

COUNCIL ASSESSMENT REPORT

SYDNEY EASTERN CITY PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSEC-304 – DA/2023/1125
PROPOSAL	Integrated development for construction of a two-storey recreational club facility including rowing boatshed, publicly accessible boat launching pontoon, kiosk and ancillary spaces.
ADDRESS	Part Lot 120 DP 1279860 – 66-68 Mary Street LILYFIELD
APPLICANT	Barbara Ramjan
OWNER	Crown Lands
DA LODGEMENT DATE	27 December 2023
APPLICATION TYPE	Development Application (Integrated)
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 5 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as: Private infrastructure and community facilities over \$5 million
CIV	\$9,350,821 (excluding GST)
CLAUSE 4.6 REQUESTS	N/A
KEY SEPP/LEP	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> • <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> • <i>State Environmental Planning Policy (Planning Systems) 2021</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> • <i>Crown Land Management Act 2016</i> • <i>Inner West Local Environmental Plan 2022</i> • <i>Leichhardt Development Control Plan 2013</i> • <i>Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005</i>
TOTAL & UNIQUE SUBMISSIONS ISSUES SUBMISSIONS UNIQUE KEY IN	169 submissions (151 in support 19 in opposition)

DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Attachment A: Reasons for refusal • Attachment B: Draft Conditions of consent • Attachment B: Draft Conditions in the event of approval (revised) • Attachment C: Architectural Plans (revision B, C & E) • Attachment D: Public domain plan (revision C & D) • Attachment E: Plan of Management (revision F) • Attachment F: Arborist Report • Attachment G: Traffic Report
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)	N/A
RECOMMENDATION	Refusal
DRAFT CONDITIONS TO APPLICANT	N/A
SCHEDULED MEETING DATE	4 April 2025
PLAN VERSION	17 December 2024 Rev B, 29 September 2024 Rev A and 26 July 2024 Rev C
PREPARED BY	Annalise Ifield
DATE OF REPORT	28 March 2025

SUMMARY

This report concerns the amended plans and additional information submitted to Council on the 3 February 2025 and 17 February 2025 for an integrated development application for the construction of a two-storey community facility and recreational club facility including rowing boatshed, publicly accessible boat launching pontoon, kiosk and ancillary spaces. The amended plans and additional information were submitted in response to the resolution of the Sydney Eastern City Planning Panel (SECPP) at its meeting on 7 November 2024.

The revised application is now referred to the SECPP for determination.

1. Background

An assessment report for integrated development for the construction of a two-storey recreational club facility including rowing boatshed, publicly accessible boat launching pontoon, kiosk and ancillary spaces, was considered by the SECPP at its meeting on 7 November 2024.

The original assessment report recommended refusal of the application for the following key reasons:

- By virtue of its size and scale, it would have an unacceptable visual impact on the Leichhardt Park foreshore and;
- The proposed use/s will create conflicts with the existing foreshore activities.

The Panel resolved unanimously to defer the determination of the application to allow for further design amendments and the provision and assessment of additional information to enable the matter to be adequately considered. The matters for deferral are stated below:

- *Minimise the scale of the proposal, eg. reducing the ceiling heights for first floor*
- *Colour of external finishes to minimise visual impact*
- *Determination of access pathway through the public domain, including a detailed draft Public Domain Plan to identify the impacts. The draft Public Domain Plan is to show the swept paths of the trailer prepared by a traffic consultant. An Arborist report is to be prepared once the pathway is resolved.*
- *Draft Plan of Management to appropriately address, the hours of operation, confirm of process of deliveries of transportation of boats and the manner of operations of the whole facility*
- *Retention of the sea wall, with the deck level at the top of the wall*
- *Resolve the kiosk permissibility*
- *Demonstration that the Fig Trees at the Mary Street entrance of Leichhardt Park can be viably retained.*

Since the deferral, Council has met with the applicant's team on 20 November 2024, 11 December 2024, and 14 January 2025 in an attempt to resolve the above items for deferral.

On 3 February 2025 and 17 February 2025 the applicant submitted amended plans and additional information in response to the above resolution of the SECPP which are subject of this report.

2. Planning Assessment

Below is an assessment of the amended plans and additional information submitted by the applicant in response to the resolution of the SECPP:

1. Minimise the scale of the proposal, eg. reducing the ceiling heights for first floor

Comment:

An amended set of elevations and sections (dwg DA 2.20 rev C, DA 2.21 rev B & DA 2.30 rev B, prepared by Hill Thalys dated 17 December 2024) has been submitted. The amendments include reducing the building height and gutter lines by 300mm resulting in a first floor pitching point of 2.7m and a maximum height of approximately 12.7m (RL 12.47 AHD).

