

THE COUNCIL OF THE CITY OF SYDNEY

TOWN HALL, SYDNEY, N.S.W.

The Secretary,
Urban Systems Corporation Pty.
117 Harrington Street, (Ltd.,
SYDNEY. 2000

25th May, 1970

REFERENCE: 1135/70 EW/IC

Dear Sir:

CROSS FILE ON "PLOT RATIOS"

I have to inform you that at the meeting of the Council held on the 18th May, 1970, a report furnishing information with regard to all aspects, including the legal position and Council's past policy, in relation to the questions of :-

1. requiring new buildings in the City to be set back from the street alignments and/or for colonnades to be provided in such buildings along the street alignments; and
2. granting a floor space bonus equivalent to the floor space lost at ground floor level in cases where setbacks and/or colonnades are required by the Council in new buildings,

was placed before the Council and received.

It was decided that the information embodied in such report be drawn to the attention of the firm of Joint Consultants appointed by the Council in connection with the preparation of a Strategic Master Plan for the City of Sydney.

The report above referred to contains the following information :-

(a) History of this Matter

Prior to the exhibition of the Minister's Scheme for the City of Sydney there was no specific provision in any regulation stipulating that colonnades or setbacks should or could be provided in any new building intended to be constructed and should such be provided, that was a feature of the design which was entirely at the discretion of the particular designer.

Following the exhibition of the Minister's Scheme in the first part of 1965, which included the Minister's Exhibition Ordinance, specific provision was made regarding the provision of such setbacks or colonnades in Clause 45 of that Ordinance which, in laying down a basic floor area ratio for the County Centre, granted a discretion to the responsible authority to allow a bonus in floor area ratio where any proposed development provided for the movement of pedestrians at or near ground level by means of setbacks, colonnades, plazas etc.

It was following the exhibition of the Minister's Scheme and its use in the assessment of Development Applications that developers began providing colonnades as a means of gaining a bonus in floor area ratio permitted.

The number and type of setbacks and/or colonnades available are indicated in the attachment to this report.

(b) Legal Position

As the planning Ordinance stands at the moment, the provision of colonnades is not compulsory but is at the discretion of the developer as a means whereby he may obtain a bonus in floor area ratio for any particular site.

(b) Legal Position (contd.)

Should a particular developer not desire such a bonus or should he consider that the incentive is insufficient to compensate for the loss of ground floor area, then there is, in theory at least, no obligation upon him to provide for such a colonnade in his development. However, in this regard it is considered that, having in mind the provisos to Clause 27 of the County Ordinance and also Clause 35 of the Minister's Ordinance, Council would be entitled to insist, as a condition of consent, that a colonnade be provided where its omission would clearly be prejudicial to the amenity of the neighbourhood and contrary to the public interest by the frustration of plans to improve pedestrian circulation within a particular locality, for example, if colonnades were provided in all buildings except one in a particular block, Council would appear justified in demanding that any redevelopment of that site include a colonnade to connect with those already existing.

This attitude was adopted by the Commissioners in dealing with at least one Development Application during their tenure of office, but it should be noted that such policy has not yet been tested in the courts to this Council's knowledge and from an administrative point of view, it would be, however, preferable to make the provision of such colonnades mandatory by their inclusion in a prescribed scheme or in some planning policy derived from a prescribed scheme (for example, an action plan within the statutory scheme).

(c) Planning Aspects

Within the scope of this report the following brief comments are offered on the planning principles involved in the determination of policy regarding this question.

- (i) Colonnades achieve their greatest effectiveness in areas experiencing the highest concentration and movement of pedestrians. It would be logical therefore to attempt to achieve such colonnading in the heavily trafficked areas of the City. However, it is precisely within those areas that developers are reluctant to sacrifice ground floor space for such purpose as this cannot be adequately compensated for by the present bonus granted. Information available to the Council indicates that ground floor space in prime retail areas can be expected to bring a rental of fifty or sixty dollars per square foot per annum and assuming that the provision of a colonnade brings a bonus of floor space ratio of 1 in most cases, such bonus, which would probably be utilised as office area, bringing a rental of some six to ten dollars per square foot per annum, would not be adequate compensation for space lost at ground floor level. This difficulty usually does not arise in office developments since a bonus which can be utilised at higher levels may make the provision of such colonnades economically desirable from the developers viewpoint.

