

**24 April 2025**

Department of Planning, Housing and Infrastructure  
Application No SSD-79316759  
T&P Chimes Development Pty Ltd  
45-53 Macleay St Potts Point 2011 (SP934)  
City of Sydney Council

To whom it may concern,

I would like to lodge an objection to the concept development application lodged by T&P Chimes Development Pty Ltd on the following grounds. I do NOT support this proposal. It is a “sneaky” attempt to use the law regarding affordable housing supply to circumvent proper planning process and detrimentally affect the local Potts Point area by removing 80 one bedroom and studio units occupied by long term, older residents and those renting on low incomes.

### **KEY OBJECTIONS TO PROPOSAL**

#### **(1) Significant Loss of Affordable Housing:**

Replacing 80 affordable dwellings with just 34 apartments is not consistent with NSW Government and City of Sydney policies to increase affordable housing. City of Sydney considers it imperative that new developments do not result in a greater than 15% net loss of dwellings. In this instance there will be a net loss of 71 relatively affordable dwellings, as the 25 three-bedroom apartments that make up the 34 new ones will also certainly not be affordable to “key workers who need to travel to the city every day” (a stated aim of the NSW policy).

While nine apartments will be ‘affordable housing’ or social housing, which is to be managed by a community housing provider, there will be a net loss of 46 dwellings almost 60%. In addition, the 9 apartments will only be allocated for social housing for 15 years, after which they can be sold on the open market. It is a short-term solution to the affordable housing crisis, which provides the developer with a massive windfall and will result in the further displacement of these residents after 15 years. It is also clear that no assessment has been made as to what social and infrastructure facilities if any are available in this densely populated area for these residents. Additionally, the 25 luxury apartments will not be affordable for lower income earners or/and essential workers who need to live in the vicinity of Sydney city. The original DA application had a mix of 1,2 and 3 bedroom apartments. This proposal has removed these while retaining the more highly priced 3 bedroom units aimed at wealthy purchasers at the expense of the current demographic of Potts Point.

There is additionally the possibility that once the DA is approved the developer will lodge a Section 96 or variation application to change the mix of apartments as it is doubtful that the type of purchasers being aimed at by the developer will want to live in a building with social housing.

This proposal cannot be considered in isolation, but in the context of significant loss of other affordable housing and to the detriment of the historical character of the Potts Point HCA resulting from recent development approvals, in other areas including 11A and 13A Wylde Street, Potts Point, and 51-57 Bayswater Road, Rushcutters Bay.

#### **(2) Social Impact**

The Potts Point area has historically had a large number of studio and one bedroom units, probably close to 70% of available housing. Many people who live in these units are single, a large number are women and many are elderly often with significant medical needs. If they are displaced by developments such as that being proposed by Time and Place they have few housing options available to them. Those that work in the city, in local businesses including restaurants and coffees shops or at nearby St Vincents Hospital will also be affected.

The replacement of the large number of units that serve the needs of single people or lone occupants with luxurious 3-4 bedroom apartments puts the social fabric of the area at risk of disappearing to become another Mosman or Double Bay.

### **(3) Loss of Heritage**

#### **Excessive height and bulk**

The proposed development, 13 storeys and 50.05 metres high is excessive and significantly out of proportion to surrounding buildings, which have an average height of only 20-30 metres. While this excess will be permanent, the trade-off (including 9 affordable apartments) will cease after 15 years.

As noted above the In-Fill Housing Legislation states that such a proposal *“requires the consent authority to consider the character of the local area or the desired future character for areas under transition”* The Potts Point HCA area in which the CHIMES is situated as quoted in books on the Art Deco and Modernist heritage of the Potts Point area is, *“not just a collection of 20<sup>th</sup> century buildings but a clearly defined and preserved slice of Sydney’s physical and cultural history.*

It should not be a place that is destroyed for high rise buildings that prioritise profit to developers. It should be a place to be preserved for affordability, a diverse community and for the cultural and historical value for posterity.

The excessive bulk and height of the proposed development will also overshadow other buildings in the immediate vicinity and detrimentally affect the available light into apartments near it, particularly 4, 6 and 12 Macleay St.

