



23 March 2026

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

Cc
Ms Kellie Sloane MP
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Cr Sarah Dixon
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Dear Minister

Objection to SSD 80626208: 8-10 New McLean Street, Edgecliff

The Proposal

A State Significant Development (SSD) Application 80626208 is currently on exhibition for 8-10 New McLean Street, Edgecliff (the Proposal). I write to request that you urgently halt the progression of the Proposal's assessment via the SSD pathway and reconsider its status as a SSD.

The Proposal seeks consent to demolish the two existing buildings on the Site (containing 106 small, lower cost units) and undertake a subdivision to create 2 lots and construct a new 10 storey development on the western block comprised of:

- A development Site (with an area of 2,790.3 m²);
- 65 apartments (including two affordable ground floor apartments); and
- A five level basement car park requiring 16 metres of excavation to provide for 134 resident and 16 visitor car spaces.

The Proponent's Environmental Impact Statement (EIS) states that due to 'feasibility' the larger eastern block (with an area of 4,435.6 m²) will remain vacant with 'a further SSD application' to be prepared. The estimated development cost (EDC) of the Proposal is \$63,282,198 (excluding GST).

The Expression of Interest

The Expression of Interest Application No. 231094, dated 13 January 2025 (the EOI) was considered by the Housing Delivery Authority (HDA) on 19 February 2025. The Record of Briefing recorded that the land was located on 'an isolated piece of industrial land' and that redevelopment on the Site would (indicatively) deliver 250 dwellings. The HDA:

- considered that the Proposal sufficiently satisfied the objectives and criteria of the HDA EOI; and
- provided the following advice to you;

'The Proposal has state significance as it is a major residential project as it satisfies the HDA SSD criteria established in the document *HDA consideration of state significance under s4.36 of the EP&A Act.*' [My emphasis]

On 26 February 2025, pursuant to section 4.36(3) of the *Environmental Planning and Assessment Act 1979* you made *State Significant Declaration Order 2025 (No.2)* (the Order). The Order provided that the development specified in the EOI be declared State Significant development.

The SSD Pathway

Based on the information available in the EIS the Proposal no longer appears to meet the stated criteria or objectives for 'major' residential projects of State Significance under the HDA Guidelines. A 65 dwelling development is not of a scale that could reasonably be described as a 'major' residential project of State significance, particularly given that:

- It replaces 106 existing small, lower-cost apartments with only 65 new dwellings (resulting in a net loss of 41 dwellings on the Site);
- The number of affordable dwellings is reduced to 2 apartments; and
- It has a EDC of \$63,282,198 (significantly below the SSD threshold of \$75million).

In this context, using the SSD pathway to deliver a net loss of housing is inconsistent with the intent and public perception of what constitutes State Significant residential development. The HDA's criteria expressly aims (amongst other things) to:

1. Identify high-yield housing proposals by focusing on known high-yield types of residential accommodation;
2. Identify housing projects that can be assessed and constructed quickly, with a strong likelihood of rapid commencement and delivery; and
3. Drive quality and affordable housing, focusing on well-located development that has enabling infrastructure and contributes to affordable housing supply.

The Proposal does not satisfy these objectives:

- Not high-yield: The net outcome is a reduction from 106 existing units to 65 new dwellings. This is the opposite of a high-yield outcome (estimated in the briefing to the HDA as approximately the delivery of 250 dwellings) and cannot credibly be described as increasing supply of housing;
- No net increase in affordable housing: The demolition of 106 small, lower-cost apartments (which function in practice as relatively affordable housing stock) to deliver only 65 new dwellings (with only 2 dedicated affordable apartments) results in a significant loss of lower cost housing. This directly undermines the stated aim of 'driving quality and affordable housing' and 'contributing to affordable housing supply.'
- Inconsistent with National Housing Accord intent: The SSD pathway is meant to expedite approval and delivery of dwellings. Approving a proposal that reduces existing dwelling numbers undermines the credibility and aims of the HDA.
- Insufficient scale for State significance: A 65-unit residential flat building is a common form of infill development that is more appropriately assessed through existing local planning pathways. There is no clear justification for treating a net-negative yield project as an SSD.

