

URBIS

25-27 LEEDS STREET, RHODES

Clause 4.6 Variation Request
(Floor Plate Size)

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CONTENTS

1.	Site and Proposed Development	1
2.	Planning Instrument, Development Standard and Proposed Variation	5
3.	Justification for the Proposed Variation	7

Disclaimer	13
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FIGURES

Figure 1 Aerial Photograph.....	2
Figure 2 Site Photos	3
Figure 3 Axonometric Site Plan	4
Figure 4 Floorplate Size Diagram	6

PICTURES

Picture 1 Western edge of site on Blaxland Road	3
Picture 2 South-west corner of the site.....	3
Picture 3 South-east corner of the site	3
Picture 4 Southern edge of site at 25 Leeds Street.....	3

TABLES

Table 1 Site Description.....	1
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REQUEST TO VARY CL 7.5(2) IN CANADA BAY LEP 2013

Address: 25-27 Leeds Street, Rhodes

Date: 26 June 2025

1. SITE AND PROPOSED DEVELOPMENT

Site Description

The key features of the site are summarised in the following table.

Table 1 Site Description

Feature	Description
Street Address	25-27 Leeds Street, Rhodes
Legal Description	Lot A in DP329241 Lot C in DP367132 Lot 2 in DP1192949
Site Area	11,692sqm
Site Dimensions	North: 75 metres to Parramatta River. West: 144 metres to Blaxland Road. South: 88 metres to Leeds Street. East: 133 metres.
Easements and Restrictions	<p>The site is burdened by an easement for 'right of way' access and an easement for electricity purposes.</p> <p>The easement for 'right of way' is located between 25 Leeds Street and 27 Leeds Street. The easement presents as a driveway separating the two buildings and provides access from Leeds Street into the site. This easement is proposed to be extinguished as part of the SSDA.</p> <p>The site also contains an easement for electricity purposes and right of way shown (B) P240119) and relates to a substation, located in the eastern corner of the site (on the corner of Leeds Street and Blaxland Road). This substation is also proposed to be removed as part of the SSDA (and easement extinguished).</p>
Site Topography	The site slopes approximately 6m from south to north (towards the Paramatta River).
Vegetation	Existing vegetation, comprising trees and shrubs, are located predominantly along the northern and western site boundaries. Street trees are also located just outside the site boundary along Leeds Street.
Existing Development	<p>25 Leeds Street (Lot A in DP329241 and Lot C in DP367132), houses a two-storey. Access to this building is via Leeds Street, and onsite carparking is provided at the front of the building, down the western side, and in a small carpark at the rear.</p> <p>27 Leeds Street (Lot 2 in DP1192949) contains a larger, two-storey warehouse and distribution centre. Vehicular access to 27 Leeds Street is via Blaxland Road. On site carparking is provided to the north of the building, along the Parramatta River.</p>
Local Context	Leeds Street is a light industrial area on the waterfront bound by Parramatta River to the north, Concord Road to the east, Leeds Street to the south and Blaxland Road to the west. The site is in a landmark waterfront location along the Parramatta River and 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.
Adjacent Development North	To the north of the site is the Parramatta River, which separates Rhodes from Meadowbank and the broader Ryde Local Government Area. Rhodes is connected to Ryde via Concord Road and the Parramatta River Railway Bridge.

Feature	Description
Adjacent Development East	Low scale industrial buildings extend along the waterfront to the east of the site. The industrial buildings accommodate a variety of activity such as coffee roasters, construction material manufacturers and warehousing. Uhrs Point Reserve and Concord Road bookend the light industrial precinct in the east.
Adjacent Development South	Directly to the south of the site and across Leeds Street, is a low-density residential area characterised by single detached dwellings and various mature trees.
Adjacent Development West	Directly adjacent to the west of the site is Blaxland Road, which provides access to the Rhodes Boat Ramp at the base of the Parramatta River. The T9 Railway line also runs parallel to the site on an elevated bridge across the Parramatta River. John Whitton Reserve is a public park that extends from the boat ramp, under the railway bridge and connects to Mills Park to the west of the railway bridge. Mills Park marks the western end of the East Rhodes Peninsula.
Access Network	The site is highly accessible by road and public transport. The site is in proximity to Concord Road which provides north / south regional connection between the M4 and Victoria Road. The site is also near Rhodes Train Station, which runs on the T9 (Northern) rail line – providing services from Hornsby through Rhodes to Sydney CBD, and north to Gordon. Concord Road also has high frequency bus services, providing access to Greater Sydney.