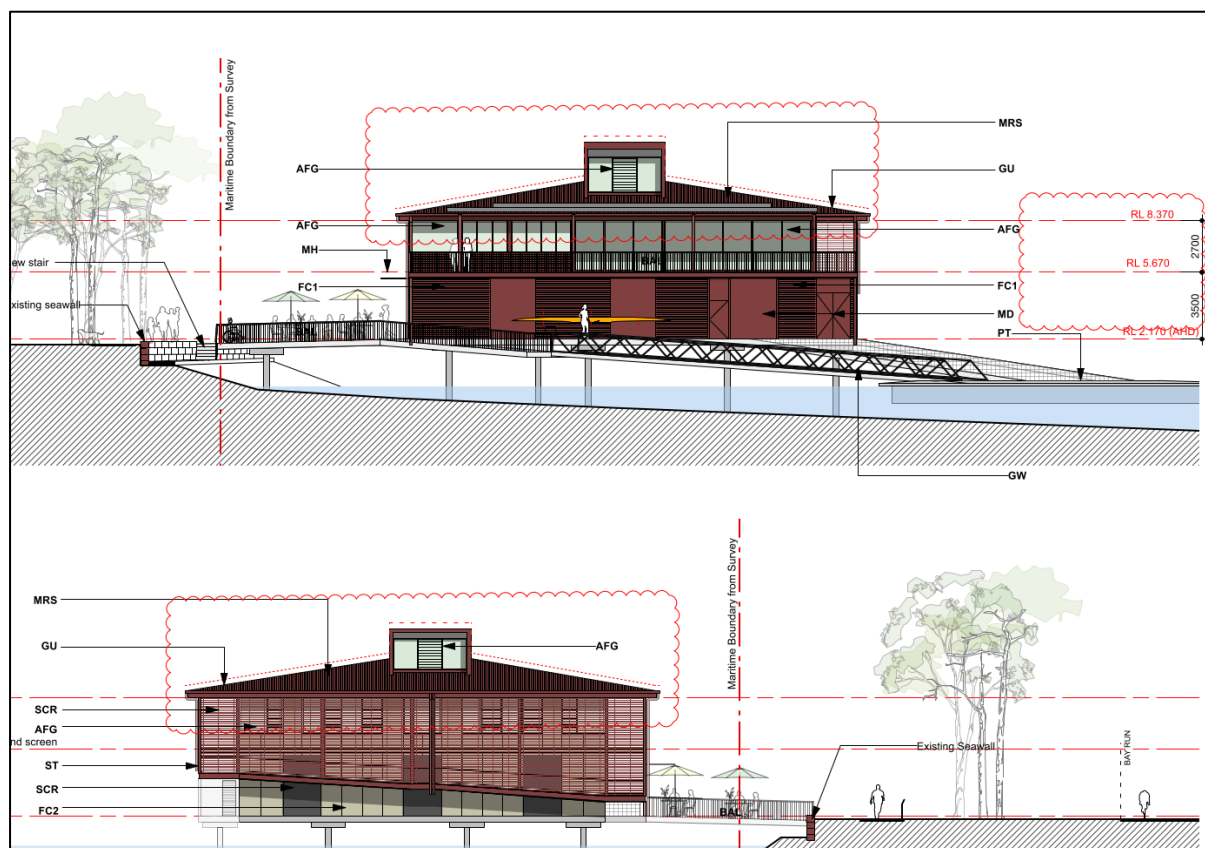


Figure 1: Amended Elevations (Dwg DA 2.20 rev C prepared by Hill Thalys dated 17 December 2024)

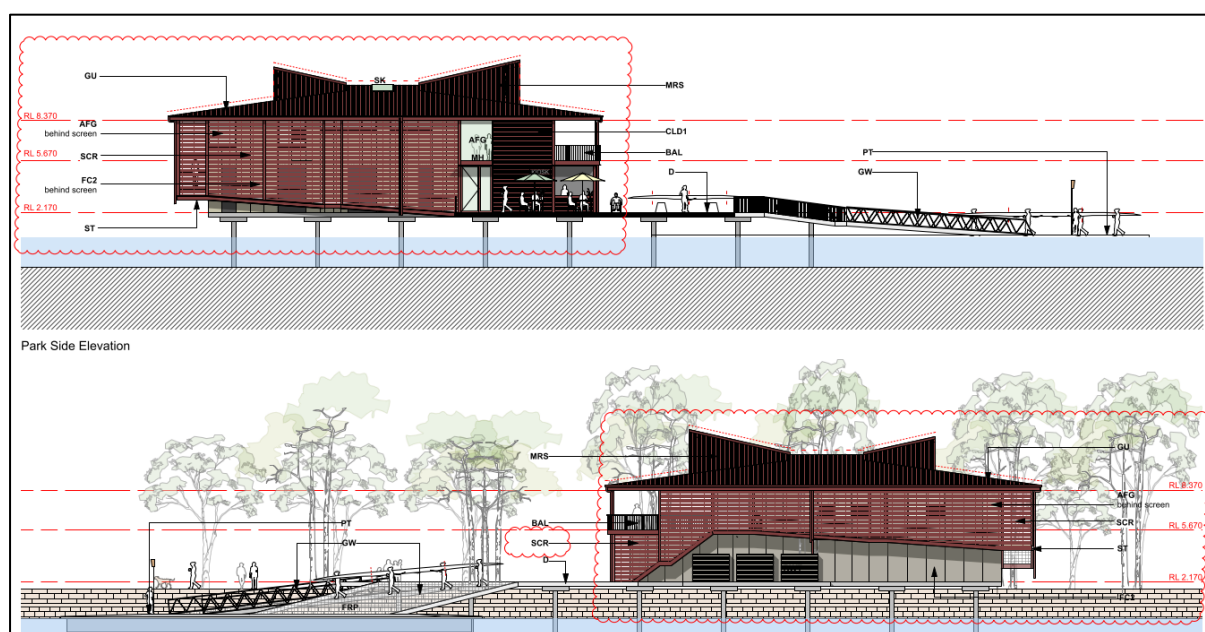


Figure 2: Amended Elevations (Dwg DA 2.21 rev B prepared by Hill Thalys dated 17 December 2024)

