

3rd September 2024

To Whom It May Concern,

Re: Objection to Development Application for 9-13 Blaxland Road, Rhodes

I am writing to strongly object to the proposed development at 9-13 Blaxland Road, Rhodes. This objection is based on serious concerns regarding the fairness and transparency of the planning process, evidence of corruption, and the direct negative impact on independent landowners in the Leeds Street precinct.

1. Corruption and Undue Influence in Planning Decisions

The Independent Commission Against Corruption (ICAC) Operation Tolosa has uncovered significant corruption in the Rhodes area development process:

- ICAC found Joseph Chidiac, a go-between, received corrupt payments from property developers that were funnelled to Canada Bay Mayor Angelo Tsirekas.
- Both Angelo Tsirekas and Joseph Chidiac were found seriously corrupt by ICAC and recommended to the Director of Public Prosecutions for charges.
- In the ICAC investigation we found that Billbergia, the developer behind the 9-13 Blaxland Road project, also made payments to Joseph Chidiac.
- The investigation also implicated numerous individuals involved in property development in the area, including at Canada Bay Council, the town planner, major developers, and local real estate agents.

2. Inappropriate Reallocation of Development Capacity

Evidence obtained through Government Information (Public Access) requests reveals that Canada Bay Council on 14 July 2020 to the Rhodes Master Plans Working Group proposed relocating development capacity from Rhodes East (including Leeds Street) to Blaxland Road "to give these developers a return on their (in our view speculative) investment." This email explicitly shows the intent to benefit specific developers at the expense of independent landowners, and is provided as an attachment.

3. Drastic and Unfair Reduction in Development Potential for Leeds Street Properties

As a direct result of this reallocation:

- In the 2017 Rhodes Plan, the highest FSRs and heights on Leeds Street were granted to land owned by independent landowners (including my family's property and that of Ross Schinella) with the Government's intention that a 25 storey mixed use "Destination Retail" complex was to be built there.
- In 2020, these FSRs and heights were mysteriously slashed in a matter of weeks, with no explanation, from 6.8 to a stupefyingly hobbled 1.1 and from 79 metres to 35-45 metres, rendering the properties effectively unbuildable, with lower development capacity than the existing structures.

- We have sent numerous GIPAs to both Canada Bay Council and DPIE for documents seeking to explain the decision making process and who was involved in the transfer of this development capacity. No documentation has been provided in return for these GIPAs with any explanation on how this sudden change was made.
- Specifically the independent land owners that had not sold out to Billbergia at numbers 15, 19 and 21 Leeds Street have had their development capacity transferred to this development at 9-13 Blaxland Road.

4. Excessive Increase in Development Capacity at 9-13 Blaxland Road

The development capacity at 9-13 Blaxland Road has increased dramatically:

- 2017 Rhodes Plan: FSR of 7.9 and 6.0, height of 97m and 9.5m
- Current Proposal: FSR of 20.88:1, height of 172m, 48 stories, 319 apartments
- This represents a potential \$450+ million windfall for Billbergia at the expense of independent landowners on Leeds Street.

5. Exhaustion of Dwelling Capacity Under the Rhodes Precinct Cap

The proposed development would consume a disproportionate amount of the remaining dwelling capacity (319 out of 756 available dwellings) under the 3,000-dwelling cap established for the Rhodes precinct. Combined with other developments on the Rhodes peninsula by Billbergia and the effective moratorium on any building on the independent landowners land at 15, 19 and 21 Leeds Street via stripping of all development capacity, the exhaustion of the dwelling cap additionally effectively prevents other landowners from ever developing their properties, further concentrating development rights in the hands of Billbergia.

6. Inconsistency with Original Planning Objectives

This development represents a significant departure from the balanced, inclusive development strategy initially envisioned for the area. It will result in the tallest building in Rhodes, 6 metres higher than the current tallest at 34 Walker Street, fundamentally altering the area's character.

In light of these serious issues, I urge the relevant authorities to:

1. Immediately reject the current development application for 9-13 Blaxland Road.
2. Initiate a comprehensive, independent investigation into the planning decisions that led to the reallocation of development capacity in the Rhodes precinct, specifically from Leeds Street to Rhodes as Canada Bay Council proposed.
3. Review and revise the planning controls for the entire Rhodes precinct to ensure a fair and equitable distribution of development rights.
4. Reinstate appropriate development capacity to the Leeds Street precinct properties that have been unfairly disadvantaged.
5. Consider the findings of the ICAC investigation and their implications for past and future planning decisions in the area.

