

**Objection to Chimes redevelopment. 26 April 2025**  
**Application number: SSD-79316759**  
**Development Address: 45-53 Macleay Street, Potts Point**

This submission is from:

**Elizabeth and Nick Murray**

Thank you for the opportunity to give feedback on this new proposal to redevelop 45-53 Macleay Street Potts Point. We strenuously object to the proposed development.

The development is inappropriate in many respects, not least because it is a cynical exercise to avoid the recent Land and Environment Court decision on another development where the court said it did not have the power to approve a development which resulted in a net decrease in available housing. A luxury apartment proposal for 34 apartments is not "State Significant", particularly when it replaces 80 apartments.

**1. Reducing net dwelling numbers should never be permitted**

The existing building "The Chimes" is currently a practical Modernist apartment building of 80 units. The proposed development of 34 apartments, will reduce the number of dwellings by 46, a reduction of 57% on the site. How can this be considered in a time when NSW is suffering a housing availability and affordability crisis, due to the fastest population growth since the 1950s. It is insulting that the developer has suggested reducing the net number of dwellings in an important inner-city suburb close to transport, when housing supply is already so constrained.

It is crazy to be considering destroying a well-loved and fully occupied 80 unit building of affordable units, when such housing is in extremely low supply. The residents of The Chimes help provide character to the suburb and conversely, the suburb provides a home for the residents of The Chimes. Where will they go? Certainly not into the new building.

The developer has argued that there are some "affordable" apartments in the proposed designer building and they then use this as a reason to get 2 types of height and floorspace relief set out in section 5 of document F "Design Excellence Strategy". They ask for a 10% bonus for design excellence and a 30% bonus for the addition of a few affordable units. This latter task is made even easier due to the low total number of units proposed for the development - ie the hurdle of 10-15% of 34 units is only 4.

But the test should rather be whether there is a net increase in affordable housing, not whether there are a few affordable units in the building. The existing building has 80 affordable units, so the only way the height and floorspace bonus should kick in, is if that number is increased. The development will instead result in a net loss of affordable housing in Potts Point. The proposal is for a total of 4 comparable single bedroom affordable units – this is a pathetic number compared to the current 80 affordable units – a reduction of 95%. The proposed development will also displace people without alternative accommodation options.

**2. Motive**

It is quite apparent that the developer is simply running this process as a profit exercise. After all, when the first DA was lodged, they didn't own the building or indeed many of the units in it. It was a speculative endeavour.

Now they are applying for State Significant Development status. Why are they doing this? It is clearly to by-pass the Land and Environment Court which has recently indicated that it does not have the power to approve a development where the net dwelling numbers are reduced. We submit that this SSD review should adopt the same test – ie do not approve developments which result in a net **decrease** in unit numbers.

The application does not have detail of any final design plans which makes it difficult to address some aspects of the application. However, the proposed design competition (running for a paltry 5 weeks) seems a thin and cynical exercise to add gloss to the project – polishing a turd is another way to put this – and in the **process** get another 10% floorspace bonus. You are being asked to assess a proposal which will not be the final development. This makes no sense and is extremely worrying for neighbours like us.

### **3. Loss of current set backs**

What will be lost is the wonderful sense of space around the current structure. A feature of many of the mid-century buildings around this area, including The Chimes, is that they didn't use every available square metre on the block. The set-back above the podium around The Chimes is a joy for those who live nearby and great for residents of the building itself. The set-back provides a welcome break in the streetscape when walking or driving past.

In a dense suburb like Potts Point the amenity of the north end of Macleay Street is greatly enhanced by the set-back of the current residential tower structure. The much bulkier structure proposed, will result in the loss of the literal breath of fresh air that The Chimes provides. That other parts of the street have been ruined with large buildings, does not justify the demolition of 45 Macleay Street.

### **4. Expansion of footprint**

The proposal is to expand the upper footprint towards MacDonald Lane and towards the neighbouring buildings on McLeay Street. It appears to be more than double the current footprint for both the podium and the residential tower. This will remove views to the north and south currently enjoyed by its neighbours - replacing more distant views of buildings further away in Rockwell with a close-up view of the new building. The reduction of medium distance perspective to the South, is not addressed in any sight lines report and is an undeniable loss of amenity for the locale.

### **5. Unacceptable bulk in new plans**

The proponent has in the past, described The Chimes as “underdeveloped”. This emotive language belies the fact that the new building has only 34 dwellings - down from the current 80 a reduction of nearly 60%. This reduction shouldn't even be considered in the current housing crisis. The Chimes building as it currently exists, is respectful to the neighbouring buildings which are terraces, wonderful older lower height 3 level buildings and residential flat buildings of approximately the same height as The Chimes (8-10 stories). Building closer to the neighbouring dwellings on two sides will overwhelm those older structures. The bulk of the proposed development is inappropriate for an already very dense street.