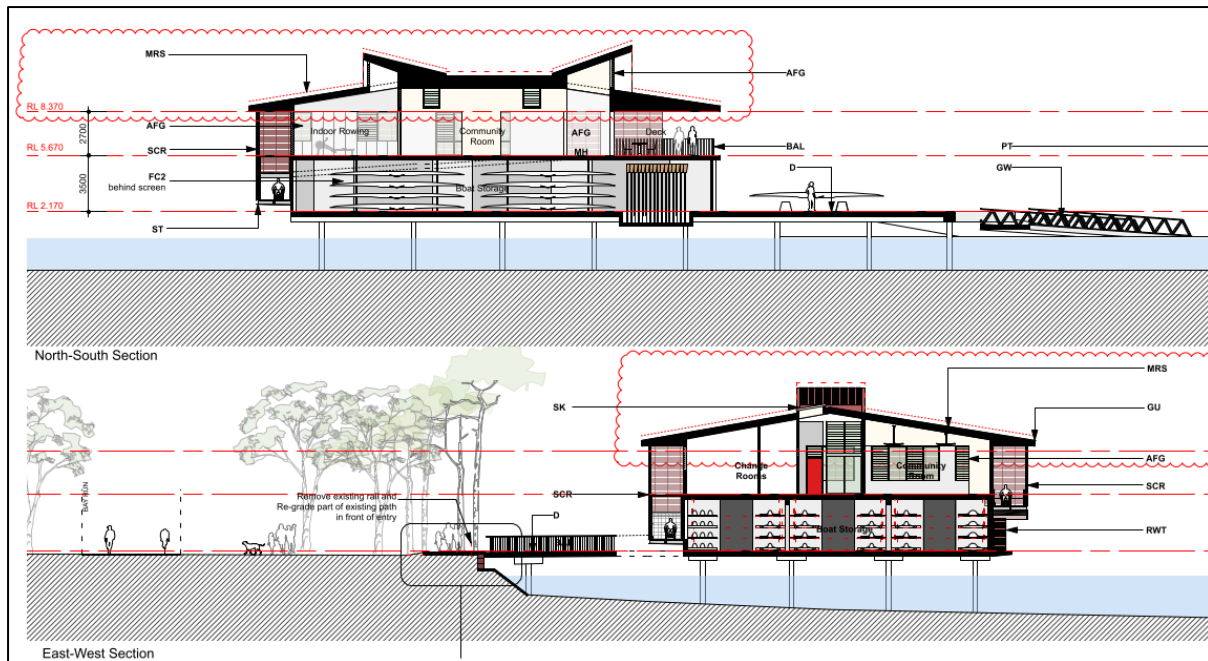


Figure 3: Amended Sections (Dwg DA 2.30 rev B prepared by Hill Thalys dated 17 December 2024)

Whilst the reduction in height is welcomed, it is considered that a 300mm reduction does not sufficiently respond to the visual bulk and prominence of the building on a public foreshore. It is considered that a 300mm reduction in height does not '*minimise the scale of the proposal*' in-line with the reasons for deferral and that there is scope for further reductions to be made whilst maintaining the facilities as proposed. This could include additional reductions in the first floor ceiling heights given the raked ceilings presently achieve generous ceiling heights of between 2.7m and 4m, and the consolidation of uses on the first floor with an amended roof form. It is considered that such adjustments would reduce the structure's visual prominence and better align with the relevant provisions of *SEPP (Biodiversity & Conservation) 2021* and the SHDCP 2005, ensuring that the development minimises its impact and prominence on the public foreshore and park.

The revised proposed developments' scale remains and is considered to have a significant visual presence in Leichhardt Park, especially when viewed from the adjacent parkland inconsistent with the objective of the relevant planning provisions. As outlined in the original assessment report, the location of the current proposal is located approximately 45m north of the site identified in the Leichhardt Park masterplan. This new location has resulted in the facility being located closer to recreational areas of Leichhardt Park including the 'Blue Hippo Park' and the 'Fr A Gonelli Garden' which are of high use and value by the community. As such, in this location, and as mentioned in the previous assessment report it is considered that a single storey form would satisfy the relevant planning objectives. This being consistent with the previous Architectural Excellence Design and Review Panel (AEDRP) advice as set out in the original assessment report.

2. Colour of external finishes to minimise visual impact

Comment:

An amended materials and finishes schedule (dwg DA 3.10 rev B and dwg DA 3.11 rev B, prepared by Hill Thalys dated 17 December 2024) has been submitted. The amendments have changed the Colorbond and screening from 'Heritage Red' to Colorbond 'Manor Red', and the panels from concrete/metal to an unspecified coloured panel similar to Colorbond 'Dune'.

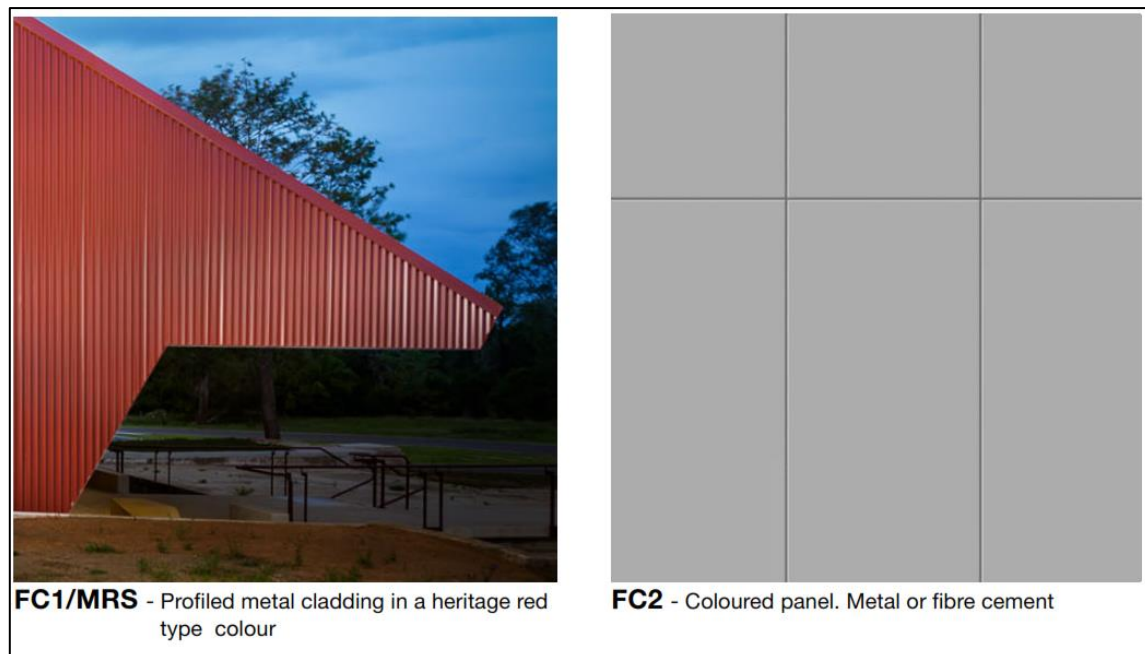


Figure 4: Original colour scheme (Dwg DA 3.10 rev A prepared by Hill Thalys dated 25 September 2023)