Figure 1 Aerial Photograph



Source: Urbis

Figure 2 Site Photos



Picture 1 Western edge of site on Blaxland Road



Picture 2 South-west corner of the site



Picture 3 South-east corner of the site

Source: SJB



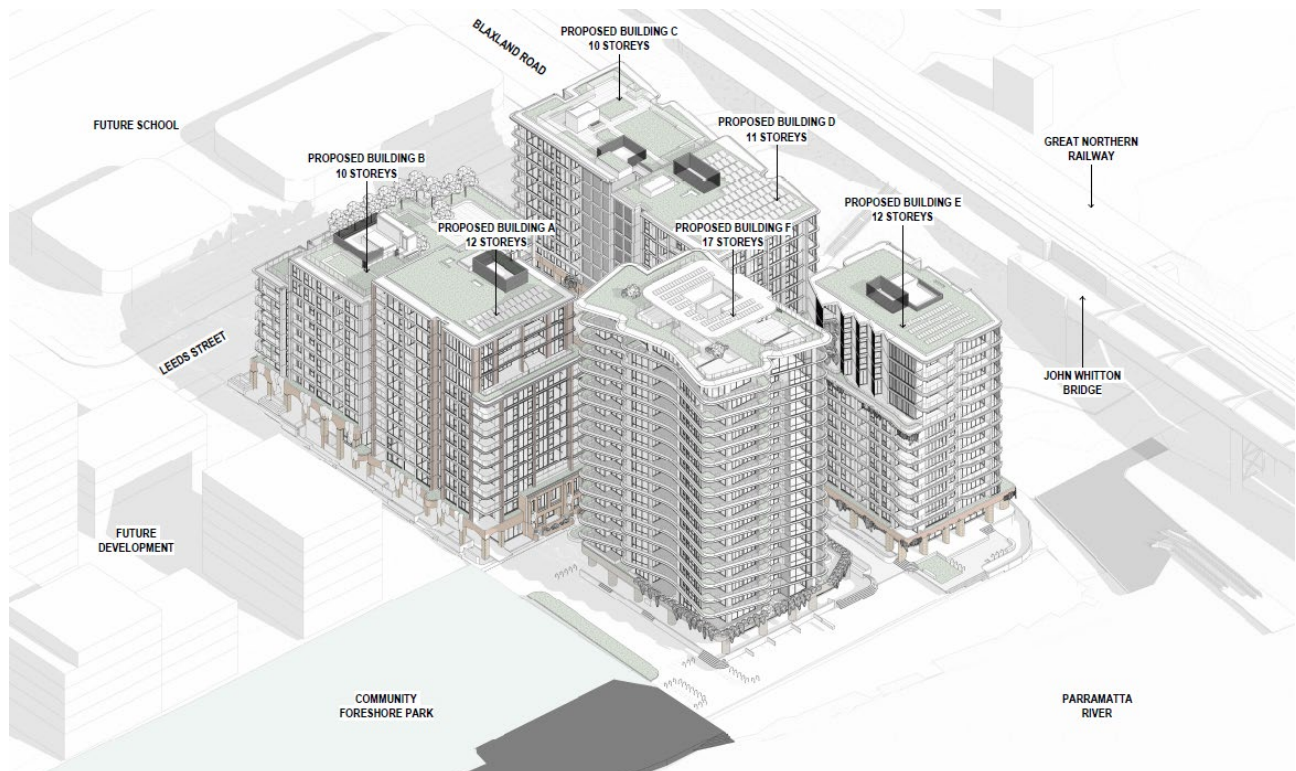
Picture 4 Southern edge of site at 25 Leeds Street

Proposed Development

Specifically, the SSDA seeks development consent for:

- Removal of 17 additional trees, that were not approved under the Regional DA consent.
- Construction of six (6) mixed use residential towers, ranging in height from 10 to 17 storeys.
- Through site links, foreshore park and promenade.
- Seawall and foreshore works.
- On-site car parking and loading within a consolidated basement, accessed from Blaxland Road.

Figure 3 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 CBLEP.

What is the development standard to be varied?