Should a policy of requiring the provision of colonnades be adopted for the prime retail areas, it is considered essential that this policy be uniform and also take into account the necessity of allowing a very considerable bonus by way of compensation for the space lost at ground level.

Colonnades which have been provided or which it is proposed be provided in buildings which have been erected or are proposed within the City area are illustrated on a map which may be viewed at the City Building Surveyor's Department, Town Hall, Sydney. The map referred to indicates that to date the provision of colonnades has been piecemeal rather than on a planned basis.

- (ii) With regard to the width of colonnades it has been the usual practice to aim at a width of fifteen feet, but in certain cases compromise

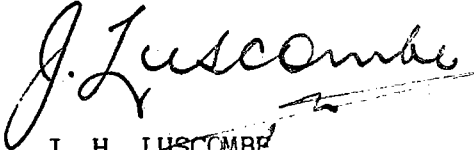
(c) Planning Aspects (contd.)

has been achieved at a lower figure of eight, ten or twelve feet. It is considered that a width of twelve to fifteen feet is desirable.

As a final comment it is observed that any policy in this regard would be best determined following detailed investigation and survey and the preparation of the appropriate action plans and also having particular regard to the final provisions of Clause 45 of the Minister's Ordinance.

Attached hereto is a schedule indicating colonnades which have been provided or which it is proposed be provided in buildings which have been erected or are proposed within the City area.

Yours faithfully,


J. H. LUSCOMBE
Town Clerk

Encl:

DETAILS OF SET-BACKS AND COLONNADES
TO POST-WAR BUILDINGS AND BUILDINGS
UNDER CONSTRUCTION IN INNER-CITY AREA

32

MAP REF. (GREEN)	LOCATION	DEPTH OF SET-BACK	DEPTH OF COLONNADE
1	1-5 Phillip St. (Alfred St. (Young Street	Various Various Various	- 15' -
2	1 Alfred St. (13-17 Pitt St. (168-172 George St.	15' 13' Various	- - -
3	18-24 Pitt St. (Proposed Street (Henrietta Lane	- - -	15' 12' 12'
4	61-69 Macquarie St.	-	6'
5	47-53 Macquarie St.	-	4'
6	43-45 Macquarie St. (Circular Quay East	- -	8' 9'
7	11-15 Macquarie Place	-	3'
8	38-42 Bridge St.	-	12'
9	59-67 Pitt St.	-	3'
10	22-30 Bridge St.	-	10'
11	16-20 Bridge St.	-	6'
12	8-14 Bridge St.	-	10'
13	234-242 George St. (2 Bridge St. (Dalley St.	- 2' -	2'6" 2'7" 2'
14	167-187 Kent St.	0' to 30'	-
15	168-170 Kent St.	4'	4' Various
16	87-95 Pitt St. (Bond St. (Curtin Place	- 6' 4'	27' 52' 27'
17	264-278 George St.	35'	-
18	280-288 George St.	-	14'
19	21 Bridge St. (1 Gresham St. (54-56 Pitt St.	10' to 20' 15' 15'	- - -
20	127-131 Macquarie St.	-	16'
21	16 Spring St.	-	7' to 13'(part)
22	1-3 O'Connell St.	-	11'6"
23	2 O'Connell St.	-	7' to 8'
24	44-48 Hunter St.	-	7'
25	61-101 Phillip St. (Bligh St.	- 16'	11' (part) -
26	4-6 Bligh St.	-	11'
27	33-35 Bligh St. (20-22 O'Connell St.	- -	10' 10'