The additional 4 stories (or 15 metres extra height) being requested under the affordable housing rules, will make the building the highest for several blocks. The extra floors and floorspace add unacceptable bulk and overshadowing to an already very dense suburb. The attached elevation plans (sourced from document G – Concept Envelope Drawings) show the view of the development from the north and east more than double the apparent bulk of The Chimes.

The shadowing report shows shadows from the development crossing Challis Avenue, a block away (attached and sourced from Page 67 document H-Design Report). Challis Avenue is home to 5 lovely outdoor dining venues used by locals, which will all be adversely affected by the shadows. Note that the shadow diagrams in the application are misleading, due to the shadow being partly hidden behind the café buildings on Challis Avenue and their verandahs). Also attached is a photo showing the sun in Challis Avenue at 12:30pm 26 April 2025. This is what will be lost for several months a year.

The proposal is selfish and inconsiderate of the village atmosphere fostered by the city of Sydney. It is far too big, bulky and is a terrible idea. Photo montages in document J-Visual Impact Assessment show how truly massive the proposed new building will be. Photo attached below (sourced from page 65 of Visual Impact Assessment).

## **6. Lack of replacement housing**

We implore Government to heed to decisions of the Land and Environment Court regarding net depletion of housing – ie we should not lose this number of dwellings and by extension, local residents. Where do our defence force, police force, nurses, aged care workers and lower paid workers live with access to transport, if developers tear down existing housing to be replaced with limited luxury apartments? There is no replacement housing in any nearby suburb into which these people would go.

## **7. The development will change the socio-economic mix**

Potts Point is a community of mixed socio-economic backgrounds. The proposed development dramatically reduces the access of a diverse mix of residents by replacing existing relatively low-cost housing, with predominantly luxury apartments for the wealthy. Destroying the social mix of a suburb like Potts Point should not be State Significant. As a society, we can't continue planning only for people with large amounts of money. We need to retain housing for everyone in Potts Point.

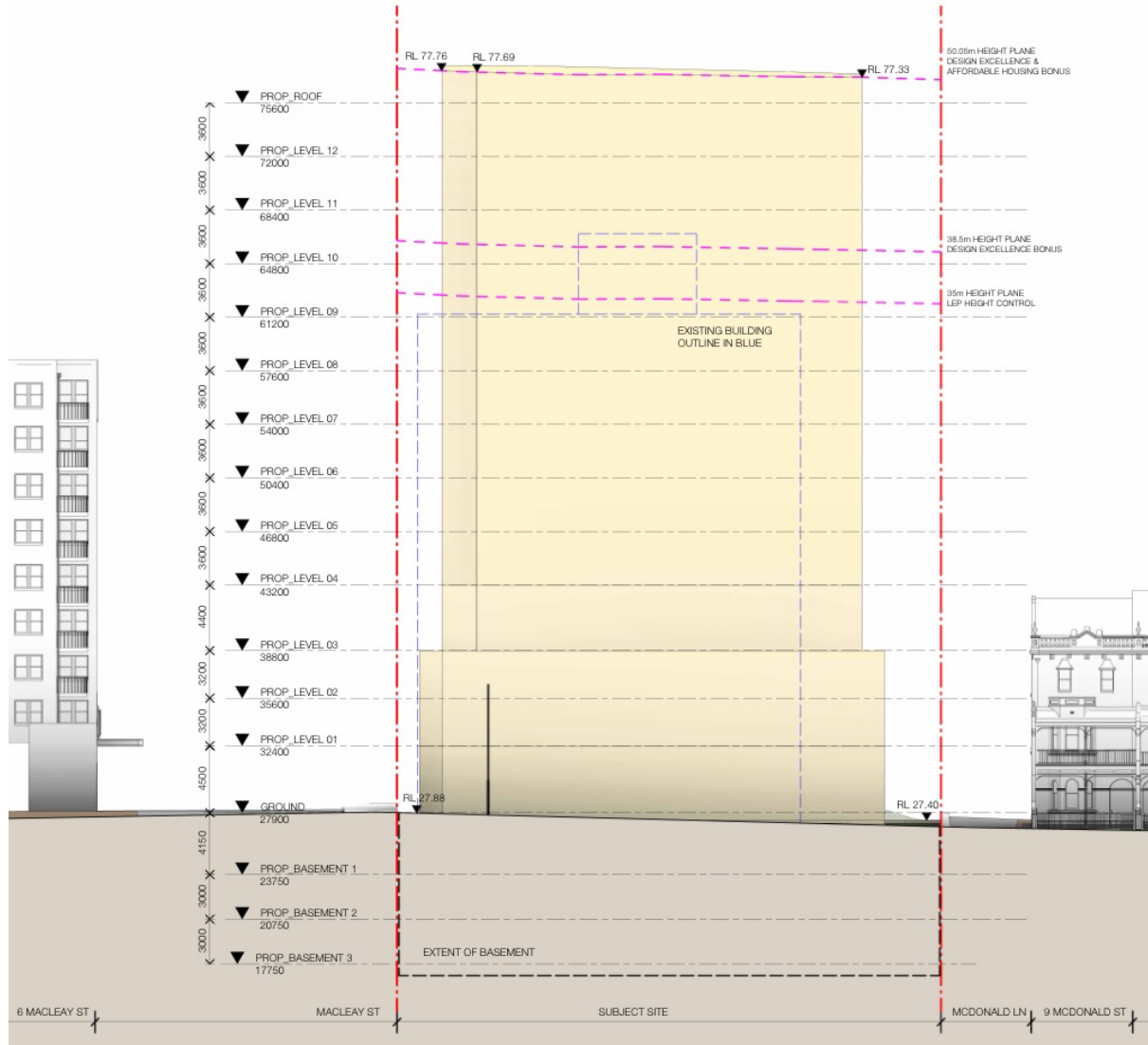
The application should be rejected.