The standard proposed to be varied is the Clause 7.5(2), which relates to the maximum floor plate size of towers in the Rhodes Precinct, as follows:

7.5 Minimum building separation and maximum floor areas above building podiums in Rhodes Precinct

- (1) *Development consent must not be granted to development that results in a building in the Rhodes Precinct being separated from another building by less than—*
 - (a) *for a building higher than 14 storeys but not higher than 20 storeys—24 metres, or*
 - (b) *for a building higher than 20 storeys—40 metres.*
- (2) **Development consent must not be granted to development that results in the gross floor area of a floor of a building in the Rhodes Precinct exceeding 750 square metres.**
- (3) *This clause does not apply in relation to the podium of a building in the Rhodes Precinct.*
- (4) *Subclause (2) does not apply in relation to a building on Lot 101, DP 624798, 34 Walker Street, Rhodes.*

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 maximum floor plate size of towers in the Rhodes Precinct.

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

The development standard sets a maximum floor plate size of **750sqm** for towers in the Rhodes Precinct.

What is the difference between the existing and proposed numeric values? What is the percentage variation?

The variation to the development standard (750sqm) is set out below:

- Building A tower floorplate: 474sqm
- Building B tower floorplate: 750sqm
- Building C tower floorplate: 454sqm
- Building D tower floorplate: 480sqm
- Building E tower floorplate: 598sqm
- Building F tower floorplate: 569sqm

DPHI has noted that Buildings A / B and Buildings C / D are considered as one building each respectively. Their combined floor plates would be:

- Building A / B combined floor plates: 1,224sqm (**63.2% variation**).
- Building C / D combined floor plates: 934sqm (**24.5% variation**).

Visual representation of the proposed variation

The figure below provides a visual representation of the floor plate sizes of the development. The non-compliant floor plates are Building A / B and Building C / D when combined.

Figure 4 Floorplate Size Diagram



Source: SJB

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
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a) Are the objectives of the development standard achieved notwithstanding the non-compliance?

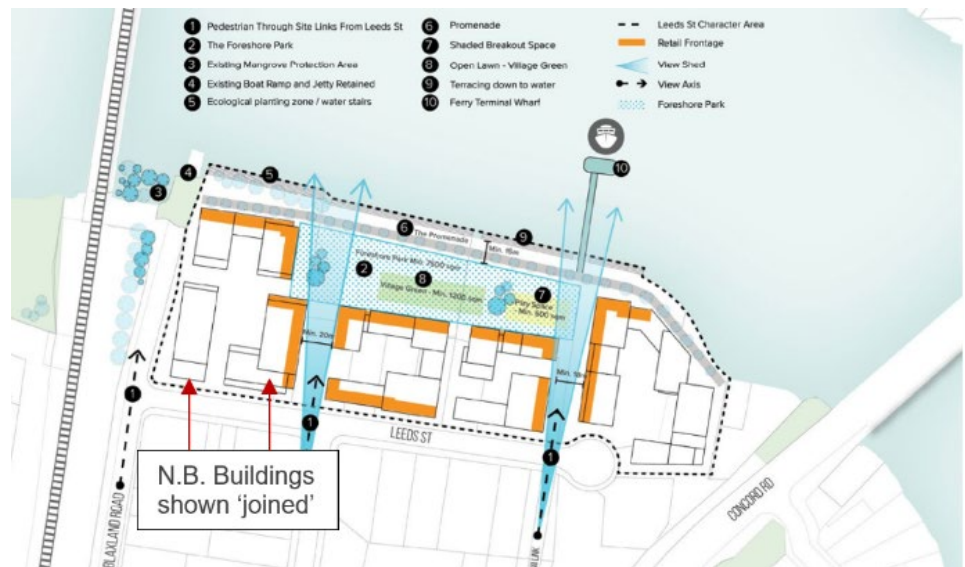
Clause 7.5 of the CB LEP does not specify any objectives. However, the assessment below considers and addresses the objectives of Part 7 Rhodes Precinct, Clause 7.1 Objectives of Part.

(a) to achieve the highest standard of architectural and urban design in the Rhodes Precinct by ensuring that new development exhibits design excellence, including excellence in sustainably managing the environmental impact of the development on existing and future populations,

The proposal has undergone an architectural design competition (and design integrity process), ensuring an appropriate built form outcome, aligned with the desired future character of the Leeds Street Character Area. The proposed variation to the maximum floor plate requirement will not impact the achievement of 'design excellence'.

Urban and Architectural Design + Design Excellence

The floor plates and site layout are directly informed by the structure plan within the Canada Bay Development Control Plan (DCP), refer to page K-176, which identify a 'joined' building arrangement, generally consistent with the proposal – see below:



The architectural scheme, developed by SJB and endorsed by the Design Integrity Panel (DIP), employs a "conductor and orchestra" concept. This approach balances the massing and scale across the site, creating a harmonious architectural composition.

