13 September 2018

Item No:	D3
Subject:	PLANNING PROPOSAL - COMMERCIAL FLOORSPACE CONTROLS FOR DOUBLE BAY CENTRE
Authors:	Kelly McKellar, Strategic Planner Anne White, Team Leader - Strategic Planning
Approvers:	Chris Bluett, Manager - Strategic Planning Allan Coker, Director - Planning & Development
File No:	18/136375
Reason for Report:	To seek the advice of the Woollahra Local Planning Panel in relation to the preparation of a planning proposal to amend the Woollahra Local Environmental Plan 2014 by introducing a new provision to protect the provision of commercial floor space in the Double Bay Centre.
	To seek the advice of the Woollahra local Planning Panel in relation to consequential amendments to the Woollahra Development Control Plan 2015.

Advice:

THAT the Woollahra Local Planning Panel advises Council to:

- A. Support the amendment to the *Woollahra Local Environmental Plan 2014* by introducing a new control to protect the provision of commercial floor space in the Double Bay Centre.
- B. Support the amendments to the *Woollahra Development Control Plan 2015* to reinforce and provide greater detail regarding the requirement for commercial floor space on the ground and first levels of development in the Double Bay Centre, as contained in **Annexure 4** of the report to the Local Planning Panel of 13 September 2018.
- C. Forward a planning proposal to the Greater Sydney Commission to amend the *Woollahra Local Environmental Plan 2014* by introducing a new provision to protect the provision of commercial floor space in the Double Bay Centre, to allow public exhibition, as contained in Annexure 3 of the Local Planning Panel of 13 September 2018.
- D. Request delegation from Department of Planning and Environment in relation to the planning proposal, to carry out the functions of the Greater Sydney Commission under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

1. Reason for report to Local Planning Panel

To seek the advice of the Woollahra Local Planning Panel to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to protect commercial floor space in Double Bay Centre. The amendment will achieve this by introducing a new minimum non-residential FSR clause for Double Bay and a corresponding employment objective in Zone B2 Local Centre.

On 23 February 2018, the Minister for Planning issued a Local Planning Panel Direction – Planning Proposals:

- A Council to whom this direction applies is required to refer all planning proposals to be prepared after 1 June 2018 to the local planning panel for advice, unless the council's general manager determines that the planning proposal relates to:
 - (a) the correction of an obvious error in a local environmental plan,
 - (b) matters that are of a consequential, transitional, machinery or other minor nature, or
 - (c) matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.
- A proposal is to be referred to the local planning panel before it is forwarded to the Minister under section 3.34 of the *Environmental Planning and Assessment Act 1979* (the Act).
- This direction takes effect on 1 June 2018 and applies to planning proposals prepared, but not submitted to the Minister, before 1 June 2018.

In this case, the planning proposal is required to be referred to the local planning panel because the general manager has not made a determination in regard to items (a), (b) or (c), above.

In addition to providing advice on planning proposals, section 2.19(1)(c) of the Act specifies that a local planning panel may advise a Council on any other planning or development matter that is to be determined by the Council and is referred to the panel by the Council. In this regard the panel's advice on the proposed amendments to *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) is sought.

On 6 August 2018 a report was presented to the Council's Environmental Planning Committee on the proposed commercial floor space controls for the Double Bay Centre (see **Annexure 1**). On 20 August 2018 the Council resolved the following (see **Annexure 2**):

- A. THAT Council resolve to prepare a planning proposal to amend Woollahra Local Environmental Plan 2014 by introducing new provisions which protect the provision of commercial floor space in the Double Bay Centre.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice in accordance with the Local Panels Direction Planning Proposals issued by the Minister for Planning on 23 February 2018.
- C. THAT Council be provided with the advice of the Woollahra Planning Panel regarding the planning proposal.
- D. THAT, if the planning proposal is supported by Council, it be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- E. THAT when requesting a gateway determination for the planning proposal, the council seek delegation of the plan-making steps under section 3.36 of the Environmental Planning and Assessment Act 1979.
- *F.* THAT Council resolve to prepare and exhibit a draft development control plan to amend Chapter – D5, Double Bay Centre of the Woollahra Development Control Plan 2015 to clarify and strengthen requirements for minimum commercial floor space.
- G. THAT Council adopt the following process for the consideration and review of the planning controls for the Double Bay commercial centre in relation to maximum FSRs and building heights, arising from consideration of the HillPDA economic feasibility study:

