

lanning Proposal t	to amend the height of buildir	ngs for 1-13A Marshall Av	ve, St Leonards		
Proposal Title :	Planning Proposal to amend th	Planning Proposal to amend the height of buildings for 1-13A Marshall Ave, St Leonards			
Proposal Summary	The purpose of this planning p site at 1-13A Marshall Avenue, from 65 metres to 94 metres.	The purpose of this planning proposal is to amend Lane Cove LEP 2009, as it applies to the site at 1-13A Marshall Avenue, St Leonards by increasing the maximum height of buildings from 65 metres to 94 metres.			
PP Number :	PP_2015_LANEC_003_00	Dop File No :	15/09277		
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Date Planning Proposal Received	01-Jun-2015	LGA covered :	Lane Cove		
Region :	Metro(CBD)	RPA :	Lane Cove Municipal Council		
State Electorate :	LANE COVE	Section of the Act	55 - Planning Proposal		
LEP Type :	Spot Rezoning				
_ocation Details					
Street : 1.	-13A Marshall Avenue				
Suburb : La	ane Cove City :		Postcode : 2066		
Land Parcel : Lo	ot 100 DP 1200133				
DoP Planning Of	ficer Contact Details				
Contact Name :	James Sellwood				
Contact Number :	0285754122				
Contact Email :	james.sellwood@planning.nsw.	gov.au			
<b>RPA Contact Det</b>	ails				
Contact Name :	Stephanie Bashford				
Contact Number :	0299113612				
Contact Email :	sbashford@lanecove.nsw.gov.a	u			
DoP Project Man	ager Contact Details				
Contact Name :	Tim Archer				
Contact Number :	0285754120				
Contact Email :	tim.archer@planning.nsw.gov.a	u			
Land Release Da	ta				
Growth Centre :	N/A	Release Area Name :	N/A		
Regional / Sub Regional Strategy :	Metro Inner North subregion	Consistent with Strategy	Yes		

	amend the height of buildings		
MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	269
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with :	Yes		
If No, comment :	The Department of Planning and E Metropolitan (CBD) has not met wi planning proposal.		- 10
Have there been meetings or communications with registered lobbyists? :	Νο		
If Yes, comment :	The Department of Planning and E communications with registered lo		
Supporting notes			
Internal Supporting Notes :	This planning proposal is intended to increase the permissible height of the subject site, located at 1-13A Marshall Avenue, St Leonards, from 65 metres to 94 metres.		
	The planning proposal is intended to rectify the outcome of a previous planning proposal, and amendments to the Lane Cove Development Control Plan, which reduced the capacity of the site to realise the development potential envisaged by the applicant (Loftex).		
	Council submitted a development application (DA14/143) to the Sydney East Joint Regional Planning Panel (the Panel), which was refused on 19 March 2015. A planning proposal to change the height of buildings to allow the proposed development is required.		
	RECENT PLANNING HISTORY OF 1-13A Marshall Avenue is part of a Avenue (the original site), St Leon developed as a 'low rise' residentia	a larger development site, con aards. The remainder of the si	
	There have been a number of ame last 5 years:	ndments to the planning con	trois for the site over the
	• February 2010 - Lane Cove Local Mixed Use with a maximum floor s 36m;		-
	• October 2011 - Loftex lodged a pl to 25m for most of the original site of the site. The aim was to reduce overshadowing on the southern si part of the Planning Proposal;	e, and increase building heigh building bulk along the Mars	ht to 78m at the eastern end hall Avenue frontage and
	• April 2012 - The Department issue proposal;	ed a Gateway determination f	for the above planning
	• February 2013 - Loftex lodged a c western end of the original site. Th under construction;		

