

RECORD OF DEFERRAL

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DEFERRAL	14 August 2024
DATE OF PANEL MEETING	8 August 2024
PANEL MEMBERS	Carl Scully (Chair), Alice Spizzo, Graham Brown, Anthony Bazouni, and Joseph Cordaro
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 8 August 2024, opened at 2.34pm and closed at 3.58pm.

MATTER DETERMINED

PPSSEC-296 – Canada Bay – DA2023/0222 – 9 -13 Blaxland Road, Rhodes – Construction of a 37-storey shop-top housing development containing 244 apartments, retail/commercial premises at the podium levels, and 9 basement car parking, with associated landscaping (as described in Schedule 1).

REASONS FOR DEFERRAL

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the meetings observed at the site inspection listed at item 8 in Schedule 1.

The Panel noted that the applicant requested a deferred commencement condition be imposed. However, the Panel considered the appropriate course of action was to defer the determination of the application until the additional information and revised plans were made available.

The Panel agreed to defer the determination of the matter for up to 6 weeks. The matter was deferred to allow for the provision and assessment of the following information to increase available communal space, after the consideration of the Cl.4.6 request to vary the height of buildings development standard:

- Additional communal open space on the roof top as set out in the attached diagram (Schedule 2)
- Additional communal space on Level 20 by deleting units 2001 on Level 20 and 2101 on Level 21

The decision to defer the matter was unanimous.

ACTIONS

To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Applicant shall provide and upload the requested information to the Planning Portal with 1 week from the date of this record.
2. Council is requested to provide an addendum assessment report responding to the matters for deferral, which is to be uploaded to the Planning Portal within 2 weeks of the upload of the Applicant's required information to the Planning Portal.
3. When the updated assessment report is received, the Panel will schedule a final determination briefing, which will be held by videoconference (Teams).

If the outstanding information is not provided by 6 weeks the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS



Carl Scully (Chair)



Graham Brown



Alice Spizzo



Anthony Bazouni



Joseph Cordaro

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-296 – Canada Bay – DA2023/0222
2	PROPOSED DEVELOPMENT	Construction of a 37-storey shop-top housing development containing 244 apartments, retail/commercial premises at the podium levels, and 9 basement car parking, with associated landscaping
3	STREET ADDRESS	9-13 Blaxland Road, Rhodes
4	APPLICANT/OWNER	BBG Management Pty Ltd (Billbergia) Leeds Investment No. 9 Pty Ltd, Rhodes Station Property Pty Limited, Rhodes Investments Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Canada Bay Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> City of Canada Bay Development Control Plan Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 1 August 2024 Clause 4.6 variation requests: Cl.4.3 (Height of Buildings) and Cl.7.6 (Maximum height of building podiums in Rhodes Precinct) Written submissions during public exhibition: 16 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Council assessment officer – Nima Salek and Shannon Anderson On behalf of the applicant – Saul Moran, Lisa-Maree Carrigan and Shane O'Donnell Total number of unique submissions received by way of objection: 16
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 16 November 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair) <u>Applicant representatives</u>: Charles Hung, Saul Moran, Ryan Cole, Lisa-Maree Carrigan, Shane O'Donnell and Thomas Gregg <u>Council assessment staff</u>: Nima Salek and Shannon Anderson <u>Department staff</u>: Carolyn Hunt, Louisa Agyare and Lisa Ellis

		<ul style="list-style-type: none"> • Briefing: 23 January 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), ○ <u>Council assessment staff</u>: Nima Salek and Shannon Anderson ○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis • Briefing: 18 April 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Anthony Bazouni ○ <u>Council assessment staff</u>: Nima Salek and Shannon Anderson ○ <u>Department staff</u>: Carolyn Hunt • Site inspection: 08 August 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Graham Brown, Anthony Bazouni, and Joseph Cordaro ○ <u>Council assessment staff</u>: Nima Salek and Shannon Anderson • Final briefing to discuss Council's recommendation: 08 August 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Graham Brown, Anthony Bazouni, and Joseph Cordaro ○ <u>Council assessment staff</u>: Nima Salek and Shannon Anderson ○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report

SCHEDULE 2

Amended Communal Open Space Plan

The coloured area in the below image depicts the increased roof top communal open space area (pink), including the communal sauna and WC space (purple).

