

Department of Planning, Housing and Infrastructure

4 Parramatta Square, 12 Darcy Street  
Parramatta NSW 2124

3 September 2024

**Attn:** Brent Devine  
Team Leader, Key Sites & TOD Assessments

**Ref:** SSD-67424709

**Proposal:** Environmental Impact Statement (EIS) for Mixed-use and in-fill affordable housing development

**Property:** 9 Blaxland Road and 424 Concord Road- Rhodes

Dear Mr Devine

I refer to the exhibition notice of state significant development application (SSD-67424709) for Mixed-use and in-fill affordable housing development at 9 Blaxland Road and 424 Concord Road- Rhodes. The council has several concerns about the application as proposed, which are detailed below.

## Key Issues

### Insufficient Communal Open Space area

Currently, a Development Application (DA2023/0222 (PPSSEC-296)) for construction of a 37-storey shop-top housing on the Site is under consideration.

On 8 August 2024, the Sydney Eastern City Planning Panel's (the Panel) after a public meeting deferred the determination of the application due to the lack of provision of sufficient communal open space area as part of the application.

The Panel deferred the decision, requesting an increase in the Communal Open Space (CoS) area to justify the planning ground for the Clause 4.6 variation request related to the standard maximum building height under the Canada Bay Local Environmental Plan 2013.

The Panel specified that the proposed CoS should be expanded as follows: “

- *Additional communal open space on the rooftop, as set out in the attached diagram (Schedule 2); and*
- *Additional communal space on level 20 by deleting unit 2001 on level 21 and 2101 on level 21.” Please see **Figure 1**.*

In the proposed SSD, these Panel requests have not been addressed. Given that the SSD intensifies residential use on the site, additional CoS beyond what was requested by the Panel is necessary to enhance residents' quality of life, foster social interaction, and promote health.



6. **Bulky Waste Storage:** The storage space in the bulky waste room on basement 1 is limited. We recommend creating additional space to handle any potential overflow and to prevent illegal dumping outside the building.

Overall, the proposed 1,537 sqm site is too small to effectively manage the waste generated by 313 apartments. The operational difficulties and space constraints present significant challenges.

### **Traffic, Access and Car Parking**

1. **Driveways:** Appendix C of the Traffic Impact Assessment Report by Stantec includes a swept path assessment for a 10.94m heavy vehicle accessing Level 01 of the site. The assessment shows that the proposed driveway can only accommodate one-way heavy vehicle movement at a time. The applicant must propose a system to manage the potential conflicts arising from these heavy vehicle movements (e.g., when a light or heavy vehicle is unable to pass simultaneously as another heavy vehicle enters or exits the site). Any signaling system must give a green signal to entering vehicles at the point of entry and maintain a red signal when an exiting vehicle is detected.
2. **Green Travel Plan:** The Green Travel Plan currently lacks a Travel Access Guide (TAG). The proponent should include an indicative TAG in the Green Travel Plan.
3. **Accessible Parking:** Section 4.2 of the Traffic Impact Assessment Report by Stantec discusses accessible parking requirements. While the proposal meets the Council DCP requirements for the number of accessible parking spaces, the dimensions of each space must be designed to demonstrate compliance with AS2890.6:2022, including the provision of shared areas as specified in Section 2.5 of AS2890.6:2022, before the development consent is issued.
4. **End-of-Trip Facilities:** The architectural plans do not clearly indicate the location of the end-of-trip facilities. The plans must clearly label and identify the location of these facilities.
5. **Car Share Requirements:** Section 4.3 of the Traffic Impact Assessment Report by Stantec addresses car share requirements. The proposal deviates from Council DCP, which recommends 16 car share spaces, while the proposal provides only 4. The previous DA for this site proposed 5 car share spaces for 242 residential units. With the current proposal of 313 units, a minimum of 6 car share spaces should be provided and reflected in the plans to meet current and future needs.
6. **Electric Vehicle Charging:** The plans must demonstrate compliance with Council DCP requirements regarding EV charging provisions.

### **Active frontage to the future Station Bridge Plaza**

According to the Rhodes Place Strategy, a new station bridge will be constructed to the north of the site, connecting Rhodes Station to McIlwaine Park. Additionally, the ground floor frontages of the site to the north, west, and south have been designated as 'Active Street Frontages' under Clause 6.5 of the Canada Bay Local Environmental Plan (CB LEP). The Active Frontage of the proposed development to the north must face the pedestrian bridge and plaza linking Rhodes Station to McIlwaine Park. This clause aims to encourage the establishment of uses that attract pedestrian traffic along these specific ground floor frontages.

According to CB LEP development consent cannot be granted unless the building will maintain an active street frontage upon completion.

According to CB DCP Part K16.6 Control C5 for Tower and Podium Design, a 3m setback is required for the podium. This setback supports retail and commercial activation, allows for the integration of awnings for weather protection, accommodates landscaping, furniture, greenery, and CCTV installation, and enhances visual appeal. A 3m setback at ground level (Level 1) along Blaxland Road and the plaza is necessary to ensure proper activation along the northern boundary. However, in the current DA under assessment, Council has supported a minimum 1.5m setback due to the site's constraints.

### **Solar access**

The solar compliance plans are unclear regarding how some units will achieve more than 2 hours of solar access and meet the ADG Part 4A solar access requirements. Additional solar access plans for unit typologies located on the southeastern side of the building are required.

### **Encroachments to the Churchill Tucker Reserve**

The proposed plans show that some openings or hood features facing the Churchill Tucker Reserve to the south open toward the park. Amended plans are required to ensure all openings and hoods are contained within the building and property boundary.



**Figure 2 | Encroaching elements (Source: the proposed plans, level 3 plan)**

### **Setback along the Concord road and Blaxland road**

The proposed plans show stairs and ramps located within the 3m setback along Concord Road and Blaxland Road. Revised plans are required to relocate these stairs and ramps within the building footprint rather than within the street front setback.

If you need any clarification of the above comments, please contact me or Council's Senior Town Planner, Nima Salek, on 91210278 or email [nima.salek@canadabay.nsw.gov.au](mailto:nima.salek@canadabay.nsw.gov.au).

Yours faithfully

A handwritten signature in blue ink, appearing to read 'SA', is placed above the printed name of the signatory.

Shannon Anderson  
Manager, Statutory Planning