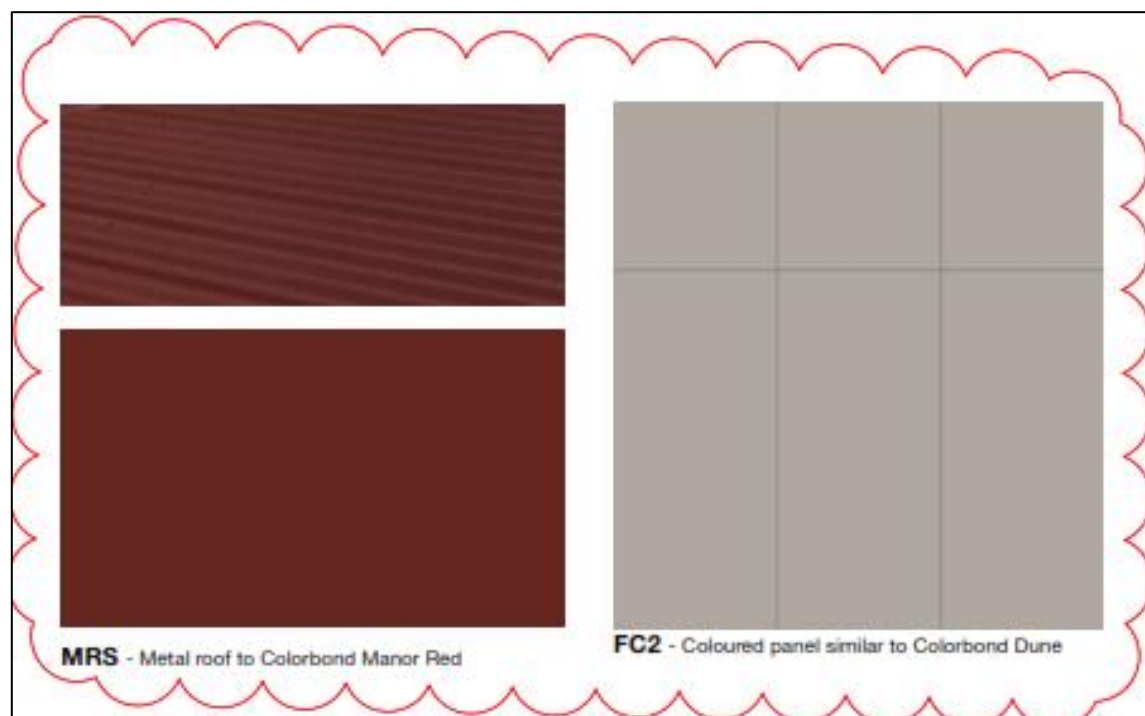


Figure 5: Amended colour scheme (Dwg DA 3.10 rev B prepared by Hill Thalys dated 17 December 2024)

The applicant's justification to retain the colour red, albeit a deeper shade, is that it ties in with the terracotta roof tops visible around Iron Cove Bay and that the screening is transparent, thus reducing its prominence.

It is considered that where the development is to have the greatest visual impact is from the foreshore of Leichhardt Park. The terracotta rooftops of Haberfield, Five Dock, Rodd Point and Rodd Island are distant views physically separated from the subject site, and are not considered a prevailing characteristic of this visual catchment. Further the colour of the screening will become particularly noticeable when observed from oblique angles along the foreshore of Leichhardt Park.

Within the wider bay, the visual catchments in which the boat shed is predominately viewed are from the south-west (Dobroyd Parade and the Bay Run), the west and north-west (Henley marine Drive and Bay Run) set the building in a mature, landscaped backdrop of Leichhardt Park.

It is considered that if approved, a more contextually sensitive colour scheme which aligns with the immediate landscaped setting/surrounds would be more suitable to mitigate the visual impact of the development. This is consistent with the previous Architectural Excellence Design and Review Panel (AEDRP) advice as set out in the original assessment report.

In this regard, in the event of approval, a condition is recommended to amend 'Manor Red' to any of 'Pale Eucalypt', 'Cottage Green' or 'Jasper' from the Colorbond range. Further, the proposed panel colour should be specified from a paint range (e.g. Dulux 'Beige Royal') as the material is not nominated to be Colorbond and the notation "*or similar*" be deleted to ensure that the colours are compatible with the heritage context.

3. Determination of access pathway through the public domain, including a detailed draft Public Domain Plan to identify the impacts. The draft Public Domain Plan is to show the swept paths of the trailer prepared by a traffic consultant. An Arborist report is to be prepared once the pathway is resolved.

Comment:

An amended public domain plan (dwg ASK1.00 rev D and ASK1.10 rev C prepared by Hill Thalys dated 24 January 2025) has been submitted. The amendments have generally been developed in consultation with Council, notably:

- Changes to the car parking arrangements including provision of accessible parking space, and time limited turn around bay and trailer decoupling zone (subject to Local Traffic Committee approval)
- A separate pathway for the boat trailers and general site servicing minimising overlap with the Bay Run route
- Improved sight lines and direct pathway for pedestrians and cyclists
- Trailer loading and temporary storage relocated to the decking area of the rowing club



Figure 6: Amended public domain plan (Dwg ASK 1.00 rev D prepared by Hill Thalys dated 24 January 2025)