- 1. Any proposed changes to floor space ratio, height controls, colonnades as well as other related amendments, be submitted as soon as possible to a meeting of the Environmental Planning Committee.
- 2. Following endorsement of the planning control changes Council commence an inclusive and representative community engagement program which includes:
 - *i. a series of community workshops at which the control changes and likely impacts will be explained and feedback sought from participants*
 - *ii.* publication of relevant explanatory material on Council's website under "Our Woollahra Your Say."
 - *iii.* an on-line survey
 - *iv.* a public exhibition of proposed changes to be held at Council's customer service area and at a suitable location in Double Bay.
 - *v. 3D visualisations of indicative future development.*
 - *vi.* a community impact statement which explains the likely impacts of the proposed changes.
 - *vii.* Other innovative engagement methods as may be recommended by Council's communications team.
- 3. Following completion of the community engagement program a planning proposal and associated DCP amendments be prepared and referred to the Woollahra Local Planning Panel for advice prior to submission to the Environmental Planning Committee.

In accordance with Council's resolution of 20 August 2018 a planning proposal has been prepared to introduce a new control into the Woollahra LEP 2014 to protect commercial floor space in the Double Bay Centre (see **Annexure 3**).

In accordance with the definitions in the standard instrument, the planning proposal identifies that applying a non-residential FSR of 1.3:1 is the best way to protect commercial and other employment generating uses. This allows for the inclusion of employment generating land uses such as business, offices, medical services, hotels and community uses that play an important role in the local economy of the Double Bay Centre.

Consistent with the amendments proposed to the Woollahra LEP 2014, a draft development control plan has been prepared to amend *Chapter – D5, Double Bay Centre* of *Woollahra Development Control Plan 2015* (see **Annexure 4**). The proposed amendments to the DCP will clarify and strengthen the new minimum floor space provisions in the LEP.

2. Summary

Double Bay Centre is one of the largest business centres in Woollahra. It services the local community with groceries and a range of professional and personal services. People from outside the area visit for the high-end boutique fashion, dining, medical and personal services.

A recently emerging trend in Double Bay is for development proposals for shop top housing comprising a single level of ground floor retail with residential apartments above. This displaces existing business and office uses located on the first floor and above.

Note: **Shop top housing** is defined in the Standard Instrument LEP as "one or more dwellings located above ground floor retail or business premises".

To maintain Double Bay's high level of liveability it is important to incorporate a balance of business, retail, community, health and residential uses in the centre. This position is consistently identified in Council's plans and strategies for Double Bay and also for all centres in Sydney in the District Plans prepared by the NSW Government.

A reduction in commercial floor space undermines the vision for Double Bay as Sydney's stylish bayside village and Woollahra's premier shopping and community precinct (*Double Bay Place Plan 2014*). This loss in floor space threatens the Centre's long-term viability and its capacity to provide:

- Local, district and broader employment opportunities,
- High-quality businesses and activities that attract people to the centre,
- Daytime foot traffic to support businesses such as retail uses,
- Products and services for the needs of residents.

It is recommended that the Woollahra LEP 2014 is amended to ensure development facilitates the following:

- Active ground floor retail and business uses such as cafes, shops and restaurants
- First floor non-residential use such as business, office, medical services and community uses.

Note: In the Standard Instrument LEP definitions, the group term commercial premises includes offices, business, retail, restaurants and cafes and other services (see extracts at Annexure 1).

There is no restriction proposed for development on upper floors which may be used for residential apartments, further commercial floor space or other uses identified in the B2 Local Centre zone which applies to the Centre.

The recommended provisions include updates to the business objectives for the Double Bay Centre and a new minimum non-residential floor space ratio (FSR) of 1.3:1. There are consequential changes proposed to Woollahra DCP 2015.

The amendments will only apply to land within the Double Bay Centre which is zoned B2 Local Centre under Woollahra LEP 2014 (see **Figure 1**).