The approval of this development would not only perpetuate a series of unjust and potentially corrupt planning decisions but would also set a dangerous precedent for future urban planning in Sydney. It is crucial that all development decisions are made transparently, fairly, and in the best interests of the entire community, not just select developers with apparent influence over local officials.

I trust that you will give this objection the serious consideration it deserves and take appropriate action to address these grave concerns.

Sincerely,
R. M. Barrie
Marobar Holdings Pty Limited
15 Leeds Street,
Rhodes NSW 2138

From: Paul Dewar
Sent: Tuesday, 14 July 2020 12:39 PM
To: Martine White; 'Brendan Metcalfe'
> 'John Kurko' 'Nerida Morgan'
> Angela Koepf Alejandro Trevino
> 'Andrew Popoff' ; 'Paul
> 'Carina Lucchinelli'
> Artur Chyra
Cc: Elise Henderson
Subject: FW: Rhodes Master Plans Working Group No 18 - 26.06.2020 Content

Hi All

The following feedback is provided following the last two Working Group meetings:

3 July 2020

- The Leeds Street Precinct will be the first peninsula along the Parramatta River to permit towers directly adjacent to the foreshore. For the reasons previously articulated, we still have concerns about the scale of the towers proposed in this location.
- The massing diagrams illustrate slim rectangular towers. In reality, developers and their architects orientate the long face of apartment buildings to the view (in this case facing the river). Even with the proposed building separation requirements, towers in this location will read as tall wide buildings, creating a wall effect adjacent to the river. Therefore, the planning controls for this precinct will need to be complemented by a suite of controls relating to maximum building *length* and *depth*, and their associated *orientation* to the foreshore.
- Notwithstanding the suggested changes to controls, it is likely that Council will provide a submission objecting to this element of the plan when it is placed on public exhibition.

1

- We understand that a number of developers have purchased or obtained options on industrial zoned land at values that are comparable to high density residential. Should DPIE be of the view that the land should be rezoned to deliver these developers a return on their (in our view speculative) investment, then consideration should be given to the development capacity in Leeds Street being relocated to other character areas in Rhodes East, such as along Blaxland Road and the railway line. This is achievable where a landowner in the Leeds Street Precinct also owns development sites in other character areas. However, it would need to be mapped out to demonstrate any potential relocation of floor space.
- It is strongly suggested that the Government Architect and/or the Urban Design team at the DPIE review the proposed design response for Leeds Street and confirm whether it is appropriate having regard to the identification of the peninsula as a strategic foreshore site under SEPP (Sydney Harbour Catchment).

10 July 2020

- The building element between the 20 and 25 storey towers looks like it would have difficulty achieving compliance with the ADG. Please check.

Regards

Paul & Tina

Paul Dewar | Manager, Strategic Planning
City of Canada Bay

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Development capacity that has been removed from Leeds Street and provided to 9-13 Blaxland Road.



Development capacity that has been removed from Leeds Street and provided to 9-13 Blaxland Road.

Rhodes East Priority Precinct Investigation Area

Planning Report

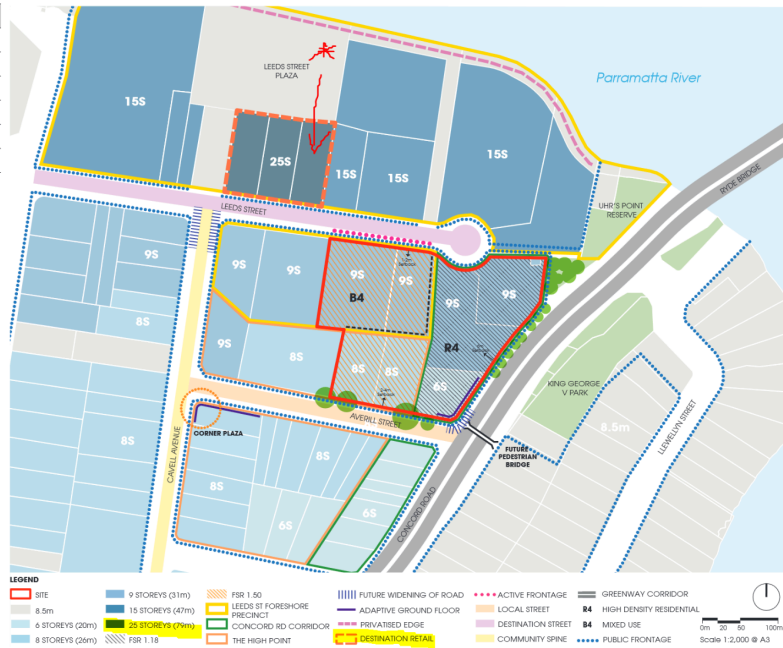
SEPTEMBER 2017



Development capacity that has been removed from Leeds Street and provided to 9-13 Blaxland Road.