	• April 2013 - Council resolved to approve the planning proposal but with a reduced height at the eastern end of the site of 65m, and resolved to not permit additional height without Loftex agreeing to fund the St Leonard plaza over the North Shore railway line through a Voluntary Planning Agreement.
	• September 2013 - The above planning proposal was published, with a building height of 65m at the eastern end of the site, and 25m for the remainder of the site. At the same time Council made amendments to the Lane Cove Development Control Plan, introducing setbacks and a requirement for commercial space at the future plaza level. This further reduced the development potential of the site.
	• November 2013 - In response to correspondence from Loftex, the Department wrote to Loftex to explain its decision, and to encourage Loftex to liaise with Council regarding the planning proposal and Voluntary Planning Agreement. The Department encouraged Loftex to seek increased building height via a Clause 4.6 variation to the height control when a development application was lodged for the tower.
	<ul> <li>September 2014 - Loftex lodged a development application (DA14/143) for a 94m high tower at the eastern end of the site, accompanied by a Voluntary Planning Agreement for \$8.3 million towards the St Leonard plaza.</li> </ul>
	• March 2015 - Sydney East Joint Regional Planning Panel refused the development application (DA14/143) on the grounds that the Clause 4.6 variation could not be supported for the reasons summarised below:
	<ul> <li>The proposed development increases the height of the tower building by almost 30m (or nine floors) beyond the building height standard and would adversely impact views and would result in larger shadows on the public domain, than a building of complying height;</li> </ul>
	- The proposed building would be out of scale with the existing and desired future character of the area.
	The proponent suggests the draft LEP amendment could be made within a period of 6 months.
External Supporting Notes :	In summary, the planning proposal aims to increase the height of the eastern part of the site located at 1-13A Marshall Avenue, St Leonards, from 65 metres to 94 metres, to allow for a residential tower with commercial uses on the lower 3 to 4 levels.
	This is in response to a development application (DA14/143) which was refused by the Sydney East Joint Regional Planning Panel (the Panel) on 19 March 2015, for the reasons summarised above.
	Lane Cove Council supports this planning proposal as it will allow for the development of the St Leonards Plaza over the railway line, via a Voluntary Planning Agreement for a monetary contribution of \$8.3 million.

## Adequacy Assessment

## Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The statement of objectives provided is as follows:

• Amend the Height of Buildings Map as it applies to the site to ensure that the building height controls correspond with the floor space ratio controls applying to the land. This will ensure that the original density envisaged by Loftex when the Department set the height and floor space ratio controls for the site in 2010 can be realised;

• Specifically, the planning proposal seeks to amend the Building Height Map by replacing

#### the 65m building height with 94m.

This is illustrated in a map included in the proposal, referred to as Figure 21, showing the proposed 94 metre building height.

## Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment :

The explanation of provisions is inadequate, being a reference to a map, referred to as Figure 21. Unlike with the Statement of Objectives above there is no text description associated with this figure. This will need to be revised should the planning proposal proceed to public exhibition to provide a text description of the provisions in addition to this map.

## Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land SEPP No 65—Design Quality of Residential Flat Development SEPP No 70—Affordable Housing (Revised Schemes) SEPP (Building Sustainability Index: BASIX) 2004 SREP (Sydney Harbour Catchment) 2005

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain ;	The planning proposal is considered to be broadly consistent with all Section 117 Ministerial Directions, State Environmental Planning Policies (SEPPs), and deemed SEPPs.
	ASSESSMENT AGAINST SECTION 117 MINISTERIAL DIRECTIONS The planning proposal is assessed against the following s117 Ministerial Directions:
	1.1 BUSINESS AND INDUSTRIAL ZONES The planning proposal retains the current B4 Mixed Use zone and the current floor space ratio controls.
	The outcome of the previous planning proposal (published 27 September 2013) had an unintended consequence of reducing the development potential of the site and thereby reduces the ability of the site to support the viability of the St Leonards strategic centre.
	The Height of Buildings Map is to be amended to ensure that the height and floor space ratio controls correlate to achieve the density outcome originally intended for the site.
	The planning proposal is consistent with this Direction.
	3.1 RESIDENTIAL ZONES The outcome of the previous planning proposal (published 27 September 2013) had an unintended consequence of reducing the development potential of the site, in that the 65m and 25m building heights applying to the land reduced the achievable residential
	density.