It is relevant to note that this report draws on work completed as part a comprehensive review of the planning controls for the Double Bay Centre. Should Council endorse this comprehensive review, a separate report on the review will be provided to a future meeting of the Woollahra Local Planning Panel.



Figure 1: Map of Double Bay Centre (shown in blue)

3. Background

Recently, there have been several development applications for new shop-top housing developments on sites in Bay Street, Cross Street, Manning Road and Knox Street.

An example is a DA for shop top housing at 28 and 30-36 Bay Street and 2 Guilfoyle Avenue, Double Bay (*DA359/2017/1*). The existing four storey commercial building has retail on the ground floor with approximately 30 business and office suites above comprising more than 1800sqm.

The DA proposed a seven storey development containing three retail spaces which comprise approximately 265sqm, 39 units above and parking for 33 spaces. Other than the ground floor retail spaces, no business or office space was proposed.

On 14 June 2018 the Sydney Eastern Planning Panel refused the application. Non-compliances with the FSR and height controls were key reasons for the Panel's decision to refuse the proposal. A full copy of the reasons for the Panel's decision is contained in **Annexure 1**.

Notably, one of the reasons for the Panel's decision was:

The loss of commercial use of the site and the lack of any replacement will be detrimental to the Double Bay Centre.

The trend for apartments replacing the existing commercial floor space reflects the premium sale price for residential apartments in the Double Bay Centre.

If redevelopment continues to propose the deletion of commercial and non-residential floor space, it will undermine the Centre's capacity to provide employment opportunities, and potentially affect the long-term economic viability of the Centre. Furthermore, a significant reduction in commercial floor space is inconsistent with the vision for Double Bay and the strategic planning framework as outlined in **Section 4** of this report.

In response, staff have identified that planning controls in Woollahra LEP 2014 need to be strengthened to ensure floor space for employment generating uses is maintained across the Double Bay Centre (see **Section 5** of this report). Consequential changes are also recommended to the Woollahra DCP 2015.

4. Strategic context

Place-based planning that promotes vibrant local centres with a mix of land uses is an approach common to most councils in NSW. It is also the approach used consistently in the plans and strategies which provide the strategic framework for development in Woollahra (see outline in **Table 1** below).

Strategic plan	Comment
Eastern City District Plan	The Eastern City District Plan is the NSW Government's plan to
	ensure all council's implement its vision for Greater Sydney as set out
(Commenced on 18 March	in A Metropolis of Three Cities.
2018)	
	The Plan emphasises the importance of a diversity of uses and
	economic activities in centres to create vibrant places for people and
	help deliver the 30-minute city. These are both key priorities for local centres across Greater Sydney.
Woollahra – 2030	Woollahra's Community Strategic Plan has been developed by
Our community, our place, our	Council in consultation with the Woollahra community. A key goal is
plan.	to provide Well planned neighbourhoods and a challenge forming part
	of that goal is to enhance and revitalise the village atmosphere of our
(Adopted on 18 June 2018)	shopping areas, providing convenient and easy access to a range of
	shops and facilities.
Woollahra LEP 2014 and	The Woollahra LEP 2014 and Woollahra DCP 2015 set out the
Woollahra DCP 2015	objectives and development controls for development types, built form
(Commented 22 Mar 2015)	and uses in the Municipality.
(Commenced on 23 May 2015)	The Diana manuate a manage of land uses in our local contrast. Contrasts
	The Plans promote a range of land uses in our local centres. Controls for built form such as maximum heights, building envelopes and
	specific requirements for individual land uses. These controls reflect
	the hierarchy of centres and Council's place-based planning approach.
Double Bay Place Plan 2014	The <i>Double Bay Place Plan 2014</i> sets out a series of strategies,
	priorities and actions to achieve the vision of Double Bay as Sydney's
(Adopted by Council on 15	stylish bayside village. Key priorities include strengthening and
December 2014)	developing the capacity of businesses in Double Bay and maintaining
	the high quality service, retail, employment and leisure offerings.
Double Bay Public Domain	These strategies identify opportunities and actions for public domain
Strategy and Public Domain	initiatives to increase the success of Double Bay as Sydney's stylish
Lighting Strategy	bayside village. A key part of this plan is to enhance the urban
	environment to support a rich street life, outdoor dining, retail and
(Public Domain Strategy -	cultural experiences.
adopted on 8 August 2016.	
Lighting Strategy adopted on	
27 June 2016.)	

