

STRICTLY CONFIDENTIALNOTES FOR SPECIAL MEETING OF THE COUNCIL OF THE CITY OF SYDNEY -THURSDAY, 23RD APRIL, 1970

on

CLAUSE 45 - DENSITY CONTROL (FLOOR SPACE RATIOS)1. What is a Floor Space Ratio?

It is the ratio between the net area of a site, and the quantity of floor space which may be erected on the site e.g. floor space ratio 2:1 means twice as much floor space as the area of the site (usually measured in square feet).

2. The Purpose of Floor Space Ratio control

It is to try to strike a reasonable balance between the amount of activity in a particular building or group of buildings, and the external space around the building or buildings, available for movement of people and vehicles; and for a reasonable environment in terms of adequate open space and air.

For a city centre it is to ensure enough space on the road system for generated traffic to move up to the area, to circulate on the street system within the area, and to give space for pedestrian circulation in a pleasant environment with a reasonable amount of public open space.

If limits on total floor space in the city centre are fixed, this limits the quantity of activity, and thus the consequential problems of movement, etc. Density standards will be one of the key matters which must be incorporated in the Strategic Plan which the Council is undertaking.

3. What the Floor Space Ratio does not do

It cannot be used to control the height of buildings, their distance from each other, their physical shape, the quality of their architecture, nor questions of light and air - except indirectly by setting the density limit at a level within which these other factors have a better chance of being achieved. Other control tools and standards are needed for these other matters.

4. The Purpose of introducing bonuses in a floor space ratio standard

The purpose is to encourage developers to provide additional public space for movement and amenity free of charge to the Council, in return for a floor space bonus which can be added over and above the standard base floor space ratio (usually on upper floors). If the Council had enough funds for all the street widenings, new streets and public open spaces needed to make the city a pleasant place to live, work and move around in, there would be no need to complicate the density control by introducing bonuses.

5. The need to set limits on total floor space because of City Centre street congestion

There is no doubt about the extent of existing congestion on the city streets and pavements and the need to create more space for pedestrians and vehicles, even if there were to be no increase in working population and activity generally in the city centre. If the whole of the city centre were to be redeveloped up to the current permissible densities of 10:1 or more, there would undoubtedly be a great increase in activity. Since 1956, only about 24% of sites north of King Street have been redeveloped, about 13% of sites between

King Street and Park Street, about 7% of sites south of Park Street and about 9.3% of sites in the city centre as a whole. Thus a good deal of further redevelopment is possible. The average floor space ratio of buildings erected prior to 1952 was 4.7:1 whilst the average floor space ratio of buildings erected after 1956 has been 10.6:1. These figures illustrate the major financial problem which the public authorities will face in acquiring land for street widening, etc. etc. as and when the city centre increases in density at current standards in use.

Over the past 12-18 months as a result of a rush on the part of landowners, developers and their architects to secure development approvals at the current standards of 10:1 before a reduced base ratio might be introduced, it is believed that enough building approvals have been given to cover demand for a considerable number of years to come. In fact, developers and architects have expressed concern that the building industry could not implement the level of approvals, and that many of the approvals might lapse under the law which limits the period of validity of an approval.

6. Current Policy

The policy originally proposed for control of floor space ratios in the City of Sydney Planning Scheme area is that laid down in the Minister's Exhibition Ordinance. This clause allows 10:1 with bonuses of 2:1 in the County Centre zone (3(e)) except for an area west of Kent Street described in Schedule 9 of the Ordinance, where the floor space ratio is 5:1 with bonuses to 8:1.

In respect of other Business and Residential zones outside the County Centre, the following ratios apply:-

- General Business (3(a)) 2:1 but where a building is used partly for residential and partly for business, a bonus of 1:1, giving a total of 3:1.
- Neighbourhood Business zones (3(c) and 3(d)) ratio of 3:1 for mixed residential and business development.
- Residential zones (2(b), 2(c) and 2(d)) ratio of 2:1 with no bonus. For that part of the 2(c) zone with frontage to Macleay Street, Kings Cross, 4:1 for all buildings is permissible.

This is the basis being operated by the City Council pending its replacement by any new standards in the planning scheme when determined by the Minister.