#### **Contributory Significance of the CHIMES**

An independent heritage assessment report submitted to the Sydney Council in December 2024, confirms that the CHIMES is worthy of consideration as a “contributory” building of postwar significance to the Potts Point HCA and recommended that it should be retained on these grounds.

See City of Sydney letter of 4/2/2025 in the above NSW Planning link at SEARS 2 – Agency feedback.

- the CHIMES was a *“site located within the Potts Point Heritage Conservation Area. The City submitted an independent Heritage assessment report to Council in December 2024 recognising the significance of Interwar apartment buildings. The report concluded that the existing [ CHIMES] building contributed to the conservation area and is worthy of consideration as a “contributory “building. The application therefore must address the proposed demolition of a contributory item.”*

The developer commissioned and paid for a Heritage Impact Statement (HIS), attached to the EIS (27/3/2025), in which it acknowledges that the site is in a heritage conservation area but disagrees with the updated 2024 independent heritage assessment report of 2024 which sees the CHIMES as a *“contributory “building of significance to the Potts Point Heritage Conservation Area and*

*recommends that the CHIMES should be retained on these grounds.* In an unfortunate self-serving manner, it goes at length to argue that the architect and the building is of no significance and that a massive high rise building in its place will enhance the heritage conservation area and the “village atmosphere” of this lower part of Macleay Street. This conclusion is nonsensical and misleading as it will dominate all surrounding buildings, block light to units in other buildings and destroy the “village atmosphere”.

Demolishing the CHIMES at 45 Macleay St and the erection of a high rise building in its place will have a detrimental impact on the Potts Point Heritage Conservation Area and in particular this part of Macleay Street which is quiet and surrounded by heritage listed and art deco buildings.

Possibly consideration should be given to retaining the building itself while redeveloping the car park area into additional housing. This would be a very feasible alternative as it is largely an open area.

#### **(4) Proposed retail outlets including cafes and outdoor eating areas.**

This part of Macleay Street leading into Wylde Street, in the Potts Point HCA. (from Challis Avenue down towards Wylde Street) is a quiet residential area. The Developers Heritage Impact Statement quotes the Sydney Development Council Plan (SDCP) at 6.1.2.2 as follows: *“Macleay Street and Wylde Street – The locality has a unique streetscape .... has a residential and leafy character, characterised by a streetscape quality...”*

The proposal states “shop-top housing development” but then refers to ground floor and outdoor eateries. To include ground floor and outdoor eateries in the lower residential area of Macleay St is unnecessary and will generate undue noise from patrons and loud music. There is if anything, a sufficient number of cafes, restaurants, and bars in the Potts Point area and a revitalisation of the Kings Cross end of Macleay St with a focus on retail outlets such as clothing and home furnishing stores etc would be advantageous and do more to improve the needs of local residents within the area. This part of the proposal seems to be included only for the purpose of bringing the application within the fast-track state significant development process, rather than any bona fide attempt to address a need for such commercial outlets. It is contrary to the policy that *“requires the consent authority to consider the character of the local area or the desired future character for areas under transition.”*

#### **(5) Lack of Community Consultation**

This development application process allows insufficient time for non-expert residents to consider fully and comprehend clearly the voluminous documentation in support of it. There is genuine concern about the potential adverse implications for surrounding buildings and the amenity of neighbours in a design of this scale, which includes excavation to provide for three levels of underground parking.

Only residents with 75 metres of this proposed development site were provide notification of this development application, and then only given about three weeks to consider voluminous and complex documentation accompanying the application. This is patently inadequate and does not indicate any bona fide attempt to engage in meaningful consultation with residents and the public about what is described as a ‘state significant development.’ If it is of genuine state significance then everyone potentially adversely affected (which includes people who live beyond the 75-metre radius) must be given proper notice, and a more reasonable time to respond.

Thank you for considering my objections and I hope this development is not approved in its proposed form.

Yours sincerely

Lisa Omagari

A handwritten signature in black ink, appearing to be 'Lisa Omagari', with a stylized, cursive script.

26/4 Macleay Street

Potts Point NSW 2011