PROPOSED PLANNING CONTROLS (DRAFT LEP AMENDMENT)

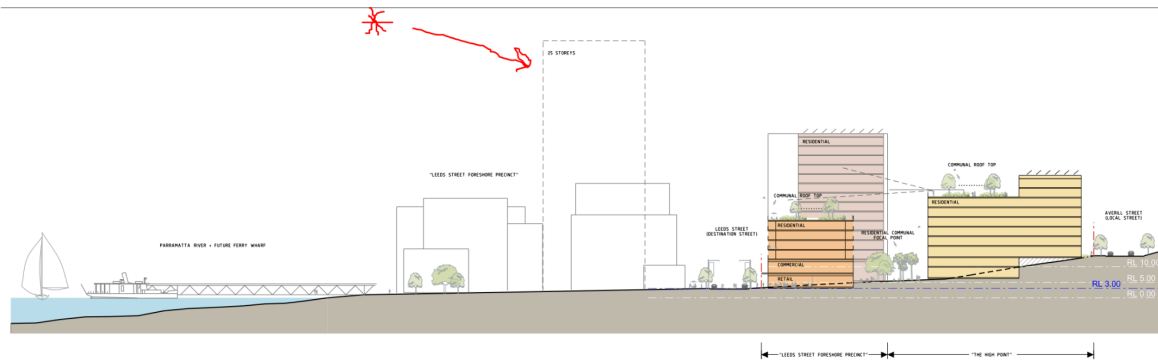
PERFORMANCE OVERVIEW CONTROLS	
SITE AREA	12,688M ²
FSR (CONTROL)	1.35:1 (SITE AVERAGE)
GFA	17,128,80M ²
ZONING	B4 + R4 (MIXED USE + HIGH DENSITY RESIDENTIAL)
MAX. HEIGHT	31M
PARKING	0.5 (PER DWELLING)



