

Clause 4.6 Variation Request | Dwelling Mix

*Amending SSDA - 25-27 Leeds
Street, Rhodes
SSD-101317213*

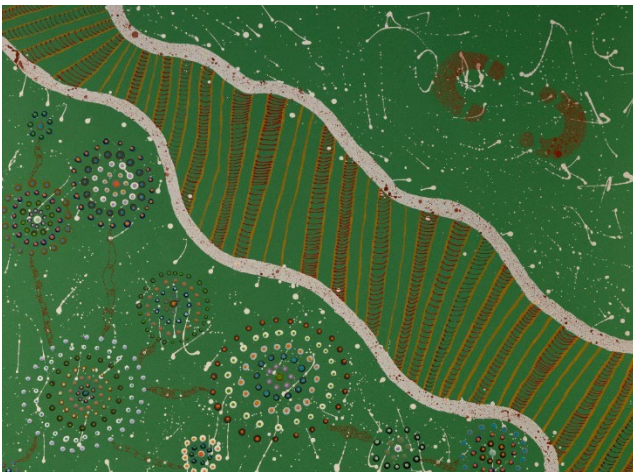
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Project Code P64567
Report Number Final – 23/02/2026

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Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork – **Sacred River Dreaming**.



The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

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Request to vary a development standard

Request to Vary CI 6.11(3)(a) in Canada Bay Local Environmental Plan 2013

Address: 25–27 Leeds Street, Rhodes

Date: 23 February 2026

1. Site and Proposed Development

Site Description

The site is known as 25–27 Leeds Street, Rhodes and is located in the City of Canada Bay local government area (LGA) and is situated on the peninsula of East Rhodes.

The site is legally described as Lot 2 in DP1192949, Lot A in DP329241 and Lot C in DP367132. The site has a 75m frontage to the Parramatta River, a 144m frontage to Blaxland Road, an 88m frontage to Leeds Street and a 133m frontage to the adjoining site to the east. Overall, the site has an area of 11,692sqm and slopes approximately 6m down towards the Parramatta River.

Leeds Street is a light industrial area, and the site is in a landmark waterfront location along the Parramatta River. It is surrounded by public open spaces such as John Whitton Reserve, Mill Park and Uhr's Reserve. Rhodes Boat Ramp is also located adjacent to the site at the end of Blaxland Road.

Construction works have been commenced for demolition, tree removal, bulk earthworks and remediation under the existing consent. An aerial photograph is provided below.

Figure 1 Aerial Photo



Source: Nearmap

Proposed Development

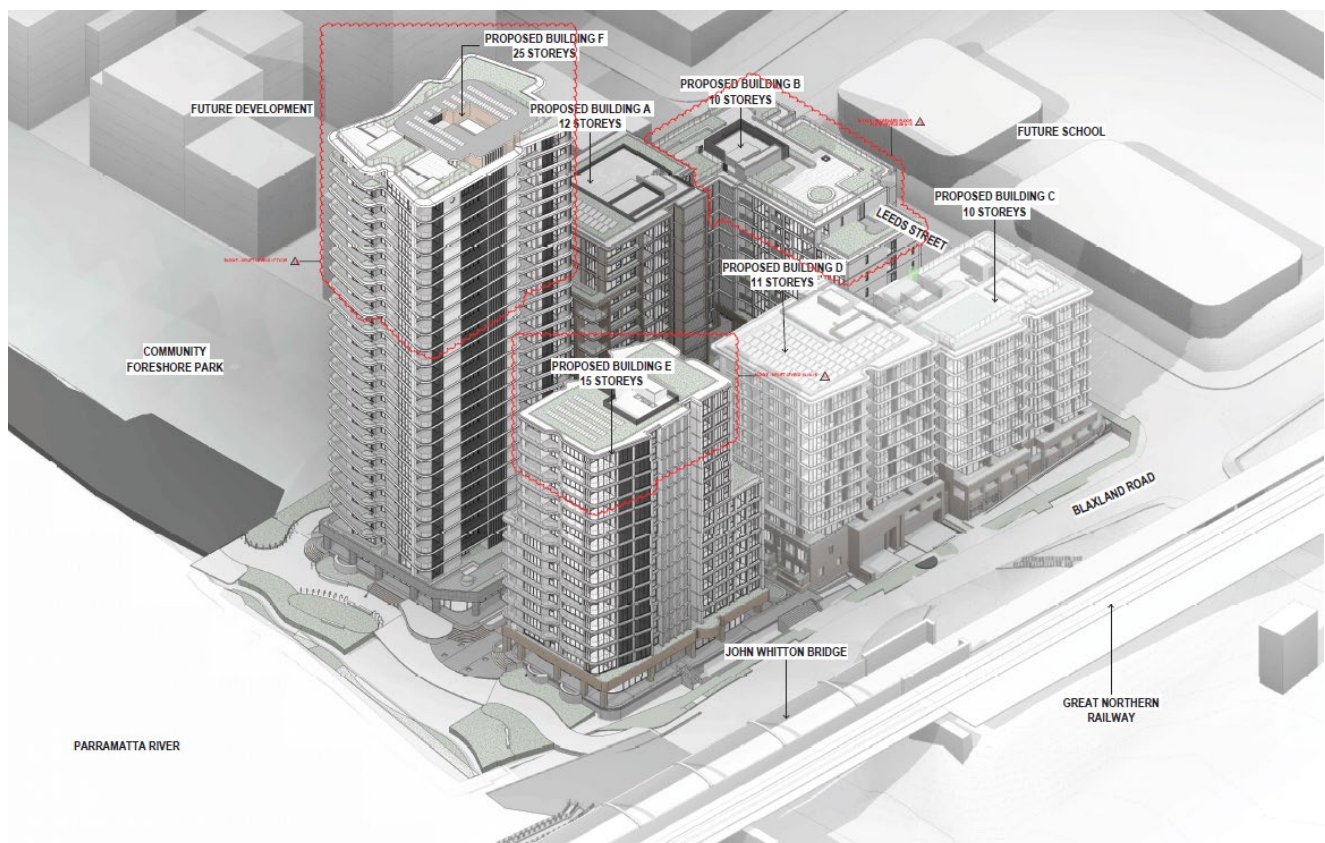
The Amending SSDA seeks approval for the following changes to the approved mixed-use development (SSD-67419241):