Planning Proposal to amend the height of buildings for 1-13A Marshall Ave, St Leonards		
	The planning proposal seeks to rectify that unintended consequence and is therefore consistent with the Direction.	
	3.4 INTEGRATING LAND USE AND TRANSPORT The planning proposal is consistent with this Direction as it retains the existing zoning and floor space ratio provisions.	
	The increase in building height over part of the site will ensure that the maximum floor space ratio applying to the site (and therefore the alternative dwelling density) correlates with the building height control to ensure a design outcome that maximises the dwelling density in a location close to a major transport node. The planning proposal can achieve the planning objectives of this Direction.	
	ASSESSMENT AGAINST STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs) AND DEEMED SEPPs The planning proposal is assessed against the following SEPPs or deemed SEPPs:	
	SEPP 55 REMEDIATION OF LAND Environmental Investigation Services (EIS) prepared a Preliminary Stage 2 Environmental Site Assessment for the site (submitted with DA14/143). EIS made the following conclusions in relation to contamination:	
	<ul> <li>The potential for significant, widespread soil or groundwater contamination at the site is considered to be relatively low.</li> </ul>	
	<ul> <li>The soil and groundwater contamination conditions at the site are considered to pose a relatively low risk to the human and environmental receptors.</li> </ul>	
	<ul> <li>Having regard to the above two findings EIS concluded that remediation of the site (and preparation of a RAP) is not required.</li> </ul>	
	SEPP 65 DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT The assessment of DA14/143 which included a 29 storey building demonstrated that a building of that height can comply with the design principles in SEPP 65 and the Residential Flat Design Code.	
	SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2004 The planning proposal will not restrict the ability of a future development to achieve BASIX targets, as has been demonstrated in DA14/143.	
	SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005 The site is located within the Sydney Harbour Catchment, but is not identified as being within a 'Foreshores and Waterways Area'. Nor is it a strategic foreshore site, a heritage item or a wetlands protection area.	
Mapping Provided -	- s55(2)(d)	
Is mapping provided? I		
Comment :	Although an indicative diagram showing the proposed height of buildings is included, mapping amendments have not been prepared as yet.	
	Should the planning proposal proceed to public exhibition, the planning proposal will need to be revised to provide mapping which is to the LEP mapping standards and shows both the existing and proposed controls for the Height of Buildings on the site.	
Community consult	tation - s55(2)(e)	
Has community consult	tation been proposed? Yes	
Comment :	The planning proposal suggests that a public exhibition period of 28 days is appropriate for this planning proposal.	

#### The Department supports this approach.

# Additional Director General's requirements

Are there any additional Director General's requirements? No

If Yes, reasons :

## Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment : Overall, the proposal is consistent with relevant strategic planning instruments, both at the State and Local level.

As noted at 'Mapping - s55(2)(e)' above, the indicative diagram included with the planning proposal is not adequate. If the planning proposal were to receive a Gateway Determination, adequate mapping would be required to be prepared and included in the planning proposal prior to public exhibition.

If a positive Gateway Determination were issued, delegation of plan making functions would be considered appropriate in this instance.

## **Proposal Assessment**

#### Principal LEP:

#### Due Date : February 2010

#### **Assessment Criteria**

Need for planning proposal :	Council advised the need for the planning proposal is in response to the refusal by the Sydney East Joint Regional Planning Panel (the Panel) of a development application for the site at 1-13A Marshall Avenue. The development application included a building height standard variation under clause 4.6 of the Lane Cove LEP 2009, and was accompanied by a Voluntary Planning Agreement for \$8.3 million to fund enhancements to the public domain (i.e. the St Leonard plaza over the North Shore railway line).
	REFUSAL BY JRPP OF DEVELOPMENT APPLICATION FOR 1-13A MARSHALL AVENUE
	The Panel refused the development application on the following grounds:
	1. The majority of the Panel considers that in order to accept the building height standard variation under cl 4.6 of the LEP, it must be satisfied on a number of matters:
	<ul> <li>First, that compliance with the standard is unnecessary and unreasonable in the circumstances of the case;</li> </ul>
	<ul> <li>Second, that there are sufficient planning grounds to justify contravention of the standard;</li> </ul>
	• Third, that the variation is in the public interest.
	2. For the building height standard, the objectives of the standard are to minimise overshadowing, to minimise loss of privacy, to minimise visual impact on neighbouring properties, to maximise sunlight to the public domain and to relate well to the topography.