Overall the community is concerned that:

- The Proposal is no longer transparently presenting the full extent of redevelopment originally described in the EOI (circa 250 dwellings);

- The subdivision and staging approach creates uncertainty about the final dwelling yield, apartment mix and actual affordable housing outcomes across the whole Site; and
- There is a risk that Proposal is being progressed with no guaranteed or enforceable obligation to deliver the high-yield development (or meaningful affordable housing) for a 'future' SSD on the eastern lot.

If the State Significant status is being justified on the basis of the entire Site redevelopment and the ultimate delivery of 250 dwellings, then it is inappropriate to continue the SSD process for a first stage that delivers only 65 dwellings.

Allowing a downsized project of this nature to proceed as an SSD risks:

- Setting a precedent that infill developments with net losses in dwellings can be treated as 'State Significant';
- Sending a message that proponent-driven feasibility changes can substantially dilute housing and affordability outcomes after an expression of interest has been accepted; and
- Undermining public confidence in the SSD and HDA processes.

Government Information (Public Access) Act 2009 (GIPA)

The process which has led to the Proposal is unsatisfactory and opaque from a public interest perspective. That lack of transparency leaves uncertainly as to the future of this Proposal and notwithstanding that it is being advanced as a SSD, much of the material information in respect of the dealings between the Proponent and HDA has not been made available for consideration or scrutiny.

There is at least an available inference that these dealings and other information which is claimed to be 'commercially sensitive' will likely have an impact on the future of this Proposal. The community has been denied access to that information and thus any objection to the Proposal is necessarily qualified in that regard.

On 29 October 2025, I caused a GIPA application to be made for information concerning this Proposal. On 4 December 2025, I received reasons supporting refusal to provide all of the information sought by my GIPA application. That refusal was in part based upon a request from the Proponent. The reasons for refusal of production of all information requested, included the following justification:

'Landmark objected to the release of the requested information on the basis that the Expression of Interest (EOI) documents relate to ongoing work within the Department and contain commercially sensitive aspects of the proposal. They submitted that the EOI process involves the voluntary provision of detailed and sensitive material under a reasonable expectation of confidentiality. Landmark further contended that the routine disclosure of such information could deter future applicants from providing full and frank submissions, thereby diminishing the quality of information available to the Government and undermining the overall effectiveness of the EOI program.'

...

'The EOI in question was submitted to the Housing Delivery Authority (HDA) as part of a broader government process to determine whether development may proceed at 8-10 New McLean Street, Edgecliff (the Site). The proposed project remains subject to an extensive and ongoing assessment process which has not yet been completed. As such, the release of information relating to the EOI at this stage could reasonably be expected to affect the Department's decision-making process. The EOI forms part of an active State Significant Development assessment process as well as a Planning Proposal process, and the release of the EOI material may prejudice current deliberations, interfere with statutory decision-making and/or expose the process to external pressure or lobbying. Premature disclosure of EOI information could interfere with this process by exposing sensitive commercial, planning, or strategic considerations before they have been finalised. In this context, I consider that information provided in EOIs has been communicated to the Department and HDA with an implied expectation of confidentiality, given that the process remains incomplete and that

premature disclosure could adversely affect both the applicant and the Department. Revealing such information outside the proper statutory context would risk undermining the integrity of the State Significant Development assessment process.'

Overall, the Proposal makes a mockery of the stated aim of the HDA/SSD pathway to increase housing and affordable housing supply of State significance. Instead of delivering more dwellings, it delivers fewer dwellings and creates uncertainty regarding the future development of the eastern lot.

In all the circumstances, I ask that you:

1. Urgently halt the progression of the exhibition and assessment of the Proposal;
2. Immediately reconsider the status of the Proposal as a SSD;
3. Direct that requested GIPA information be publicly released in full and that a reasonable time be made available to allow further objections based on that information; and
4. Please treat this letter as a formal objection to the Proposal.

I would be pleased to discuss any aspect of the above.

Yours sincerely

A handwritten signature in black ink, appearing to read "Harriet Price". The signature is written in a cursive, flowing style.

Cr Harriet Price