



2. Proposed Changes

The Applicant amended the application accordingly and submitted the following documents on August 20 in response to the panel's request for further information.

DOCUMENTS SUBMITTED FOR CONSIDERATION		
<b>Floor Plans:</b> level 20,21 &37 Drawing No: DA-2010, DA-2011 & DA-2013,Revision E	Dated	Drawn by
	14/08/2024	Group GSA
<b>Elevations:</b> North- South Elevation, East-West Elevation Drawing No: DA-3002 & DA-3003, Revision E	14/08/2024	Drawn by Group GSA
Letter of Review – Pedestrian Wind Environment	20/08/2024	Prepared by RWDI
Summary of Changes	16/08/2024	Prepared by Group GSA

The design has been amended to create additional Communal Open Space (CoS) by removing unit 2001 on Level 20 and unit 2101 on Level 21. The CoS on the rooftop has been increased by reallocating part of the penthouse's private open space area and one of its bedrooms, adding these areas to the communal open space. The proposed changes are illustrated in following **Figure 2Figure 6**:

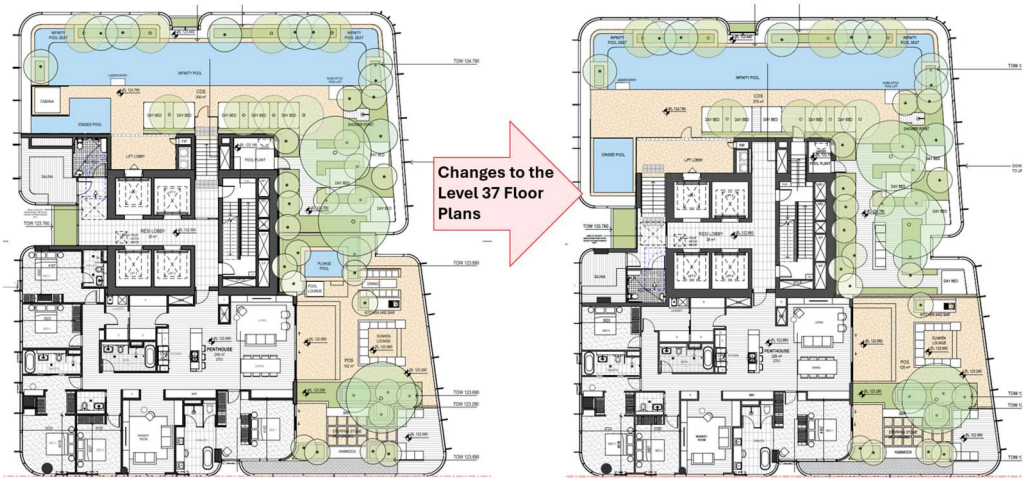


Figure 2 | Changes to the Level 37 Floor Plans

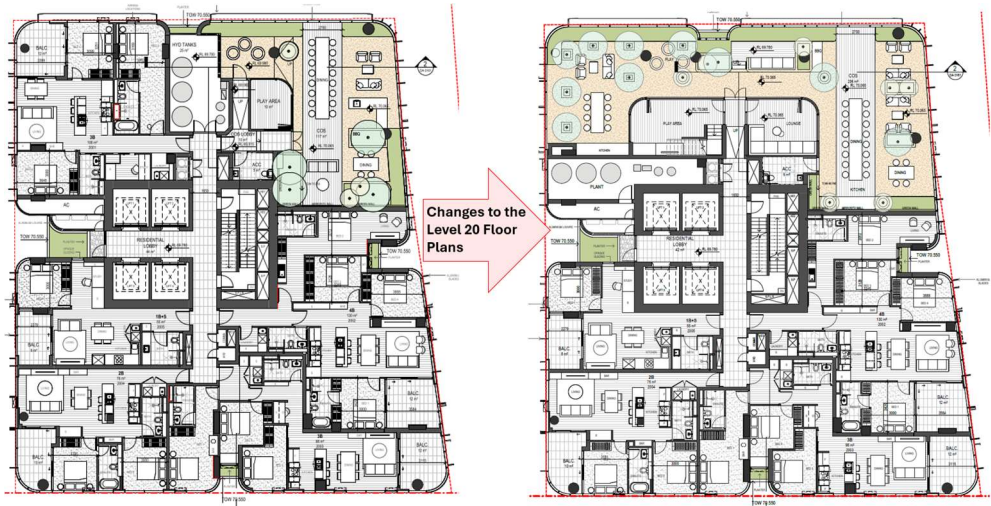
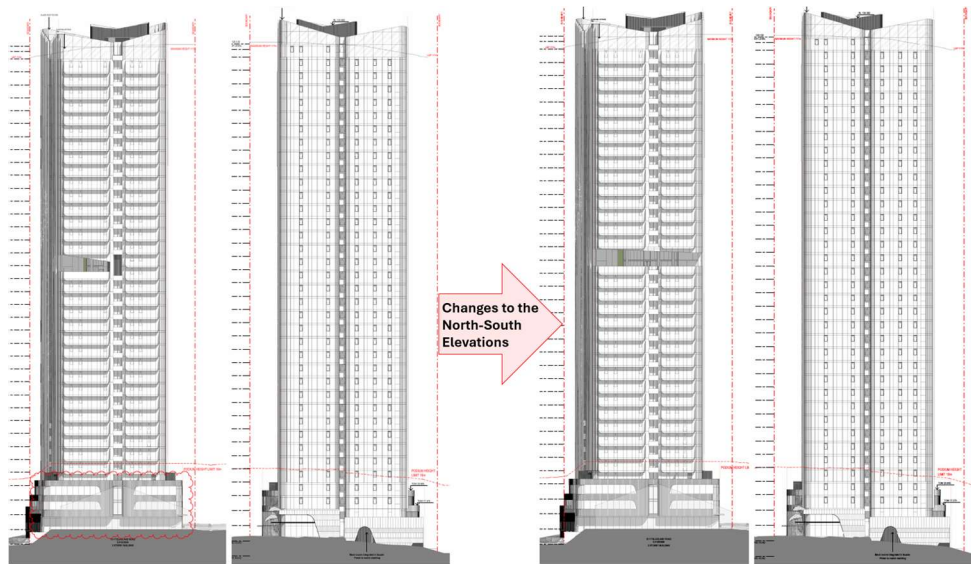