MAP REF. GREEN)	LOCATION	TH OF SET-BACK	DEPTH OF COLONNADE
		-	17' to 22' (part)
25	109-113 Pitt St.	-	11' to 12'
30	107 Pitt St.	-	14' to 29' (part)
32	68 Pitt St.	-	14' to 17'
33	70 Pitt St.	-	13'
34	86-88 Pitt St.	14' to 18'	7'
35	41-45 Hunter St.	0' to 21'	6'
	(1-7 Castlereagh St.	-	12'
36	1-3 Elizabeth St.	3'	-
	(47-65 Hunter St.	-	10' to 12'
	(2 Castlereagh St.	-	13' to 16'
37	9-19 Elizabeth St.	-	8' to 10'
38	124 Phillip St.	-	12'
39	183 Macquarie St.	-	4' to 9' (part)
40	187-191 Macquarie St.	-	3'
41	225-227 Macquarie St.	-	16' (part)
42	174-176 Phillip St.	-	16' (part)
43	178-180 Phillip St.	-	13' (part)
44	44-54 Castlereagh St.	-	8'
45	75-85 Elizabeth St.	5' to 9'	4'
	(144-148 King St.	-	7'
47	275-281 George St.	-	10' (part)
48	14-28 Carrington St.	-	10'
49	39-41 York St.	-	4'
	(Erskine St.	-	4' (part)
	(York Lane	-	7'
51	149-151 Clarence St.	-	8'
53	145-149 Elizabeth St.	1'	16' (part)
54	61 Market St.	4'	6'
55	244-248 Pitt St.	-	9' to 12' (part)
56	379-381 George St.	-	2'
57	93 York St.	-	2'
58	Market St., corner Kent St.	3'	20'
59	554 George St.	-	4' to 7'
	(Bathurst St.	-	7' to 8' (part)
60	525 George St.	0' to 17'	-
61	300-304 Sussex St.	-	6'
62	265 Elizabeth St.	-	4' (part)
63	271-279 Elizabeth St.	10'	-
64	26-36 College St.	15'	-
65	111-115 York St.	15'	8'
	(31 Market St.	-	15'
66	40-50 Clarence St.	-	14'
68	218-232 George St.	-	15'
69	72 Phillip St.	Various	6' and 14'
	(Bent St.	-	25'
	(155-161 Macquarie St.	-	

MAP REF. (GREEN)	LOCATION	DEPTH OF SET-BACK	DEPTH OF COLONNADE
70	117-123 Bathurst St. (333 Pitt St.	16'	10' (Part)
		25'	-
71	65 Martin Place	-	16'
72	170-172 Phillip St.	-	16'
73	151-153 Macquarie St. (Phillip Lane	15'	-
		7'6"	1'4"
74	23-31 Pitt St.	10'4"	15'
75	9-13 Young St.	8'	-
76	37-49 Pitt St.	12'	-
77	15-19 Bent St. (O'Connell St. (Bligh St.	26'	13'6"
		7'6"	7'
		30'	20'
78	51-53 Elizabeth St. (36-42 Castlereagh St. (37-51 Martin Place	19'	-
		19'	-
		19'	-
79	18-30 Martin Place (96-100 Pitt St.	-	12'
		-	15'
80	58-60 Martin Place (146-150 Phillip St. (197-205 Macquarie St.	43'	-
		64'	-
		32'	-
81	84 Pitt St.	15'	-
82	8-12 Chifley Square (2-14 Elizabeth St. (103-107 Hunter St.	-	29'
		-	16'
		-	29'
83	76-78 Pitt St.	20'	-
84	151-153 Elizabeth St.	-	15'
85	87-105 Elizabeth St. (161-173 King St.	-	8'
		15'	-
86	181 Elizabeth St.	-	7'
87	6-10 O'Connell St. (15-23 Bligh St.	36'	22'
		28'4"	20'8"
88	95-99 York St.	15'	-
89	173-175 Phillip St. (94 Elizabeth St. (148A-160 King St.	-	3'5" and 17'
		-	13'6"
		-	9'3"
90	2 Wynyard St. (54-58 Carrington St.	15'	9'
		15'	9'
91	4-C Wynyard St.	15'	-
92	127-153 Kent St.	14'6"	12'
93	36-38 Clarence St.	-	4' (part)
94	37 York St.	-	10'
95	3-9 York St. (Margaret St.	-	17'
		24'6"	-
96	189-195 Castlereagh St. (23-35 Park St.	-	9'10"
		-	9'11"