7. Objections lodged at Public Inquiry against density standards (Floor Space Ratio 10:1 + bonus of 2:1) in the Draft Planning Scheme

Commissioner Mr. A.I. Davis heard objections to the Draft Scheme and as a consequence made a recommendation on Clause 45 that the base floor space ratio in the County Centre zone be reduced from 10:1 to 6:1, and bonuses be increased to a total of 6:1 (making a maximum possible floor space ratio of 12:1). The recommendations were largely based on submissions made by the Royal Australian Institute of Architects (who argued that 10:1 was too high, would cause more congestion, and did not give enough bonus to encourage developers to provide public space or to amalgamate sites into larger units). The current Chapter of the Royal Australian Institute of Architects however, took a different line and was one of the prime movers in endeavouring to persuade the Minister last year not to accept the

Authority's recommendations to reduce the base ratio to 6:1 with various bonuses up to a maximum of 12:1.

The Commissioner's recommendations were placed on exhibition because they were markedly different from the standards originally exhibited. The Authority reported to the Minister on representations received and made the following recommendations to the Minister with respect to density standards to be incorporated in the City Scheme. The recommendations were as follows:-

(a) County Centre Zone

- A base ratio of 6:1 instead of 10:1.
- A bonus of four times the area of any space made available by the developer for unrestricted public use for movement or amenity, whether at ground level, above ground, or underground, or by air space development constructed over or under streets. This covers road widening, plazas, pedestrian arcades, etc.
- A bonus of twice the site area for sites of not less than 60,000 square feet (i.e. to encourage site amalgamation into blocks of land big enough to provide better layout for twentieth century needs in a city centre)
- A bonus of twice the site area for inclusion of residential use in a mixed residential/commercial development. *how much?*
- Base ratio plus bonuses not to exceed 12:1.

(NOTE: Australia Square is an example which would reach 12:1 under both current policy, and the above proposals.)

(b) General Business Zone 3(a)

F.S.R. 3:1

Bonus of twice site area for inclusion of residential use in mixed commercial/residential scheme.

(c) Neighbourhood Business Zones

F.S.R. 2:1

Bonus of twice site area for residential use included in a mixed scheme.

(d) Residential 2(b), 2(d), 2(g) Zones

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(e) Residential 2(c) Zone (Kings Cross)

F.S.R. 4:1 (Assumption being that development here would tend to be a commercial podium with specialised residential use above.)

Bonus of twice site area for sites of 60,000 square feet or more in area.

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File Plot Ratio
Special File
for this subject.

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(f) Residential 2(e) Zones

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(g) Residential 2(f) Zones

F.S.R. 2:1

Bonus of twice site area for residential use included in a mixed scheme.

(h) International Hotels

F.S.R. 12:1 in any zone in which they occur.

(NOTE: The standards above may be exceeded only with the concurrence of the Minister.)

8. Method of calculating permissible floor space

The floor space area will be defined as including all wall thicknesses, ducts, vents, corridors, staircases and lifts, but as not including:-

- (a) any car parking space in the building provided to meet the standards required by the responsible authority (but not such space provided in excess thereof) or any internal access thereto;
- (b) space used for the loading or unloading of goods;
- (c) lift towers, cooling towers, machinery and plant rooms and any storage space related thereto; and
- (d) any space made available for unrestricted public use.

9. Further representations against recommendations in para. 7 above

In March 1969 the terms of the Authority's advice to the Minister became published in the "Press" before an official announcement had been made by the Minister.

Opposition to the revised proposals was lodged by the following:-

- (a) Mr. E. Graf (Stocks & Holdings Ltd.)
- (b) Building Owners & Managers Association
- (c) Real Estate Institute of New South Wales
- (d) Institute of Real Estate Development
- (e) Master Builders' Association
- (f) Royal Australian Institute of Architects
(N.S.W. Chapter)
- (g) Mr. L.J. Barraclough, M.L.A. on behalf of
Mainline Constructions Ltd., Mr. Graham Thorp
(Architect), Building Owners & Managers Association.
- (h) Mr. R.W. Norman, Bank of New South Wales.