Variations in materials together with building recesses emphasise separate vertical forms, creating a village-like feel and scale, despite the technical non-compliance with Clause 7.5(2). Notably, in addition to the materiality and built form moves, each building has its own lobby and lift core, ensuring they each feel 'separate'.

The larger floor plates, in conjunction with the DCP structure plan-informed site layout, contribute to a cohesive, landmark precinct that:

- Demonstrates excellence in urban renewal.
- Creates an engaging ground plane that connects Leeds Street to the waterfront
- Delivers through site links, activated by retail spaces; and
- Creates a foreshore park and promenade.

Managing Environmental Impacts

The VIA confirms the development integrates harmoniously into its setting, complementing the existing and emerging built forms of Rhodes. The design avoids obstructing key views or diminishing the scenic quality of the area.

Despite the floor plate size non-compliance, the design remains compliant with relevant LEP and DCP overshadowing controls, successfully minimising impacts on surrounding properties, open spaces, and the future school site.

The floor plates have been designed and oriented to maximise views to the water and mitigate the impacts of rail noise. Notably, the apartments achieve solar access and natural ventilation in exceedance of ADG requirements.

To manage visual privacy within the site, increased building separation and privacy screens have been included where strict ADG building separation compliance is not met.

Additionally, all (largely minor) wind mitigation measures suggested by SLR have been incorporated into the architectural plans. Therefore, the wind conditions within the various accessible outdoor spaces within and surrounding the development will align with their intended use.

Sustainability

The project also includes a comprehensive ESD strategy, which exceeds BASIX energy and water requirements and includes measures such as 11.4% deep soil planting and 37.7% tree canopy coverage.

Conclusion

In conclusion, the proposed variation to the floor plate control has, in part, arisen from the desire to maintain compliance with the DCP structure plan. The scheme has undergone a design competition and “bridging” design excellence process, ensuring the achievement of the highest standards of architectural and urban design, notwithstanding the departure from Clause 7.5(2) of the LEP.

(b) to allow for a mix of land uses that will—**(i) provide an appropriate balance between residential, retail, commercial and other land uses within the Rhodes Precinct, and**

The proposal provides a balanced mix of residential, retail / commercial and public land uses consistent with strategic planning objectives for the Rhodes Precinct.

It delivers 342 apartments, with 15% of the total floor space designated as affordable housing. This provision will make a significant contribution to housing targets.

The project includes ground-level retail spaces that contribute to employment targets and activate the precinct’s public domain, particularly around the planned Foreshore Park and Promenade. These retail spaces support economic activity and enhance the precinct’s mixed-use function.

Public realm improvements include a 5,000-square-metre foreshore park and promenade, along with through-site links that improve pedestrian access between Leeds Street and the waterfront.

The proposed floor plate sizes do not stymie the achievement of these land use outcomes.

(ii) encourage the provision of a range of services and facilities to help meet the needs of the population and users of the Rhodes Precinct, and

The proposal contributes to the provision of services and facilities within the Rhodes Precinct as part of a mixed-use development incorporating residential, retail, and public open space.

Key Questions	Response
	<p>The residential component delivers 342 apartments, including 15% of the total floor space allocated to affordable housing, addressing housing diversity and affordability in the area.</p> <p>Ground-level retail spaces, totalling approximately 1,450 square metres, activates the public domain, generates employment and will provide services for the population and users of the Rhodes Precinct.</p> <p>The development also includes 5,000 square metres of publicly accessible open space in the form of a foreshore park and promenade, which will help meet the recreational needs of the community.</p> <p>The proposed floor plate sizes do not stymie the achievement of these outcomes.</p> <p>(iii) generate employment in the Rhodes Precinct, and</p> <p>The proposal will generate 765 direct and 1,034 indirect jobs during the construction phase, providing significant short-term benefits to the local economy. These roles will cover a range of construction-related activities, supporting local businesses and supply chains.</p> <p>During the operational phase, the proposal will create 60 ongoing jobs associated with the retail spaces and maintenance of public domain improvements. These roles will deliver long-term economic benefits and support the Rhodes Precinct's development as a vibrant mixed-use community.</p> <p>The proposed floor plate sizes do not stymie the achievement of these employment outcomes.</p> <p>(iv) establish a significant new people-oriented public domain and foreshore area and other vibrant public plazas and public spaces,</p> <p>The proposal delivers approximately 5,000 square metres of publicly accessible open space, including a foreshore park and promenade, improving waterfront access in line with the Rhodes Place Strategy. Through-site links connect Leeds Street to the waterfront, enhancing pedestrian movement and accessibility.</p> <p>Vibrant through site links with activated frontages will encourage community interaction. Landscaping features, including 37.7% tree canopy coverage and deep soil planting, will enhance the functionality and quality of the public domain.</p> <p>The non-compliance of the Clause 7.5(2) does not impact the proposal's ability to deliver this high-quality, 'people oriented' public space.</p> <p>(c) to support growth in the Rhodes Precinct by ensuring the provision of appropriate infrastructure that is sensitive to environmental impacts.</p> <p>The proposed variation to the maximum floor plate requirement will have no bearing on the provision of infrastructure that is sensitive to environmental impacts. As above, the proposal will provide significant public domain improvements, which will not be affected by the minor variation.</p>
<p>b) Are the underlying objectives or purpose of the development standard not relevant to the development?</p>	<p>N/A – see above</p>
<p>c) Would the underlying objective or purpose be defeated or thwarted if compliance was required?</p>	<p>N/A – see above</p>