Figure 3 | Changes to the Level 20 Floor Plans

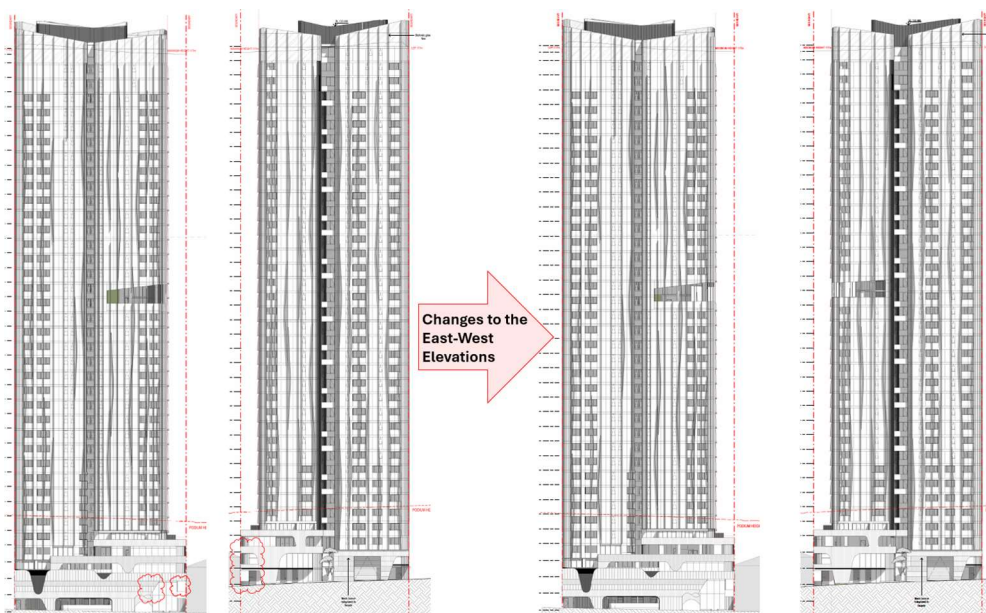




**Figure 4 | Changes to the Level 21 Floor Plans**



**Figure 5 | Changes to the North-South Elevations**



**Figure 6 | Changes to the East-West Elevations**

### 3. Council's Assessment

As a result of the proposed changes, the penthouse unit size has been reduced from 5 bedrooms to 4 bedrooms, and the plunge pool and dining seating in the POS area have been removed. This has allowed for a 69 sqm increase in rooftop communal space (CoS). Additionally, Units 2001 and 2101 have been removed and replaced with additional communal open space and internal areas, increasing the internal CoS by 121 sqm. These new communal areas now feature a dining area, a large kitchen with an island, a larger function room with an expanded communal dining area, and an accessible toilet. Sunken seating and lounge areas have also been added. Collectively, these changes have resulted in a total increase of 190 sqm in CoS, enhancing the amenity for future residents.

The facades have been redesigned to reflect these changes, which include opening the Level 20 terrace to the west. This modification introduces new wind flow paths and increases exposure to westerly winter winds. Consequently, the Council requested an updated wind study. The study supported the design amendments and recommended several measures to mitigate the wind impacts and maintain a comfortable environment on the amended Level 20 terrace. These measures include:

- Dense landscaping with 3m high trees strategically placed along the terrace's western and northwestern edges.
- The installation of a 1.4m tall balustrade.
- Relocating dining areas to more sheltered spots.

These recommendations have been incorporated into the proposed changes.

The Council has reviewed the proposed amendments and is satisfied that the changes address the Panel's deferral requirements. As a result, the number of proposed residential apartments has been reduced from 244 to 242 units, and the residential Gross Floor Area (GFA) has decreased by 213 sqm. The recommended conditions of consent have been updated to reflect these changes. Please see the recommended conditions of consent in **Attachment A**.

### 4. Conclusion

The development application, as amended, has been thoroughly reviewed in accordance with the requirements of the EP&A Act and Regulations, as detailed in the Council report dated 1 August 2024, along with this addendum. After careful consideration of relevant planning controls and submissions, the application is considered supportable.

Located in an area with excellent access to public transport, the inclusion of non-residential floor space in the podium levels will enhance the vibrancy of the Rhodes precinct. Furthermore, the proposed design ensures a high-quality development that prioritizes internal amenity for future occupants while minimizing adverse impacts on neighboring properties. The further amendments also enhance the overall amenity for future residents by providing additional communal open space (CoS).

Any potential impacts during construction and operation will be appropriately managed through the recommended conditions of consent outlined in **Attachment A**.

Accordingly, it is recommended:

1. THAT the Sydney Eastern City Planning Panel determine that the section 4.6 variations relating to the height of buildings and building podium satisfactorily demonstrate that

compliance is unreasonable and unnecessary in this case, that there are sufficient environmental planning grounds to justify each non-compliance, and that, notwithstanding the non-compliances, the proposed development will be in the public interest.

2. THAT the Sydney Eastern City Planning Panel grants consent pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act, 1979, to Development Application DA2023/0222 for the excavation of 9 basements and construction of a 37-storey mixed-use building with open spaces and landscaping at 9-13 Blaxland Road, Rhodes, subject to the recommended conditions of consent attached to this addendum report in **Attachment A**.



Nima Salek  
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Date: 30 August 2024



Shannon Anderson  
Manager Statutory Planning  
Date: 2 September 2024