings, which is the one-storey rear of the Yellow House, has not been included in the proponent's analysis. This open area between the buildings provides reflected light to apartments in the three-sided intersection and allows access to air-flow. To 'enclose' the 4<sup>th</sup> side of the rectangle seriously impacts the amenity of apartments in all three buildings.

The proponent's own data shows significant reduction in sunlight for all Yellow House apartments, ranging from 10% to 50%. (Extracted from *CoS Solar Access Data Tables*) but is not considered significant in the proponent's reports. Add to this the flaw mentioned above and the impact is underestimated.

I note that the data extracted from the tables shows that even the 'Envelope Without Bonus Height' has this adverse impact – indicating that the footprint size is the major contributor to the reduction in sunlight to the Yellow House apartments.

#### **4. Noise and Privacy**

The proximity of the concept communal facilities, including a swimming pool, will adversely impact the quiet enjoyment and privacy of west-facing Yellow House apartments. The configuration of the surrounding buildings (as mentioned above) combined with the bulk and proximity of the concept building will lead to a 'echo chamber' effect.

The proposed open plan Level 3 communal facilities and outdoor gym will exacerbate this. Indeed, I do not understand the need for these facilities at this level. Is it motivated by achieved an additional level in valuable height if this open area is not calculated in floor space?

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In conclusion, the Design Report states in its introduction of the existing building that: "The building pays no respect to its neighbours."

I submit, for the reasons mentioned above, that the concept plan does not improve the situation, and indeed, due to its bulky form, makes the situation considerably worse.

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AS APPLICABLE TO THE PROJECT, THE DESIGNER HAS REVIEWED THE SITE, AND HAS CONSIDERED THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING AREA. THE DESIGNER HAS CONSIDERED THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING AREA, INCLUDING THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING AREA, INCLUDING THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING AREA.

# INDICATIVE

Item	Area	Unit
1. RETAIL	378 m <sup>2</sup>	m <sup>2</sup>
2. WAREHOUSE	378 m <sup>2</sup>	m <sup>2</sup>
3. OFFICE	378 m <sup>2</sup>	m <sup>2</sup>
4. GARAGE	378 m <sup>2</sup>	m <sup>2</sup>
5. DRIVEWAY	378 m <sup>2</sup>	m <sup>2</sup>
6. FENCE	378 m <sup>2</sup>	m <sup>2</sup>
7. LANDSCAPE	378 m <sup>2</sup>	m <sup>2</sup>
8. TOTAL	378 m <sup>2</sup>	m <sup>2</sup>