If you require any further information, please don't hesitate to contact us.

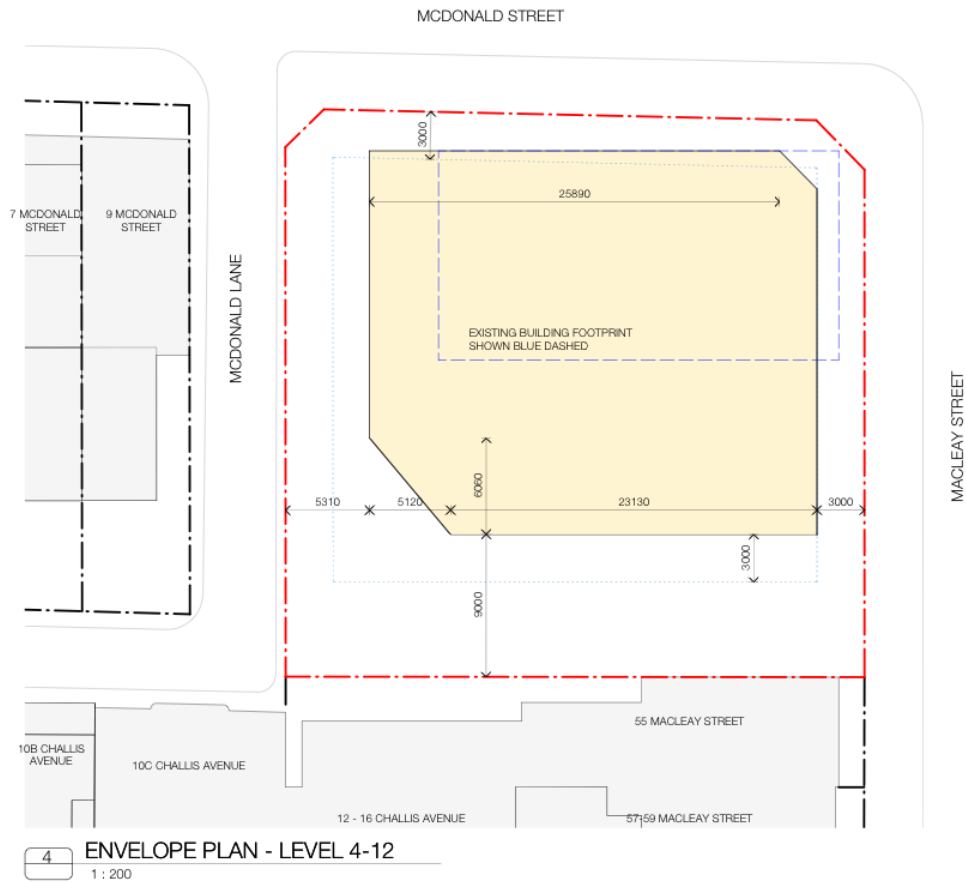
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2 ENVELOPE - ELEVATION\_EAST  
1 : 200



1 ENVELOPE - ELEVATION\_NORTH  
1 : 200



Envelopment overlaid on existing building (source p65 Visual Impact Assessment)





4 ENVELOPE - SHADOWS - 12pm  
1 : 700

**Misleading shadow diagram (because the development's shadow is hidden behind the bottom right building and verandah overhang).**



**Challis Avenue (corner of Macleay Street) 12:30pm 26 April 2025**