MAP REF. (GREEN)	LOCATION	DEPTH OF SET-BACK	DEPTH OF COLONNADE
97	307 Pitt St.	15'	5'10"
98	92-122 Phillip St.	Various	-
	(106-110 Hunter St.	Various	-
	(39-43 Bent St.	Various	-
99	Phillip Lane	3'6"	-
100	54-58 Park St.	-	5' (part)

DETAILS OF SET-BACKS AND COLONNADES
TO BE PROVIDED IN APPROVED PROJECTS
IN INNER-CITY AREA

MAP REF. (ORANGE)	LOCATION	DEPTH OF SET BACK	DEPTH OF COLONNADE
1	11-17 York St. York Lane	11'6" 10'6"	- -
2	2-6 Albert St. 89-91 Macquarie St.	10' 15'	- -
3	1-3 Barrack St. 96-98 Clarence St.	- -	15' 15'
4	8-18 Bent St. 49-57 Phillip St. 60 Young St.	Various 24' 7'	- 8' 8'
5	25-29 Bligh St.	15'	-
6	31 Bligh St.	15'	-
7	4-6 Bridge St.	8'	10'
8	4-8 Castlereagh St. 5 Elizabeth St.	- -	15' 15'
9	10-12 Castlereagh St.	3'	-
10	130-132 Castlereagh St.	-	15'
11	175-183 Castlereagh St.	18'	-
12	197-199 Castlereagh St.	-	18'
13	201 Castlereagh St.	15'	-
14	137-139 Bathurst St.	17'	-
15	252-256 Castlereagh St. 267-269A Elizabeth St.	17' -	- 15'
16	323-339 Castlereagh St. 41 Campbell St. 154 Hay St.	15' 12' 12'	- - -
17	York Lane	-	4'6"
18	69-79 Clarence St. 208-220 Kent St. Margaret St.	15' 15' 84'	- - 10'
19	104-114 Clarence St.	-	15'
20	117-121 Clarence St.	-	11'
21	119-121 Clarence St.	-	11'
22	158-160 Clarence St.	-	8'6"
23	162-166 Clarence St.	-	8'6"
24	215-217 Clarence St.	-	15'
25	259-261 Clarence St.	-	15'
26	Little Hay St.	0' to 7'	-
27	107-111 Elizabeth St.	17'	-
28	83-95 Market St. 135-139 Elizabeth St.	15' 15'	- -
29	201-217 Elizabeth St.	17'	-

B.2

MAP REF. (ORANGE)	LOCATION	PTH OF ST BACK	DEPTH OF COLONNADE
	45-53 Park St.	73'	-
	190-216 Castlereagh St.	15' to 16'	-
30	219-225 Elizabeth St.	16'	-
	124 Bathurst St.	-	16'
31	289-297 Elizabeth St.	15'	-
	136A-136D Liverpool St.	0' to 5'	-
32	182-186 George St.	-	12'
33	188-194A George St.	15'	6'
34	265-273 George St.	6'	9'
	62 Margaret St.	-	11'
	Wynyard Lane	4'	-
35	340-352 George St.	25'	8'6"
	Ash St.	8'	-
36	354-360 George St.	-	12'
	2 Martin Place	-	12'
37	403-411 George St.	-	15'
38	478-480 George St.	-	15'
39	487-503 George St.	15'	-
40	505-523 George St.	-	17'
41	572-574 George St.	-	15'
	109A-111 Bathurst St.	-	15'
42	15-17 Hunter St.	-	15'
43	23-27 Hunter St.	10'	-
44	40-42 Hunter St.	15'	-
	28-34 O'Connell St.	-	10'
45	50-58 Hunter St.	11'	-
	Bligh St.	10' to 20'	-
46	268-276 Kent St.	-	5'
47	393-395 Kent St.	-	15'
48	491-493 Kent St.	-	15'
49	73-75 York St.	-	15'
50	57-67 Liverpool St.	18'	-
51	157-167 Liverpool St.	-	12'
	Nithsdale St.	-	8' to 15'
52	175A-D Liverpool St.	15'	-
53	177-183 Liverpool St.	-	15'
	Commonwealth St.	-	5'
54	10-16 Loftus St.	-	14'
	Loftus Lane	4'	-
55	18-20 Loftus St.	-	14'
	Loftus Lane	4'	-
56	165-169 Macquarie St.	15'	19'
	Bent St.	9'	-
57	235 Macquarie St.	-	15'
58	196-204 Kent St.	15'	-

- (ii) A limit of 2 to 1 in the County Centre would amount to a complete prohibition due to economic considerations.
- (iii) Insufficient information is at hand to make a final decision on such an important matter.