Table 1: Summary of strategic framework applying to Woollahra

Promoting business and diverse uses in local centres is supported by the NSW Government, in the Greater Sydney Regional Plan and the District Plans. A Ministerial Direction issued to guide assessment of planning proposals also requires protection of business and industrial zones (Direction 1.1 under Section 9.1 of the Act (previously section 117) This Direction was revised on 1 May 2017).

Consistent with this strategic framework, a key part of the vision for Double Bay Centre is the maintenance of a vibrant centre with a diverse mix of land uses. Staff have been investigating ways to facilitate this.

A diverse mix of uses in the Centre sustains activity levels and maintains vitality and vibrancy throughout the week and the weekend:

- Offices and business provide daytime population during the week, increasing footfall and their employees contribute to retail, cafes, services, medical, and restaurant demand,
- In the evening and on weekends residents and visitors provide customers for retail, leisure and restaurant activities.

The Double Bay Place Plan 2014 acknowledges that an important part of making Double Bay a great place of people is ensuring that there is a suitable level of activity throughout the day and evening. This is reflected in our planning controls which promote a range of land uses in our local centres including residential, retail, business and community uses.

5. Existing provisions in Woollahra LEP 2014

The Woollahra LEP 2014 contains the following aims relevant to this matter:

1.2 Aims of plan

- (c) to provide for an appropriate balance and distribution of land for commercial, retail, residential and tourist development and for recreation, open space, entertainment and community facilities,
- (d) to provide greater population densities in and around centres that are well serviced by public transport

The specific objectives of the Zone B2 Local Centre which applies to Double Bay are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To attract new business and commercial opportunities.
- To provide active ground floor uses to create vibrant centres.
- To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

Specific controls relating to the diversity of land uses and active street frontages are contained only in Woollahra DCP 2015. This is largely the result of the significant restrictions of the Standard Instrument LEP at the time the Woollahra LEP 2014 was being prepared.

To-date the assessment of development has relied primarily on the DCP controls and the merit of individual proposals. Staff recommend that this is not the best way to provide consistent planning outcomes and transparency for the community.

A review of other council's LEPs shows that there is now scope within the Standard Instrument to introduce controls for the Double Bay Centre to protect diversity of land uses. **Section 6** of this report outlines the recommended amendments to Woollahra LEP 2014.

6. Proposed amendments

6.1. Amendments to the Woollahra LEP 2014

We recommend amending Woollahra LEP 2014 by introducing a combination of objectives and controls requiring all development in Double Bay Centre to accommodate commercial floor space suitable for retail, business and office use. At a minimum this means development should facilitate:

- Active ground floor retail and business uses such as cafes, shops and restaurants,
- First floor non-residential uses, business, office, medical services and community uses.

To achieve this it is recommended that a new provision setting a minimum non-residential FSR of 1.3:1 is adopted. This would only apply to development in the Double Bay Centre and it does not increase or otherwise affect the application of other relevant controls such as maximum building height or FSR.

The existing FSR control (or primary FSR control) will still apply to the site. The proposed 1.3:1 FSR will work in conjunction with the primary FSR control, and seeks to ensure that part of the development is used for commercial floor space.

No amendments are recommended affecting other parts of a development such as the basement or upper levels. Consistent with the existing controls, upper floors may be developed for residential apartments, further commercial floor space or other permissible non-residential uses.

Staff consider that an FSR control of 1.3:1 allows sufficient area for a well-designed mixed use development to include ground floor retail and first floor non-residential uses such as offices, businesses, community uses, or health services. It also takes into account the floor area required for back-of-house and ancillary uses including waste storage, stair and lift cores, fire safety equipment, building services, and driveways.

Consequential amendments to the relevant clause objectives in Woollahra LEP 2014 will also be required to reinforce the intent of the proposed amendments and ensure consistency in their application.