3. The majority of the Panel cannot agree that the proposed development, that increases the height of the tower building by almost 30m (or nine floors) beyond the building height standard, complies with the above objectives. In particular it will have worse impact on views and result in larger shadows on the public domain than would a building of complying height.

4. Moreover, the proposed building at a height of 94m, would be out of scale with both the existing and desired future character of the area, which does not provide a transition of scale to the proposal. The majority of the Panel notes that the Council sought to change its planning controls to allow a building of 65m on the subject site. It assumes therefore that this height suggests the desired future character of the area.

5. The Panel notes that the LEP which governs the development of this area is of recent origin. Departures from it so soon after gazettal would be undesirable and undermine the community's confidence in the planning process.

6. The majority of the Panel accepts that the Voluntary Planning Agreement (VPA) offered by the applicant and accepted by the Council has some relevance to this application because the funds offered would be spent in the public interest. However, the Panel believes that the proposal must comply with all the requirement of clause 4.6 before any consideration can be given to the VPA, and for that reason the Panel has given minor weight to it.

The Department notes and supports the issues raised by the Panel, however, the planning controls for the subject site should not be viewed in isolation from the proponents and Council's negotiations over time. These negotiations have led to a reduction in building height along the western portion of Marshall Avenue (to minimise the impacts of bulk and scale) in favour of a single taller building adjacent to the North Shore railway line.

COUNCIL RESOLUTION TO SUPPORT PLANNING PROPOSAL FOR 1-13A MARSHALL AVENUE

In response to the refusal above, Council resolved on 20 April 2015 to support a new planning proposal to increase the building height on the eastern end of the site to 94m as well as enter into a Voluntary Planning Agreement on the same terms as the one listed above.

Although the proposal was drafted to address the refusal of the development application (DA14/143) for the subject site by the Sydney East Joint Regional Planning Panel, there has been no additional evidence provided to support the proposed development in response to the refusal. The proposal should be revised to take into account the Panel's concerns listed above.

Consistency withA PLAN FOR GROWING SYDNEYstrategic planningThe metropolitan strategy, 'A Plan for Growing Sydney', identifies St Leonards as aframework :'Specialised Centre' within Sydney's 'Global Economic Corridor'.

The planning proposal argues that it will allow for a dwelling density that the Department originally intended for the Site in a location well serviced by public transport and other services and facilities. It argues, therefore, that this planning proposal will assist in meeting the objectives of 'A Plan for a Growing Sydney', specifically:

- · Goal 2: A city of housing choice with homes that meet our needs and lifestyles; and
- Principle 1: Increasing housing choice around all centres through urban renewal in established areas.

The proposal also argues that the current height of buildings allowed reduces the development capacity of the site below that which was allowed when Lane Cove LEP 2009 was gazetted and that this is inconsistent with 'A Plan for Growing Sydney'.

The planning proposal also supports the growth of St Leonards as a strategic centre by intensifying mixed use development outside the commercial core area.

#### NSW LONG TERM TRANSPORT MASTER PLAN

Transport for NSW plans to build the new Sydney Metro line either through the existing St Leonards station or a new station at Crows Nest. This will further improve the accessibility of St Leonards / Crows Nest to the Sydney CBD and support the continued growth of high density residential in the locality.

#### **ST LEONARDS STRATEGY 2006**

The St Leonards Strategy covers the Lane Cove, Willoughby and North Sydney LGAs for the St Leonards Specialised Centre and identifies specific recommendations for precincts, including the Western Precinct which includes the Marshall Avenue land.

The Strategy recommended the relaxation of land use prohibitions to allow mixed use between Marshall Avenue and the Pacific Highway. This recommendation has been implemented through the application of the B4 – Mixed Use zone over the subject site. The reason for this recommendation was "to promote the redevelopment of underdeveloped sites." The planning proposal argues that it does not alter this outcome and further seeks to ensure an appropriate outcome for the Site to encourage and facilitate its redevelopment in line with the Strategy.

#### ST LEONARDS SOUTH DRAFT MASTER PLAN 2014

Lane Cove Council has identified the St Leonards South area as being suitable to accommodate growth given its close proximity to the St Leonards centre and railway station. Council proposes to tailor the scale of development across the study area, in response to the topography of the area and relative distance from the station, with higher density development closer to the station graduating to lower density further from the station. This will allow view sharing and reduce overshadowing of existing properties.