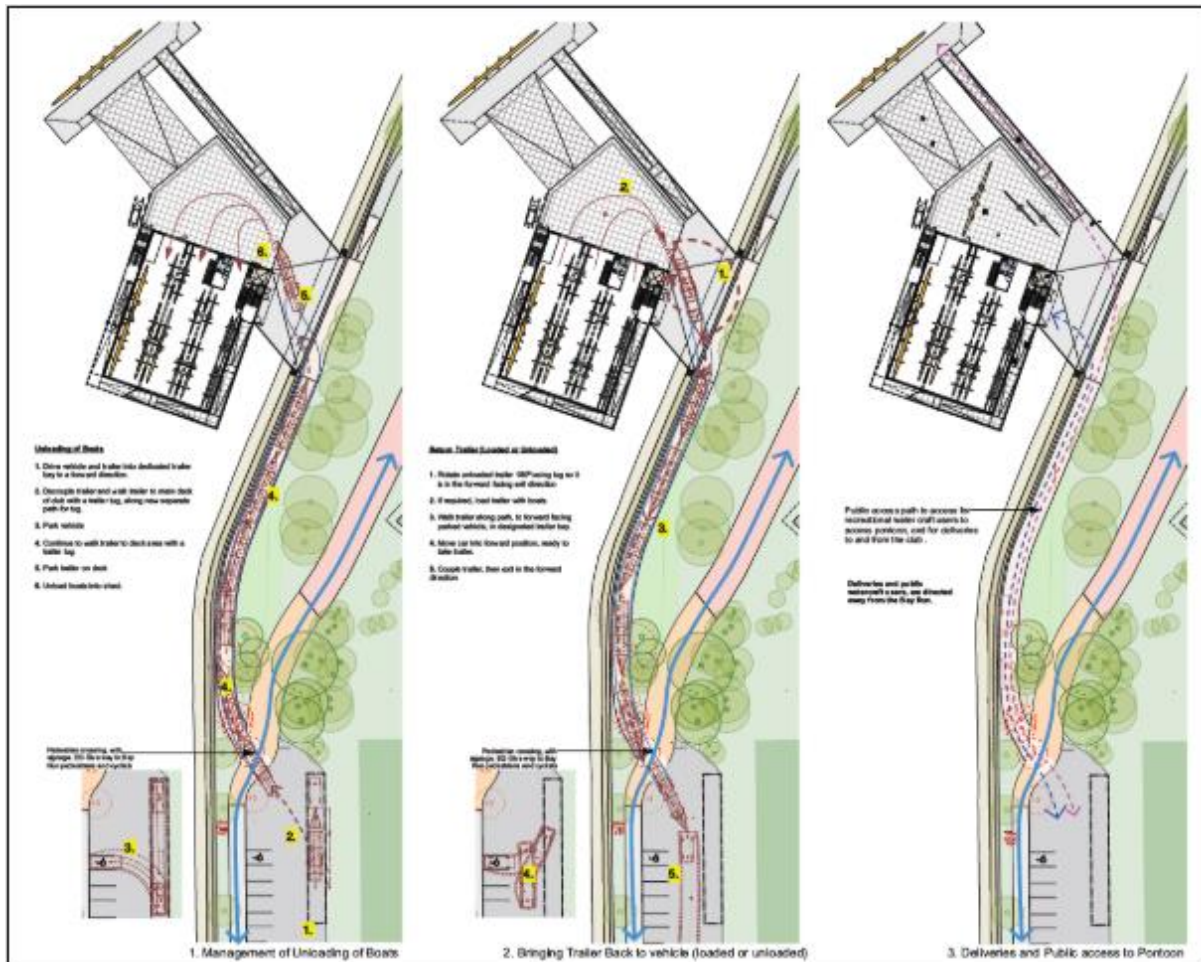


Figure 7: Amended public domain plan (Dwg ASK 1.10 rev C prepared by Hill Thalys dated 24 January 2025)

The public domain plan (ASK1.10 rev C, annotation number 5) shows coupling/uncoupling of the boat trailer within the parking aisle at the end of Maliyawul Street carpark which may obstruct traffic and cyclists and block access to available car spaces. In the event of approval, a condition is recommended to ensure all coupling and uncoupling of boat trailers are undertaken within the designated trailer zone.

The amended public domain plan results in an increase in the number of trees required for removal and will continue to encroach into the Tree Protection Zones of a number of adjacent trees.

An Arboricultural Impact Assessment (AIA) Report prepared by Evolving Arbor dated 13 February 2024 was submitted. The AIA has identified Tree 1 (*Ficus sp* (Fig)) and most of Group 1 (all groups *Casuarina spp* (She Oak)) trees will require removal. It will also require trees located along the Western edge of Groups 2, 4 and 5 to be removed. Groups 1, 2, 4 and 5 will require minor canopy lift pruning of small ~25-50mm diameter branches. However, the AIA has not included a site-specific Tree Protection Plan and as such the individual details of all trees proposed for removal or retention are unknown. In the event of approval, a comprehensive AIA can be submitted and approved by Council demonstrating tree loss has been minimised as as further refinement of the public domain will likely occur prior to a construction certificate.



Figure 8: Appendix 1 Aerial site photo showing tree groups (AIA Report prepared by Evolving Arbor dated 13 February 2024)

As outlined in the original assessment report, given the indirect access to the proposed site within an area of high pedestrian activity, the proposed location unsuitable for a rowing club of this scale and intensity. Nevertheless, the public domain plan establishes a solution which minimises the points of conflict, and in conjunction with a comprehensive POM, will achieve the best possible outcome given the circumstances.

4. Draft Plan of Management to appropriately address, the hours of operation, confirm of process of deliveries of transportation of boats and the manner of operations of the whole facility

A revised Plan of Management (version F, prepared by Philip Bull, dated 3 February 2025) (revised POM) has been submitted.

Hours of Operation

The proposed hours of operation for each use have been outlined on page 8 of the revised POM, and are reproduced below:

- *Rowing Use (Downstairs Area, Staging and Deck): 4:45am – 9:00pm*
- *Off-Water Training, events and purposes related to operation of the rowing club: 5:00am – 11:00pm*
- *Multi-Purpose Space (other non-training uses): 7:00am – 10:00pm*
- *Kiosk: 6:00am – 4:00pm*

It is noted that the original Plan of Management (Version C dated 6 August 2024) contained ambiguities regarding uses and hours, however indicated core rowing hours '*between 5:00am – 9:00am on Weekdays and 6:00am to 11:00am on Weekends*'. This was generally consistent with the Traffic Impact Assessment (TIA) Report (prepared by Traffix ref: 23.362r01v04 dated September 2024), which assessed the intended use of the premises until 10:00am.

A revised TIA was not submitted for the proposed reflecting rowing use hours of 4.45am – 9.00pm or other evening uses of notable capacity. In particular, the use of the Multi-Purpose Space indicated '*for events and purposes not directly related to operation of the rowing club*' such as for '*community organisations for active use (such as yoga, pilates, aerobics, or circuit training) or passive use (such as meetings of organisations including Rotary, Scouts, or other community groups)*' is proposed for up to 75 people until 10:00pm. Equally, the use for '*Off-Water Training, events and purposes related to operation of the rowing club*' has an unspecified venue capacity and is intended to be used until 11:00pm. It is also unclear whether the different uses within the Rowing Club may overlap or if they are mutually exclusive.

Whilst a revised TIA has not been submitted demonstrating suitable parking arrangements in the PM time period, given the other uses within Leichhardt Park (i.e. three sporting fields which are generally fully booked in the afternoons/evenings), it would be anticipated that the availability of car parking in the PM time period will be reduced compared to the AM time period surveyed, and therefore may result in conflicts with other recreational uses within Leichhardt Park.

It is considered that other community uses should be revised to 9pm to be consistent with other operations of the park and the nature of the community uses yet to be specified. In addition, as no acoustic report has been submitted, any amplified systems should cease at 9pm.