- Infill of the upper levels of Building B, maintaining the approved 10-storey height and replacing the previously approved part 8 and part 10 storey articulation.
- Provision of three additional levels (9.78m) to Building E.
- Provision of eight additional levels (26.3m) to Building F.
- Minor miscellaneous amendments, including the introduction of concrete awnings to the eastern elevation of Building E, minor reconfiguration of bicycle parking at ground level, minor adjustments to basement layout, including to structural walls and car parking bays, and minor amendments to rooftop services screen height on Building A, C and D.

The proposed amendments will result in a total of 59 additional dwellings (49 market dwellings and 10 affordable dwellings).

All other aspects of the approved development, including early works, parking, public domain and landscaping, stormwater management, waste management, access arrangements, staging, associated works (including the seawall and substation arrangements) and Buildings A, C or D, remain unchanged.

Figure 2 Axonometric Site Plan



Source: SJB

2. Planning Instrument, Development Standard and Proposed Variation

What is the planning instrument you are seeking to vary?

The application seeks to vary the Canada Bay Local Environmental Plan 2013 (CBLEP).

What is the site's zoning?

The site is zoned MU1 (Mixed Use) under the Canada Bay LEP 2013 (CBLEP).

What is the development standard to be varied?

The standard proposed to be varied is the Clause 6.11(3)(a), which relates to the required dwelling mix (specifically, the requirement for 20% of dwellings in a development to be studio or one bedroom apartments) in the Canada Bay LGA, as follows:

6.11 Mix of dwelling sizes in residential flat buildings and mixed use development

(1) The objectives of this clause are as follows—

- (a) to ensure the provision of a mix of dwelling types in residential flat buildings and provide housing choice for different demographics, living needs and household budgets,
- (b) to promote development that accommodates a range of household sizes.

(2) This clause applies to development for the following purposes that results in at least 10 dwellings—

- (a) residential flat buildings,
- (b) mixed use development that includes shop top housing.

(3) Development consent must not be granted to development to which this clause applies unless—

- (a) at least 20% of the dwellings, to the nearest whole number of dwellings, in the development will be studio or 1 bedroom dwellings, and**
- (b) at least 20% of the dwellings, to the nearest whole number of dwellings, in the development will have at least 3 bedrooms.

This development standard is not excluded from the operation of Clause 4.6 of the CBLEP.

Type of development standard?

The request is seeking to vary the development standard relating to the apartment mix of developments in the Canada Bay LGA.

What is the numeric value of the development standard in the environmental planning instrument?

The development standard sets a minimum requirement that 20% of dwellings in a development be studio or 1-bedroom dwellings.

What is the difference between the existing and proposed numeric values? What is the percentage variation (between the proposal and the environmental planning instrument)?

When considering the total number of apartments in the development (401 dwellings) – the following breakdown is provided:

- 1 bedroom (including studios): 69 apartments (17.2%)
- 2 bedrooms: 149 apartments (37%)

- 3 bedrooms or more: 183 apartments (45.6%)

Therefore, the proposed provision of 69 one-bedroom apartments is 2.8% below the required provision.

