

From: The Directors, Mayfair Units Pty Ltd

Date: 23 April 2025

To: Planning Officer, NSW Department of Planning, Housing and Infrastructure

Subject: **Objection to State Significant Development Application for 45–53 Macleay Street, Potts Point (SSD-79316759)**

Dear Sir/Madam,

The Directors of Mayfair Units, 6 McDonald Street Potts Point, are writing on behalf of the owners to formally object to the proposed State Significant Development Application (SSD-79316759) lodged by Time and Place - Chimes Pty Ltd for the redevelopment of 45–53 Macleay Street, Potts Point.

Mayfair Units, a 1924 heritage apartment building, is located directly opposite the Chimes' northern façade. Mayfair owners are not opposed to urban renewal or development in Potts Point. However they are concerned that any new development be appropriately scaled and its form respects the unique heritage, character and amenity of the Potts Point Heritage Conservation Area.

Having reviewed the Time and Place Chimes' Environmental Impact Statement (EIS) and associated documentation, we raise the following concerns regarding the scale, suitability and public benefit of the proposed concept scheme.

1. Inappropriate Scale and Density

The proposed 13-storey development is excessively large and represents a substantial departure from the existing built form and character of Potts Point, a recognised heritage conservation area. The increased building height and massing - enabled by the Housing SEPP and design excellence bonuses - are disproportionate to the surrounding low- to mid-rise neighbourhood, potentially leading to unacceptable overshadowing, significant view loss, and visual bulk impacts.

2. Limited and Temporary Affordable Housing Commitment

While the inclusion of 15% gross floor area as affordable housing is welcome, the commitment is limited to a 15-year period after which these dwellings may revert to market-rate housing. This represents a modest and time-limited community benefit in exchange for a permanent significant uplift in development yield. Moreover, 15% falls short of what is increasingly regarded as a fair benchmark in high-value inner city locations.

3. Demolition vs Adaptive Reuse

The applicant's decision to pursue full demolition - despite the building's potential for adaptive reuse - undermines efforts to promote sustainability, reduce embodied carbon and retain existing housing stock. The rejection of adaptive reuse appears driven by commercial expediency rather than genuine constraints, especially given the increasing emphasis on "circular economy" principles in urban development.

The removal of the existing 1960s building - despite being labelled 'non-contributory' - could set a concerning precedent for development pressure within this conservation area and others.

4. Adverse Heritage and Streetscape Impacts

The Chimes site is within the Potts Point Heritage Conservation Area and adjacent to multiple historic and heritage listed properties. The suburb is renowned for its rich legacy of 1930s Art Deco architecture. This proposed development threatens to dominate and detract from this sensitive context. The absence of significant setbacks in the building's envelope, to provide more street sunlight, landscaping and retention of existing public and private views, is a major planning deficiency.

5. Excavation and Vibration Risks

The excavation of bedrock sandstone required for three floors of underground car parking could endanger the structural integrity of many nearby heritage buildings, including Mayfair Units. Insufficient EIS details provided to assess how the adverse impact of sustained jack-hammering on nearby buildings and established street trees will be managed.

6. Adverse Mixed-Use Business Impacts

The applicant's plan for ground floor mixed-use business - late night licenced café, bar and restaurant operation incorporating outdoor dining - appears ill conceived and will likely reduce amenity in this high-density dormitory area. Yet the EIS provides negligible information about how this quiet corner of Macleay Street can endure more noise from increasing pedestrian and vehicle activity. Or why another late-night licenced operation is necessary when there are so many available nearby south of the Macleay and McDonald Street intersection. Insufficient precinct street car parking spaces will only compound the pressures on amenity.

7. Inadequate Community Consultation

The EIS outlines limited engagement with adjoining landowners and some stakeholders while broader community consultation was minimal. There is little evidence that diverse community voices, particularly those concerned with heritage, housing affordability and amenity, have been adequately heard or reflected in the concept proposal.

8. Premature Approval at Concept Stage

The application seeks concept approval only, deferring detailed assessments of design, amenity, landscaping and environmental mitigation to future stages. Granting consent without

full visibility of these critical elements significantly reduces the community's ability to assess impacts and meaningfully influence the outcome.

9. Public Interest Not Demonstrated

In light of the above, Mayfair Directors submit that the proposal is not in the public interest. The limited public benefit (short-term affordable housing and ground floor cafe, bar restaurant) is significantly outweighed by the long-term adverse impacts on heritage, built form, residential amenity and the social fabric of Potts Point.

The Concept Proposal appears to prioritise development yield and profitability over genuine contributions to heritage, housing diversity or community well-being.

Conclusion

We respectfully urge the Department of Planning, Housing and Infrastructure to refuse this application in its current form. Should the proponent wish to proceed, we recommend a substantial redesign that:-

- Reduces building height and bulk to better reflect neighbouring heritage buildings in scale and character,
- Incorporates major building setbacks ensuring greater availability of sunlight in Macleay Street and neighbouring properties,
- Ensures street landscaping is provided and retention of existing public views,
- Provides long-term or perpetual affordable housing,
- Remove provision for a late-night licenced operation on the Chimes' site,
- Seriously investigates adaptive reuse options,
- Strengthens community engagement, and
- Provides a detailed, integrated Development Application for thorough public assessment.

Thank you for considering this submission.

Regards,

Directors, Mayfair Units Pty Ltd

c.c. Bill Mackay, Manager Planning Assessments, City of Sydney