The Authority might also be advised that the whole question will be considered during formulation of the Strategic Master Plan for Sydney, and that in the interim, each case will be treated on its merits, having in mind that the resultant density of permanent residential occupancy in any development is a matter that should receive consideration.

(Sgd.) J. J. DORAN,
City Building Surveyor

NOTE: New plans incorporating previous amendments and slides of the subject premises are forwarded herewith for the information of the Works Committee.

AD

City Building Surveyor's Dept.

T.C. 4431/69
D.A. 777/69

22nd April, 1970.

SITE OF PREMISES NOS. 208/219 RILEY STREET AND NO. 53 LOWER CAMPBELL STREET, SURRY HILLS - DEVELOPMENT APPLICATION.

THE TOWN CLERK

Past History:

Council on the 9th February, 1970, resolved:-

"That consideration of the application submitted by A. Davis, with the authority of A. Saliba and other Owners, for permission to erect on the abovementioned site a seventeen-storeyed building for use as residential flats, with provision for "off-street car parking facilities, has been deferred for a further report by the Council's officers, following discussion with the applicant, with regard to the following matters:-

- (i) the design of the proposed building being improved with a view to achieving a more pleasing architectural and aesthetic effect and in this regard comments of the Council's Principal Architect, as set out in the report of the City Building Surveyor dated 14th January, 1970, be brought to the attention of the applicant;
- (ii) the questions of including additional two-bedroom flats in the proposed development in place of bed-sitting room type flats and increasing the sizes of the flats;
- (iii) the provision of increased "off-street" car parking facilities for use by the occupants of the building having regard to the already congested parking conditions in streets in the immediate area;
- (iv) the general question of service facilities including, inter alia, arrangements for garbage disposal and/or collection and provision of "off-street" space for garbage receptacles.

Present Consideration:

I have to report as follows, in respect of the four (4) items:-

- (i) This item is covered by my report dated the 3rd April, 1970, in which it was reported that the matter had been discussed with the State Planning Authority and the applicant had submitted revised plans, perspective and slides which appeared to overcome previous objections.
- (ii) In the scheme originally submitted it was proposed to have a total of one hundred and fifty (150) flats, comprising thirty (30) two bedroom flats, seventy five (75) one bedroom flats and forty five (45) bed sitting room flats. In the revised scheme, forty (40) two bedroom flats and twenty four (24) one bedroom flats are proposed. Bed sitting room flats are eliminated. The scheme also includes forty eight (48) one bedroom motel units and twenty four (24) bed sitting room motel units. The motel units do not provide kitchens. Meals will be available in the ground floor restaurant.

The Chairman of The State Planning Authority has advised this department verbally that during preliminary discussions he had with the Applicant, he stated that he felt the number of persons per acre would be too large and the Applicant suggested that replacement of some of the flats with motel-type accommodation could be a help.

(iii) and (iv) In respect of items (iii) and (iv) the Applicant states, in part:-

- "(1) Further on site excavation will be implemented for the introduction of an additional basement car parking floor to raise the total number of car parking to one hundred & six cars(106)
- (ii) Immediately adjacent to the double flu incinerator is to be erected a fireproof and ventilated incinerator Service Room of a minimum of 10ft x 10ft to accommodate ash handling bins
- (iii) On the Eastern side of the Building Ground Floor level immediately adjacent to the entry ramp is to be erected a face brick wall Reinforced Concrete Cupboard Service Bin Store.

In conclusion this is to be taken as written confirmation of my verbal assurances to Mr. Doran that these items made subject to approval by Council would be incorporated in the final drawing submitted."