Of the 59 additional units proposed under the Amending SSDA, two are 1-bedroom units, representing 3.38% of the unit mix, equating to a 16.7% shortfall for the new component.

The dwelling mix for the 59 additional units is as follows:

- 1 bedroom: 2 (3.38%)
- 2 bedrooms: 14 (23.72%)
- 3 bedrooms: 37 (62.7%)
- 4 bedrooms: 6 (10.16%)

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3. Justification for the Proposed Variation

How is compliance with the development standard unreasonable or unnecessary in the circumstances of the particular case?

Key Questions	Response
<p>(a) Are the objectives of the development standard achieved notwithstanding the non-compliance?</p>	<p>(a) to ensure the provision of a mix of dwelling types in residential flat buildings and provide housing choice for different demographics, living needs and household budgets,</p> <p>The objective is achieved notwithstanding the minor non-compliance, as the development provides a diverse and balanced mix of dwelling types across the site.</p> <p>While the proportion one-bedroom dwellings is marginally below the numerical control, the overall mix includes a substantial number of two-bedroom and three-bedroom (or greater) dwellings – including 2 bedroom ‘terrace’ typologies and units with and without studies, ensuring housing choice for a wide range of household types, including singles, couples, families and downsizers.</p> <p>Importantly, the development delivers a meaningful affordable housing component (approximately 15% of total residential GFA), which directly contributes to housing choice across different household budgets and demographics. The provision of affordable housing, combined with a broad dwelling mix, ensures that the intent of the clause is satisfied in a qualitative sense, despite the minor quantitative shortfall.</p> <p>(b) to promote development that accommodates a range of household sizes.</p> <p>The objective is achieved as the proposed dwelling mix strongly accommodates a wide range of household sizes. The development includes a high proportion of two- and three-bedroom (or greater) dwellings, which are well suited to families, multi-person households and longer-term residents.</p> <p>The proposed mix responds to the site’s waterfront location, proximity to open space and access to transport and services, which collectively support demand for larger dwellings (this is reflected in the Applicant’s market analysis and discussions with agents etc).</p> <p>The resulting dwelling distribution promotes housing diversity consistent with the underlying intent of the clause</p>
<p>(b) Are the underlying objectives or purpose of the development standard not relevant to the development?</p>	<p><i>N/A – see above</i></p>

Key Questions	Response
(c) Would the underlying objective or purpose be defeated or thwarted if compliance was required?	<i>N/A – see above</i>
(d) Has the development standard been virtually abandoned or destroyed by the council’s own actions in granting consents departing from the standard?	<i>N/A – see above</i>
(e) Is the zoning of the land unreasonable or inappropriate so that the development standard is also unreasonable or unnecessary?	<i>N/A – see above</i>

As demonstrated above, the objectives of the development standard are achieved notwithstanding the proposed contravention.

Are there sufficient environmental planning grounds to justify contravening the development standard?

There are sufficient environmental planning grounds to justify contravening the development standard:

- The non-compliance is minor in nature, representing a shortfall of only 2.8% against the minimum requirement for the full development (16.7% when considering the new component only) and does not undermine the achievement of the objectives of Clause 6.11.
- The proposed dwelling mix responds appropriately to the site context, including its waterfront setting, access to public open space and proximity to transport and services, which support demand for larger dwellings and family sized apartments.
- The development delivers a substantial affordable housing component, which directly advances broader strategic planning objectives relating to housing affordability, social diversity and equitable access to housing.
- Strict compliance with the numerical control would result in a less optimal planning outcome and has the potential to compromise dwelling design quality and internal amenity. The Amending SSSDA seeks to introduce additional built form to buildings that have already been approved and are currently under construction. As a result, there is limited capacity to reconfigure fundamental building elements such as lift cores, structural systems and service layouts.
- These constraints significantly restrict the ability to meaningfully amend floor plate configurations to achieve a different dwelling mix without adversely affecting apartment layouts, circulation efficiency and residential amenity. The approved structural and vertical circulation arrangements effectively predetermine the dwelling mix within the extruded portions of Buildings B, E and F, meaning that strict numerical compliance would necessitate substantial redesign at a stage where construction has already commenced, which would be impractical and unachievable within the constraints of the approved works and construction program.
- The proposed variation maintains consistency with the strategic intent of the Canada Bay LEP and relevant state and local planning policies, while facilitating a high-quality, well-balanced residential-led outcome.

For these reasons it is deemed there are sufficient environmental planning grounds to justify the contravention of the development standard.

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