15 Leeds Street was to be “Destination Retail” “25 Storeys (79m)”

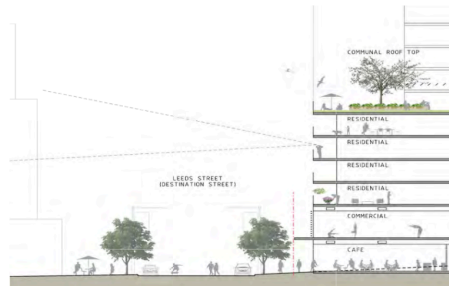
Rhodes East Masterplan © GroupGSA

THE CONCEPT | SECTION



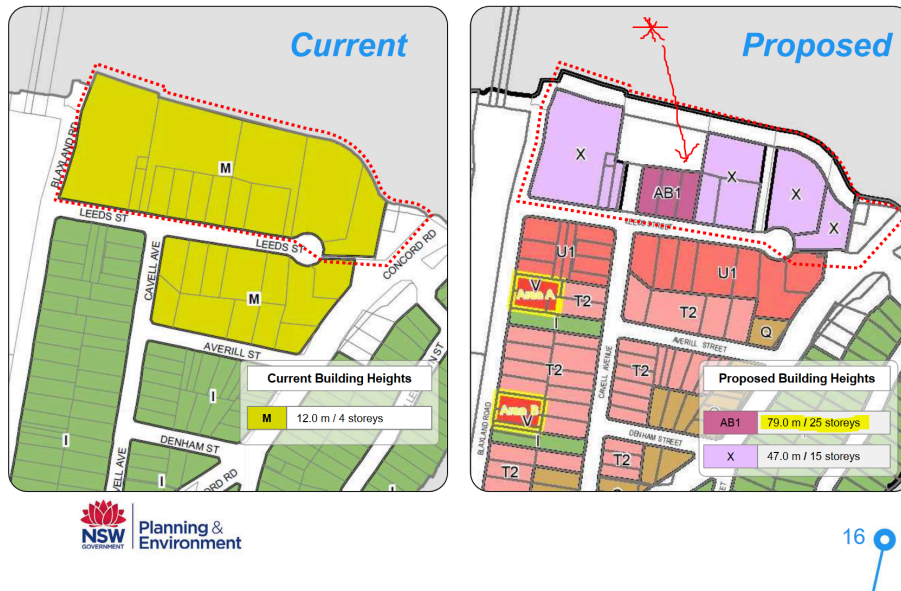
INDICATIVE SECTION

DETAIL SECTION LEEDS STREET FORESHORE PRECINCT



15 Leeds Street was to be “Destination Retail” “25 Storeys (79m)”

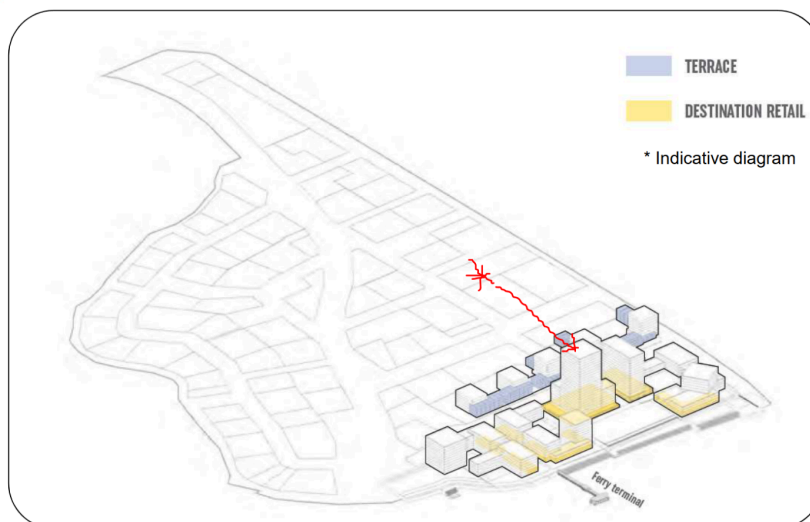
Height of Buildings (HOB) Map



Document Set ID: 6265324
Version: 1, Version Date: 26/04/2018

Development capacity that has been removed from Leeds Street and provided to 9-13 Blaxland Road.

Building types and terrace frontage

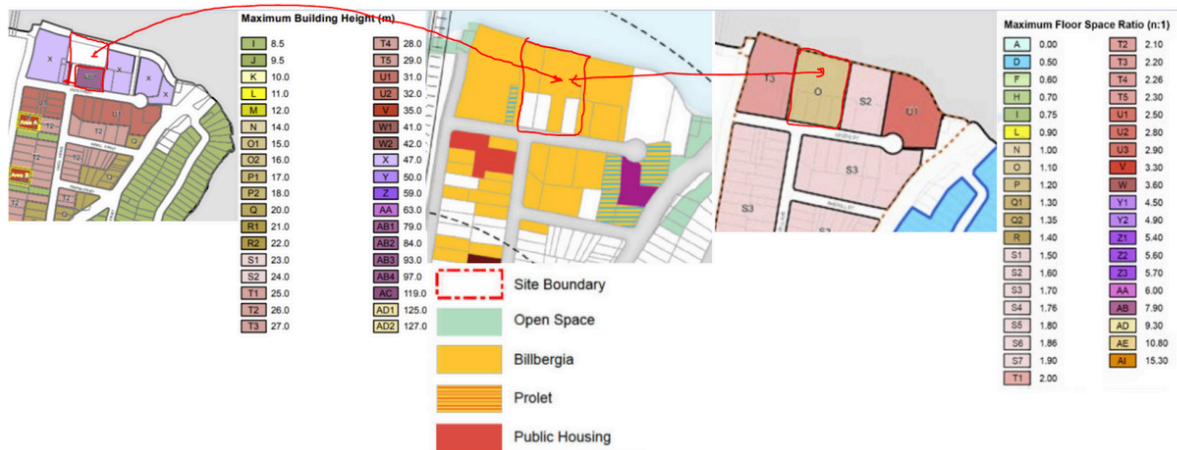


NSW Planning & Environment

18

Document Set ID: 6265324
Version: 1, Version Date: 26/04/2018

Development capacity that has been removed from Leeds Street and provided to 9-13 Blaxland Road.



The independent landowners on Leeds Street had their FSRs changed from the highest in the precinct to the lowest (Source: 2017 Rhodes plan and 2020 Rhodes plan).



DPIE model showing the tower on 15 Leeds Street - development capacity that has been moved from Leeds Street to this development at 9-13 Blaxland Road.