RECOMMENDATION:

It is recommended that the application be granted under Part XIIA of the Local Government Act, 1919, as amended, subject to:-

- (i) the hours during which demolition and building work is carried out being restricted to between 7.00 a.m. and 5.00 p.m. Mondays to Fridays, 7.00 a.m. and 3.00 p.m. Saturdays, with not any work being carried out on Sundays;
- (ii) the parking spaces being outlined in paint on the pavement;
- (iii) the provision of an additional basement for off-street car parking, to provide a total car parking in the building for one hundred and six (106) cars;
- (iv) the incinerator being erected in accordance with the requirements of the City Building Surveyor and City Health Officer;

as unrestricted consent would be likely to cause injury to the amenity of the neighbourhood, including injury due to the emission of noise outside normal business hours and by the creation of traffic hazard and congestion.

J. J. DORAN
CITY BUILDING SURVEYOR.

EXTRACT FROM REPORT BY CITY BUILDING SURVEYOR, DATED 27th
FEBRUARY, 1970, ATTACHED.

Present Consideration

The Applicant by letter dated the 12th February, 1970, to this Department, states:-

"Further to my interview and telephone communications with you I have instructed my Architect to draw up an amended plan that should meet with the requirements of the various authorities and your committee. I expect to have them to your office not later than Tuesday next, 17th Inst. The building will contain a Motel Restaurant for 100 people, Laundromat and superior Residential Units. Motel of six (6) floors, each consisting of:-

3 - one bedroom apartments of 420 sq.ft. each and 4 - Bed-Sitters of 320 sq.ft. Total Motel units 72. A separate lift confined to the Motel section also Reception and Lounge.

The Residential section will occupy 9 floors, each floor containing six (6) x 2 Bedroom Units of 520 Sq.Ft. and four (4) x 1 Bedroom units of 380 Sq.Ft. Total 90 Residential Units. Two (2) lifts for the residential section only. Car parking for at least 86 cars.

You will observe that all rooms in the Motel and Residential Section are much larger in size than the code set down by the Council of the City of Sydney.

" The building is being designed as prestige edifice with excellent treatment of the outside and well landscaped, a much better building than any in the surrounding area. A magnificent view of the Sydney Harbour and Botany Bay will be obtained from the 5th floor and upper floors. The zoning is 10 to 1 Ratio and I would like to retain this Ratio.

Thanking you for past considerations and looking forward to a favourable reply."

and by further letter dated the 24th February, 1970, states in part:-

" The plans have been further amended as requested by the State Planning Authority to include a lesser number of permanent residents, with remainder of space allocated to motel type units."

The plans have been further amended to provide for an internal incinerator and garbage flue with a garbage can storage area incorporating a dwarf wall and concrete slab.

The amended proposal complies with the zonings under both Planning Schemes and with the floor area ratio and height regulations under the Minister's Scheme.

The Principal Architect, commenting on the aesthetic aspect of the proposal, states:-

"The concept as presented in the perspective and described in the Schedule is aesthetically satisfactory. It is suggested that the aluminium windows be clear anodised."

The amended proposal differs from the original proposal as follows:-

- (1) Three (3) basements in lieu of two (2) basements.
- (2) Parking for a total of eighty-six (86) cars in lieu of seventy-seven (77) cars.
- (3) Part of ground floor for use as a restaurant and private hotel office in lieu of laundromat, two (2) shops, plant and toilet facilities.

- (4) Garbage flue, incinerator and garbage can store now provided.
- (5) Second to eighth floors for use for a total of seventy-seven (77) private hotel rooms and suites and ninth to sixteenth floor for use as forty (40) two-bedroom and twenty-four (24) one bedroom flats in lieu of second to sixteenth floor for use as thirty (3) two-bedroom flats, seventy-five (75) one-bedroom flats and forty-five (45) bed-sitting room flats.
- (6) The Architect is Mr. W.E.Beck.

Council's Parking Code requires parking space for ninety (90) cars to be provided. Parking for eighty-six (86) cars is provided on three basement levels, part of the ground floor and the whole of the first floor and is considered reasonable. The two-bedroom flats have floor areas between 400 and 500 sq.ft. and the one-bedroom flats between 320 and 370 sq.ft. These areas exceed Council's desired minimum areas.