With the information provided, it is not considered that the application has demonstrated that extended evening hours and notable venue capacity (75 persons) will not result in unreasonable adverse impacts on the traffic management and parking within the area. In lieu of any revised traffic information, it is considered that a total venue capacity of 30 people for evening uses a reasonable arrangement to mitigate any adverse impacts.

Site Servicing

The proposed waste management (under Section 3.1) outlined on page 7 of the revised POM, is partly reproduced below:

The club will arrange for collection of bins on allocated days outside of any peak use of Maliyawul Street, during weekdays or prior to 8am on Saturdays.

As outlined above, the waste management section does not clearly specify hours for waste collection. The Traffic Impact Assessment (TIA) Report (prepared by Traffix ref: 23.362r01v04 dated September 2024), demonstrates that a small rigid vehicle (the smallest waste collection vehicle available) relies on the trailer decoupling zone and turning bay to be available to enter and exist this portion of the Maliyawul Street carpark in a forward direction.

As the decoupling zone and turning bay will only be available between 5.00am and 7.00am, waste collection will need to occur during these hours to ensure the waste collection trucks have sufficient space to turn around and exit Maliyawul Street carpark in a forward direction.

Similarly, Section 3.6 (page 9) of the POM states that “*All delivery vans are to use the trailer loading/unloading zone*” however the proposed hours for delivery (as shown below) do not align with the decoupling zone:

prior to 8:00am on a Saturday or Sunday or between 5:00am – 8:00am, or 5:00am – 7:00am or 9:00am – 4:00pm on Monday – Friday

The delivery hours will need to be consistent with the proposed trailer decoupling zone and turning bay to ensure the appropriate space is available for use.

Given the increase and uncertainty of the level of activity resulting from the proposed development, the hours of 5:00am and 7:00am for the trailer decoupling zone and turning bay are considered most appropriate to protect the safety of cyclist and pedestrians; and minimise conflict with other park uses, such as Saturday sport starting at 8am on Leichhardt Oval no. 3.

In addition, the proposed kiosk may result in additional litter within Leichhardt Park. In the event of approval, is it recommended that a condition be included to update the POM to ensure the kiosk operator completes ‘daily’ litter patrols of the adjacent foreshore area of Leichhardt Park.

Boat Transportation

The proposed boat transportation (under Section 3.12) outlined on page 11 of the revised POM, is partly reproduced below:

Timing of loading and unloading activities is to comply with the timing for deliveries set out in item 3.4 above.

As previously outlined in relation to Section 3.4 timing of deliveries to the club, the hours for boat transportation will need to be consistent with the proposed trailer decoupling zone and turning bay to ensure the appropriate space is available for use.

In terms of the frequency of boat movements, the revised POM states '*The club estimates that approximately 15 – 20 transportation movements (ie removal of boats from the shed, attendance at a regatta, and return to the shed).*' This approach is accepted, however in the event of approval it is recommended that the wording be more specific to remove ambiguity and ensure a maximum of 20 boat movements per calendar year.

As outlined in the original assessment report, the proposed location raises a number of potential points of conflicts which will need to be carefully managed by future operators. As such, in the event of approval it is recommended that a 'register' of boat trailer transportation movements be kept and available on request if issues require further investigation.

Given the sites location and reliance on highly frequented public land for its operation, it is considered that the operator should demonstrate that it can comply with the POM and conditions of consent. Changes to the operation of the building including hours of operation, venue capacity and servicing can be considered in a future modification application and with any required supporting documentation.

Bus Transportation

Additional information was sought to any bus/coach pick up anticipated and if so where/how this will occur to ensure safe manoeuvring.

Despite, a revised TIA or information regarding bus transportation not being provided in the revised POM, in the event of approval, a condition is recommended to ensure no bus/coach pick up drop offs be permitted from Maliyawul Street. A future modification application can be submitted to amend this condition, subject to evidence that buses can safely enter and exit Maliyawul Street in a forward direction and will not block the flow of traffic.

5. Retention of the sea wall, with the deck level at the top of the wall

Comment:

An amended Section plan (dwg DA 2.30 rev B prepared by Hill Thalys dated 17 December 2024) has been submitted. The amendments show the retention of the sandstone sea wall and adapting the footpath landing within Leichhardt Park to match the height of the top of the boat shed decking.

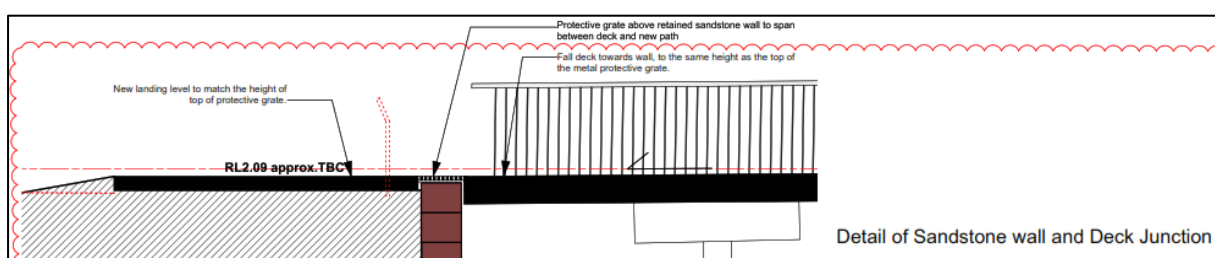


Figure 9: Amended section detailing sea wall junction (Dwg DA 2.30 rev B prepared by Hill Thalys dated 17 December 2024)

This amendment is accepted in that it retains the sea wall and its maintained height will protect the foreshore and open space from sea level rise or changes to flooding patterns as a result of climate change. As a result, it is considered the revised proposal satisfies the relevant provisions of Section 6.8 of the *SEPP (Biodiversity & Conservation) 2021*, and 6.6 and 5.21 within the *IWLEP 2022*.

6. Resolve the kiosk permissibility

Comment:

In relation to kiosk permissibility, the amended DA Report prepared by Philip Bull on the 3 February 2025 outlines on page 5:

We have amended this approach to consider the development as a mixed development, including:

- *Recreational or club facilities with an ancillary kiosk, gym and multi-purpose rooms;*
- *and*
- *A public wharf that is considered a community facility.*

The following annotated diagram has been prepared by Council to confirm the separation of uses with yellow indicating the Recreational or club facilities and green being community facilities.