The proposed FSR control will help to ensure that space for commercial, community, health, and other non-residential uses within developments are of good size and have adequate amenity and servicing. This is important to attract the diversity uses required to maintain a healthy and vibrant level of activities in the centre consistent with the vision for Double Bay.

Consistent with this approach a planning proposal has been prepared to introduce a new control into the Woollahra LEP 2014 to protect the provision of non-residential floor space in the Double Bay Centre at **Annexure 3**.

6.2. Amendments to Woollahra DCP 2015

If Council proceeds with the proposed amendments to the Woollahra LEP 2014, amendments to Chapter D5 Double Bay Centre of Woollahra DCP 2015 will be required. This is to ensure consistency with the proposed minimum non-residential floor space requirements. The proposed changes include amended controls to reinforce and provide greater detail regarding the requirement for non-residential floor space on the ground and first levels of development in the Centre. A draft DCP reflecting these amendments is attached at **Annexure 4**.

7. Comparison of proposed amendments with existing controls from other Sydney councils

Planning controls intended to promote a mix of residential and business uses in centres are common across LEPs in Greater Sydney. Different approaches have been used by councils to best reflect the scale of individual centres, their context, and their desired future character. The main approaches taken are:

- FSRs that mandate land use mix,
- Height and FSR incentives to promote certain land uses,
- Active street frontage provisions,
- Centre specific local provisions for key sites and centres.

Staff reviewed the LEPs of all Greater Sydney councils. The following councils set a minimum commercial FSR (or non-residential FSR) for business zoned land in centres or key sites:

- Parramatta
- Cumberland (formerly Holroyd)
- Hornsby
- Lane Cove
- North Sydney.

Other approaches to support commercial and other non-residential uses include FSR incentive clauses and FSRs to mandate a mix of specific uses on certain sites. A few councils have expressed controls as a percentage of gross floor area or minimum area rather than use FSR.

Another approach taken to maintain commercial and other non-residential uses in centres is a special local clause requiring ground and first floors to be developed only for non-residential uses. This is used by the following councils:

- Blacktown
- Ku-ring-gai
- Cumberland/Holroyd
- Warringah
- Bankstown
- Campbelltown

It is considered that the proposed amendments to Woollahra LEP 2014 are generally consistent with these existing approaches taken by other Greater Sydney councils.

8. Planning proposal

8.1. Planning proposal structure

A planning proposal has been prepared to amend the Woollahra LEP 2014 by introducing a new control to protect the provision of non-residential floor space in the Double Bay Centre (see **Annexure 3**).

The planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Planning Proposals* (August 2016) and *A Guide to Preparing Local Environmental Plans* (August 2016).

8.2. Objective

The objective of the planning proposal is to amend Woollahra LEP 2014, to introduce a new control to protect the provision of floor space in the Double Bay Centre for commercial and other non-residential uses.

The intended effect is that the existing employment capacity of the centre is maintained.

8.3. Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a new provision setting a minimum non-residential FSR of 1.3:1. This would only apply to development in the Double Bay Centre and it does not increase or otherwise affect the application of other relevant controls such as maximum building height or FSR.
- Amend the objectives for the B2 Local Centre Zone as it applies to the Double Bay Centre to reinforce the proposed amendments and ensure consistency.

8.4. Relationship to strategic planning framework

The planning proposal is consistent with the relevant strategic planning framework plans, policies and directions:

- The planning proposal is consistent with the objectives of *Greater Sydney Region Plan A Metropolis of Three Cities* (2018) and the actions of the *Eastern City District Plan* (2018), (refer to **Part 6** of the planning proposal).
- The planning proposal is consistent with the Council's Community Strategic Plan titled *Our Woollahra 2030: Our community, our place, our plan.* Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhood) under the theme Quality places and spaces.
 - 4.5 Enhance the form and function of the local business centres
- The planning proposal is consistent with the Standard Instrument Principal Local Environmental Plan and all other applicable State Environmental Planning Policies (refer to **Schedule 1** of the planning proposal).
- The planning proposal is consistent with applicable directions under section 9.1 of the Act (refer to **Schedule 2** of the planning proposal).