Although Council plans to consider a report on the Draft Master Plan on 13 July 2015, it is uncertain at present as to when the final St Leonards South Master Plan will be adopted and implemented.

Despite the planning proposal site being within the boundaries of the St Leonards South Draft Master Plan area, little consideration has been given by the applicant to the draft master plan in the assessment of the proposal.

A more rigorous assessment of the planning proposal in the context of the wider St Leonards South Draft Master Plan area, and the St Leonards strategic centre itself is required.

VOLUNTARY PLANNING AGREEMENT TO ENHANCE PUBLIC DOMAIN (ST LEONARDS

	PLAZA) The Voluntary Planning Agreement attached to the planning proposal aims to provide \$8.3 million towards Lane Cove Council's proposed St Leonards Plaza over the North Shore railway line, to create an attractive destination and improve pedestrian connectivity within the centre.
	If the St Leonards plaza and Bus/Rail Interchange were not to proceed, funds may be used for the provision of public infrastructure generally within the St Leonards area.
Environmental social economic impacts :	ENVIRONMENTAL IMPACTS There is no known critical habitat, or threatened species on the subject site.
	The expert opinion provide by Steve King, Consultant Architect, for the development application refused by the Joint Regional Planning Panel, shows that the proposal will have environmental impacts on solar access, overshadowing, and natural ventilation, however it is argued that these are minor overall.
	SOLAR ACCESS The projected proportion of dwellings with complying solar access is 225 (83.0%) units from a total of 271. Of those complying dwellings over half achieve a minimum three hours of direct sun between 9am and 3pm.
	OVERSHADOWING There is some overshadowing of properties on the south side of Marshall Avenue. Analysis shows that each of those properties will retain at least three hours of solar access to their north facing elevations, with the possible exception of 4 Marshall Avenue, where depending on the internal plan of the dwelling, the retained solar access to living areas may be just under three hours.
	NATURAL VENTILATION The proportion of dwellings with simple cross ventilation through openings on two or more different elevations is 185 (68.3%) out of the 271 apartments. The Residential Flat Design Code requires a minimum of 60%.
	The assessment carried out by Council for the development application associated with this planning proposal concluded that "given the strategic planning direction for St Leonards, consideration of the relevant planning instruments and polices and the assessment of likely environmental impacts, the site is considered suitable for the proposed development." Notwithstanding, the JRPP refused the development application.
	SOCIAL AND ECONOMIC IMPACTS The planning proposal states that it will have positive social and economic benefits by locating new housing close to a major transport node, employment and services in the St Leonards precinct.
	TRAFFIC CONGESTION The proposed development will generate additional vehicular movements within the St Leonards precinct, however the planning proposal provided by the proponent considers that the anticipated traffic generation is not unacceptable.
	Whilst this is the case when the proposal is considered in isolation, the cumulative impact of this and other proposals is much greater, and should ideally be considered in a wider traffic study. Council had previously stated their willingness to work in collaboration with Transport for NSW, Roads and Maritime Services and proponents to ensure any transport and traffic studies are thorough and meaningful. This was in response to a recent planning proposal in St Leonards, that a transport and traffic study should be undertaken to determine the future cumulative traffic impacts on known development proposals and approved developments on the surrounding road network.
	Future traffic modelling should consider the cumulative impact of planning proposals and development applications across St Leonards, and should address the incentivised height and floor space proposed under bonus provisions.

#### BUILDING HEIGHT

The development application documentation included with the planning proposal indicates that the additional height of the proposal would not unreasonably reduce iconic views enjoyed from surrounding residential and commercial developments and solar access would not be unreasonably reduced to residential dwellings situated south of the site.

It is argued in the planning proposal that the additional proposed height of the building does not give rise to unreasonable environmental, social or economic impacts and would contribute to delivering substantial public benefits through a Voluntary Planning Agreement with Council.

The JRPP refused the development application for the additional 30m on the grounds that the additional building height would adversely impact views and would result in larger shadows on the public domain. The JRPP was also concerned that the additional building height would be out of scale with existing and desired future character of the area. The JRPP's assessment is generally supported, however, it is noted that the existing height of 65 metres could also be argued to be out of scale with the character of the St Leonards South area.