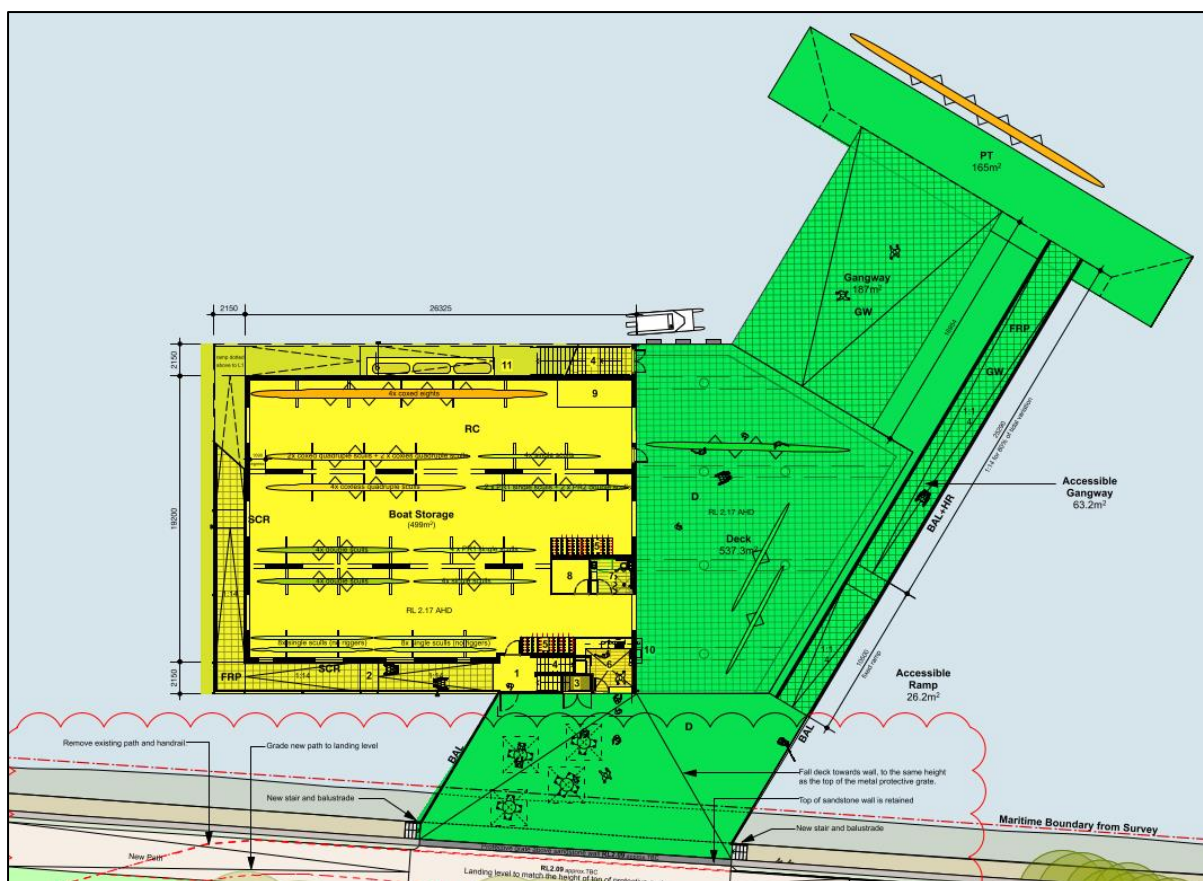


Figure 10: Annotated ground floor plan (Dwg DA 2.10 rev E prepared by Hill Thalys dated 17 December 2024)

As outlined in the original assessment report the land-based component of the site is within the RE1 Public Recreation Zone under the *IWLEP 2022*, and the water-based component of the site is within the W5 Water Recreation Zone under the *SEPP (Biodiversity & Conservation) 2021*.

The applicant has categorised the building component as a **recreational or club facility** which is permitted with consent within the W5 zone and defined under the SEPP as:

Recreational or club facility means a building or place used exclusively for sporting or leisure activities, whether operated for gain or not.

The equivalent use permitted with consent within the RE1 zone is considered to be **recreation facility (outdoor)** which is defined under the LEP as:

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

The applicant has categorised the public wharf component as a **community facility** which is defined under the LEP (and undefined under the SEPP) as:

community facility means a building or place—

(a) owned or controlled by a public authority or non-profit community organisation, and

(b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

A kiosk can be ancillary to **Recreational or club facility** or **recreation facility (outdoor)** and as such is permissible. It is considered that the proposed uses are consistent with the relevant definitions and permissible with consent within the relevant zones.

7. Demonstration that the Fig Trees at the Mary Street entrance of Leichhardt Park can be viably retained.

Comment:

An addendum (prepared by Acor, dated 29 January 2025) to the Water & Wastewater Report was submitted. The previous report (prepared by Acor, dated 17 July 2024), identified the location of the water supply connection in close proximity to a heritage listed Fig Tree (I1201 under *IWLEP 2022*) located towards Mary Street.

It is noted that the addendum identifies a mature stand of fig trees on the hill, rather than the heritage listed fig tree adjacent to water connection at the Mary Street entrance, as such the report has not demonstrated that the preferred connection point (being option 1) has resolved the potential detrimental impact on the heritage listed fig trees.

The addendum proposes an alternative connection (attachment 2) to the existing water main located on Frazer Street. This alternate connection is accepted.