8.5. Community consultation

The public exhibition of the planning proposal will be undertaken in accordance with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* and the gateway determination issued by the Department of Planning and Environment as delegate for the Greater Sydney Commission. The Act requires a minimum exhibition of 28 days unless otherwise specified in the gateway determination. This is consistent with Council's standard practice for the exhibition of a planning proposal of this type.

The draft DCP to amend Chapter D5 of the Woollahra DCP 2015 will be placed on public exhibition concurrently with the exhibition of the planning proposal. Public notification of the exhibition will comprise:

- A weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period.
- A notice on Council's website.
- A letter to the land owners in the Double Bay Centre.
- A letter to land owners in the vicinity of the Double Bay Centre.
- Local community and business groups such as the Double Bay Residents' Association and the Sydney East Business Chamber.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council offices:

- The planning proposal, in the form approved by the gateway determination.
- The gateway determination.
- Information relied upon by the planning proposal, such as relevant Council and consultant reports.
- A draft DCP amending Ch D5 Double Bay Centre of Woollahra DCP 2015

8.6. Making the draft LEP under delegated authority

The planning proposal will be forwarded to the Department of Planning and Environment (as the delegate of the Greater Sydney Commission) for a gateway determination under section 3.34 of the Act.

To streamline the plan making process, the Minister can delegate some plan making powers to Council for routine matters. In this case, Council will request authorisation to exercise the functions of the Greater Sydney Commission to make an LEP under section 3.36 of the Act.

If Council resolves to proceed with and finalise the planning proposal, staff will request that the Parliamentary Counsel (PC) prepare a draft LEP. Once the draft LEP has been prepared, PC will issue an opinion that it can be made. Alternatively, if Council decides not to finalise the planning proposal, it should resolve to write to the Minister requesting him or his delegate not to proceed with it under section 3.35(4) of the Act.

8.7. Amending Woollahra DCP 2015

The outcome of the public exhibition of the draft DCP will be reported to a future meeting of the Environmental Planning Committee for consideration. If Council resolves to proceed with the amendment and adopts the draft DCP, the new planning controls will come into effect after a notice is published in the local paper. The draft DCP will come into effect on the same day as the amending LEP.

9. Conclusion

There is a trend with development applications in the Double Bay Centre to provide residential dwellings above a ground floor area of retail uses. These applications are removing the potential for floor space providing employment generating land uses. The trend is inconsistent with important objectives of the B2 Local Business Zone which relate to the provision of a broad mix of non-residential uses and the encouragement of employment opportunities.

The current floor space ratio provisions applying to the Centre need adjustment to protect the provision of commercial floor space and employment. The amendment will help to promote a balance of business, office, retail, health, hotel, community and residential uses in the centre. This is consistent with the strategic framework that applies to Woollahra and the approaches adopted by other Greater Sydney councils. A consequential amendment to Chapter D5 Double Bay Centre of Woollahra DCP 2015 should also be made.

The proposed amendments will work in conjunction with the existing controls to promote development that delivers well-designed buildings that contribute to a vibrant diversity of uses in Double Bay. This will assist us to realise the vision for Double Bay as Sydney's stylish Bayside village and Woollahra's premier shopping and community precinct.

The planning proposal satisfies the requirements of section 3.33 of the Act because it:

- 1. Explains the intended effect of the proposed amendment to Woollahra LEP 2014.
- 2. Sets out the justification of making the proposed amendment. This is underpinned by the assessment of heritage significance for the buildings.
- 3. Identifies the community consultation that is to be undertaken before the amendment is approved.

Advice from the LPP will be provided in a report to Council before the planning proposal is submitted to the Department of Planning and Environment for a gateway determination. Council will also request authorisation to exercise the functions of the Greater Sydney Commission to make an LEP under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

Annexures

- 1. Report to the EPC meeting of 6 August 2018 \underbrace{I}
- 2. Relevant minutes from the Council meeting of 20 August 2018 <u>J</u>
- 3. Planning Proposal Proposed commercial floor space controls for Double Bay Centre <u>J</u>
- 4. Draft Chapter D5 Double Bay Centre Proposed commercial floor space controls 🗓