Given the topography of the locality and the significant views from St Leonards to the Sydney CBD and the harbour, it is unclear whether the increase in height from 65m to 94m would result in significant impacts, particularly considering the uncertainty around the St Leonards South Draft Master Plan.

#### **EMERGING CHARACTER OF ST LEONARDS**

The planning proposal argues that the locality is changing, and lists a number of recent planning proposals and developments as examples of how the area is changing to a higher and denser built form.

Whilst it is true that these proposals set a precedent, this does not preclude the need for a strategic approach to the densification of the St Leonards area. This proposal should be considered in the wider context of the St Leonards South Master Plan and A Plan for Growing Sydney.

In addition, the emerging character of St Leonards has seen increasing height east of the North Shore railway line. This proposal would be the most significant building, in terms of height (both existing and proposed) west of the railway line.

## **Assessment Process**

Proposal type :	Routine		Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months		Delegation	RPA
Public Authority Consultation - 56(2) (d) :	Transport for NSW - S Transport for NSW - F			
Is Public Hearing by the	PAC required?	No		
(2)(a) Should the matter proceed ?		Yes		
If no, provide reasons :				
Resubmission - s56(2)(b	)) · <b>No</b>			
If Yes, reasons :				

Identify any additional studies, if required.

If Other, provide reasons :

Identify any internal consultations, if required :

#### No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons :

Documents		
Document File Name	DocumentType Name	ls Public
1 - Cover Letter.pdf	Proposal Covering Letter	Yes
2 - Planning Proposal.pdf	Proposal	Yes
3 - Council Report.pdf	Proposal	Yes
4 - Council Resolution.pdf	Proposal	Yes

## **Planning Team Recommendation**

Preparation of the planning proposal supported at this stage : Recommended with Conditions

S.117 directions:

Additional Information	It is recommended that the planning proposal proceed subject to the following being
	undertaken prior to public exhibition:

• The planning proposal is to be updated to adequately address the concerns raised by the Sydney East Joint Regional Planning Panel in their refusal of the development application (DA14/143) for 1-13A Marshall Avenue, dated 19 March 2015, particularly in relation to the transition in height and scale to lower density areas, and the potential of the development to adversely impact views and result in larger shadows on the public domain;

• The scale of the proposed development in relation to the existing development pattern in the immediate vicinity of the subject site is significant. Council should address the transition between the proposal site and its immediate locality;

• The land use controls for this and adjoining sites should be considered in the context of the St Leonards South Draft Master Plan.

In addition, it is recommended that Council be requested to undertake a strategic traffic modelling exercise for this and other proposals in St Leonards, including the St Leonards South Draft Master Plan, to address the cumulative impact of development on the locality and suggest possible mitigation measures.

Supporting Reasons The planning proposal has strategic merit in that it would increase dwelling density in a site within a Strategic Centre well serviced by public transport. However, the proposal requires further consideration of impacts on public amenity, including traffic generation, impacts on views, and overshadowing.

The proposal argues that emerging character of the area is for a much higher and denser development pattern. There are already a number of examples of this in all three council areas which cover St Leonards (i.e. Lane Cove, Willoughby, and North Sydney).

In light of the above the planning proposal is supported, however this should not preclude proper strategic planning for the area, and the planning proposal should be revised to take into account the outcomes of the St Leonards South Draft Master Plan.

Planning Proposal	to amend the height of buildings for 1-13A Marshall Ave, St Leonards
	The proposal was drafted to address the refusal of the development application (DA14/143) for the subject site by the Sydney East Joint Regional Planning Panel. However, there has been no additional evidence provided to support the proposed development in response to this refusal. Nevertheless, the planning proposal does have strategic merit and should proceed to public exhibition to enable Council and the community to reconsider the land use controls for the site in the context of: • The Sydney East Joint Regional Planning Panel's recommendation on the development application for 1-13A Marshall Avenue (DA14/143), particularly in relation to the transition to lower density areas; and
	<ul> <li>The outcomes of the St Leonards South Draft Master Plan process.</li> </ul>
Signature:	Shewelly
Printed Name:	Sandy Shewell Date: 22.6.15