Key Questions	Response
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 floor plate size 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 variation to the floor plate size control is consistent with the structure plan outlined in the Canada Bay DCP and the design competition-winning scheme. Larger floor plates enable a site layout that aligns with the intended urban form endorsed by the Design Integrity Panel (DIP).
- The DIP has reviewed the proposal and confirmed that the proposal (inclusive of its floor plate arrangement) contributes to achieving a high-quality architectural outcome in line with the precinct's planning objectives. This is supported by the "conductor and orchestra" concept, which ensures balanced massing and scale across the site.
- Strict adherence to the 750-square-metre maximum floor plate size would limit site functionality and flexibility, impeding the delivery of a design consistent with the DCP structure plan. The variation allows for floor plates that address site-specific constraints, such as proximity to the rail corridor and optimising waterfront views, while ensuring buildings maintain distinct identities through diverse architectural expression and the inclusion of separate lobbies and lift cores.
- The proposal does not result in bulky towers. The scheme (at 10-17 storeys) is relatively low rise compared with other contemporary buildings in Rhodes. Notwithstanding, while two sets of buildings are 'joined' per DCP structure planning (and therefore do not comply with CI 7.5(2), the other buildings are well below the 750sqm control (Building E - 598sqm; Building F - 569sqm).
- The increased floor plate sizes contribute to the efficient use of the site, enabling the provision of approximately 5,000 square metres of publicly accessible open space. This includes a foreshore park, promenade, activated frontages, and through-site links, enhancing pedestrian connectivity and delivering high-quality public domain improvements.
- The variation allows for greater flexibility in achieving environmentally sustainable development (ESD) outcomes. Larger floor plates enable optimised apartment layouts with improved solar access and natural ventilation, exceeding the requirements of the Apartment Design Guide (ADG).
- The inclusion of larger floor plates supports a balanced mix of land uses, incorporating residential, retail, and public open space within the same development. The proposal provides 342 residential units, including 15% affordable housing, and 1,450 square metres of retail space, meeting the objectives for the precinct's mixed-use character.
- Despite the variation:
 - The proposal achieves the objectives of Clause 7.1, which are the underlying objectives of Clause 7.5(2).
 - The proposal remains consistent with the objectives of the MU1 (Mixed Use) zone by:
 - Offering a diverse mix of retail and residential uses, creating employment opportunities.
 - Locating housing and employment in an accessible area close to public transport.
 - Including ground floor non-residential uses and through-site links that will activate the site.
 - Delivering a built form outcome featuring buildings of varying heights and scales that contributes positively to the evolving identity and quality of the locality.
 - The proposal complies with the relevant DCP and LEP overshadowing controls, minimising impacts on the Foreshore Park, the future school site, and surrounding properties. The ability to accommodate larger floor plates supports lower building heights and a site layout that aligns with the broader planning framework.
 - The Visual Impact Assessment (VIA) found no significant adverse visual impacts. The VIA concluded that the design complements the existing and emerging built form of the precinct, while preserving key views and maintaining compatibility with the waterfront setting.
 - The wind conditions within the various accessible outdoor spaces within and surrounding the development will align with their intended use.

- Notably, the floor plate arrangement shown has already been approved under the Regional DA (DA2023/0235).

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

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