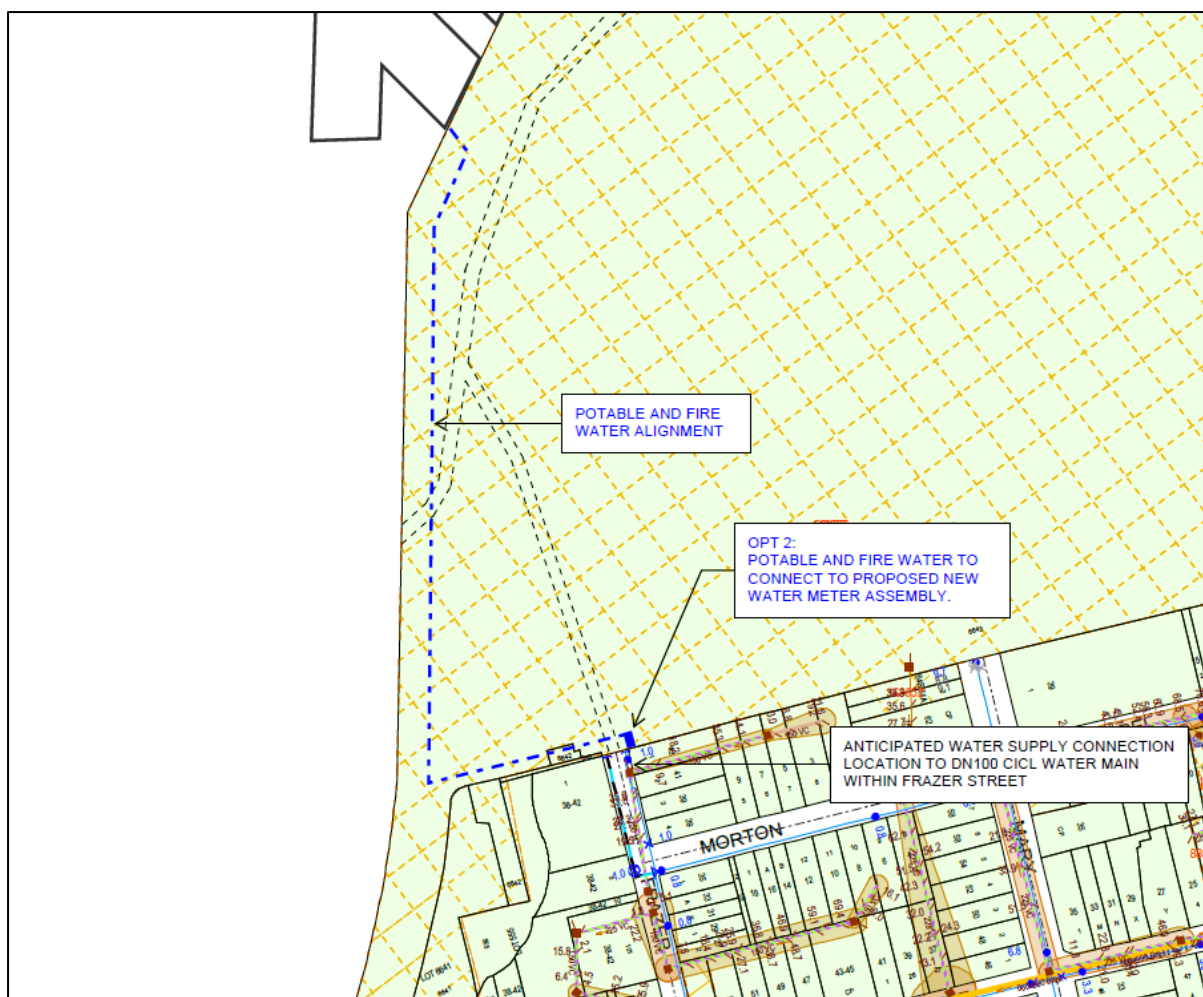


Figure 1111: Attachment 2 of the addendum to the Water & Wastewater Report (prepared by Acor, dated 29 January 2025)

As such, the applicant has demonstrated that services that are essential for the development can reasonably be made available without adversely impacting significant trees within Leichhardt Park.

3. Community Consultation

The amended proposal was notified in accordance with the Council's Community Engagement Framework.

Renotification took place between 25 February 2025 and 27 March 2025. A further 34 submissions were received in total. A total of three unique submissions were received in opposition to the proposal, raising the following issues:

- Trailer parking and movement is not addressed in the Traffic Report
- Traffic Report overestimates public transport available at 4:30am
- Safety impacts of regular traffic movements over this section of the Bay Run
- Storage of boat trailers will end up in the public carpark
- Visually intrusive built form
- Overdevelopment of Leichhardt Park

- Water sports on Iron Cove Bay already at capacity
- Locates an active business into tranquil area of Leichhardt Park
- Alienates community from public open space
- Disregard of the needs of the wider community

4. Conclusions

In regards to the items that form the Panel deferral the following is summarised. –

Regarding resolution (1) Minimise the scale of the proposal, eg. reducing the ceiling heights for first floor

- It is considered that this resolution has not been satisfied, and the proposed development is inconsistent with the relevant objectives and controls of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, *Inner West Local Environmental Plan 2022*, *Leichhardt Development Control Plan 2013* as set out in the reasons for refusal.

Regarding resolution (2) Colour of external finishes to minimise visual impact

- It is considered that this has not been satisfied, however can be resolved by way of condition.

Regarding resolution (3) Determination of access pathway through the public domain, including a detailed draft Public Domain Plan to identify the impacts. The draft Public Domain Plan is to show the swept paths of the trailer prepared by a traffic consultant. An Arborist report is to be prepared once the pathway is resolved.

- It is considered that this has been satisfied.

Regarding resolution (4) Draft Plan of Management to appropriately address, the hours of operation, confirm of process of deliveries of transportation of boats and the manner of operations of the whole facility

- It is considered that this has not been satisfied, however can be resolved by way of condition.

Regarding resolution (5) Retention of the sea wall, with the deck level at the top of the wall

- It is considered that this has been satisfied.

Regarding resolution (6) Resolve the kiosk permissibility

- It is considered that this has been satisfied.

Regarding resolution (7) Demonstration that the Fig Trees at the Mary Street entrance of Leichhardt Park can be viably retained.

- It is considered that this has been satisfied.

5. Recommendation

The proposal as amended has not demonstrated that it complies with the aims, objectives and design parameters contained in *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, *Inner West Local Environmental Plan 2022*, *Leichhardt Development Control Plan 2013*, and *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005*.

The key reason that it should not be granted approval is given its proposed location and in its current form it is of a size and scale, which would have an unacceptable visual and amenity impacts on the Leichhardt Park foreshore.

A proposal of a reduced scale and intensity, for example single storey form, would reduce visual and amenity impacts on Leichhardt Park which would likely satisfy the relevant provisions.

It is considered that the development in its current form would result in adverse impacts on Iron Cove, Leichhardt Park and surrounds and therefore, is not considered to be in the public interest.

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

In the event of approval, the additional information provided as part of the amended documentation package has resulted in a number of amendments to the draft conditions of consent.