Organisations (b), (c), (d), (e) and (g) did not lodge objections to the proposed reduction in the base ratio to 6:1 when this recommendation was on exhibition.

The Building Owners & Managers Association comprises 49 member firms but none relating to the ordinary landowner. Only 3 member firms lodged objections originally but only 3 made general representations about the reduction of the base ratio to 6:1. The rest were concerned with particular properties either inside or outside the County Centre. Stocks & Holdings Ltd. was one of the three who did make specific objections.

Discussions took place with (a) to (f) above and as a consequence:-

- (a) The Real Estate Institute of New South Wales, The Institute of Real Estate Development, and the Master Builders' Association indicated that their views would be met if:-
 - (i) the block bonus was graded, starting from a lower level than 60,000 square feet;
 - (ii) the time during which development approvals remained valid was lengthened (i.e. longer than the one year in the draft ordinance); and
 - (iii) bonuses were available to small sites also.
- (b) The Building Owners & Managers Association concentrated mainly only getting the method of calculation changed.
- (c) The Royal Australian Institute of Architects (N.S.W. Chapter), after lengthy negotiations, indicated they would support the revised proposals as an interim code (to be reviewed when a comprehensive physical plan for the City was completed) subject to:-
 - (i) bonuses be allowed for small sites also;
 - (ii) bonus for retention of building of historic etc. merit in a scheme;
 - (iii) modifications to the method of calculation to allow for lift wells, fire stairs, and thickness of external walls; and
 - (iv) block bonus graded to start at a lower level.
- (d) Mr. E. Graf and Mr. R.W. Norman (Bank of New South Wales) have not withdrawn their opposition.

10. Recommended modifications to Clause 45 having regard to representations received

The representations lodged would be reasonably met if the Minister agrees to modify the proposals in Clause 45 of the draft City of Sydney Planning Scheme as follows:-

- (a) Block bonus for sites of not less than:-
 - (i) 15,000 square feet - .5:1
 - (ii) 30,000 square feet - 1:1
 - (iii) 45,000 square feet - 1.5:1
 - (iv) 60,000 square feet - 2:1

- (b) Bonuses for small sites (i.e. less than 50 feet frontage)

Bonuses will be available to all sites where the requirements for a bonus can be met.

- (c) Bonus for retention of buildings of historic or architectural merit

Where a development scheme provides for the preservation of a building or buildings of historic or architectural merit, a floor space bonus equivalent to the area of the development site (i.e. 1:1) shall be available.

- (d) Time after which development approvals will lapse if not implemented

It is reasonable to extend the period during which development approvals may be implemented to three years. Site amalgamation in city centres may have to be spread over some time, and leases have to be terminated before development can begin.

The objectors have complained about a period of one year during which development approvals remain valid. In fact however, the draft ordinance (Clause 39(4)) states that development approvals under the ordinance will lapse if not substantially commenced within two years, whilst the Council may extend this to a maximum of five years. The objection is therefore partly misconceived. The certain period of validity could however be extended to three years with an extension to five years at the Council's option.

- (e) Method of calculation for floor space ratio purposes

The floor space ratio to be the total floor space of the proposed building as measured over the external dimensions of the building (i.e. including all external and internal wall thicknesses) and at all levels including basements, but excluding:

- lift shafts, firestairs and fire isolated passageways leading from stairs to open air, measured from the interior faces of their enclosing walls
- plant and machinery rooms, and any storage space related to them
- car parking space in the building required by the responsible public authorities to be provided, including internal access thereto
- space for loading and unloading vehicles
- bank strong rooms, vaults and security areas

divided by the net area of the site which is the subject of the development application.

The concessions will mean a greater total level of floor space in the City and thus a bigger programme of highway etc. improvements

will be needed. The change in the method of calculation will have the greatest effect, and poses a question as to whether the base ratio should be reduced to 5:1 leaving a maximum of 7:1 to be earned by bonuses.

11. These notes are distributed to members of the City Council to facilitate discussion with the Authority.

J.P.F. KACIREK
CHIEF PLANNER
STATE PLANNING AUTHORITY OF N.S.W.
20.4.70.