

Submission by the City of Sydney

Australian Government  
Productivity Commission  
Inquiry into Conservation of  
Australia's Historic Heritage  
Places

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# Australian Government Productivity Commission Inquiry into Conservation of Australia's Historic Heritage Places - Submission by the City of Sydney

## 1. Introduction

The City of Sydney is the oldest European settlement in Australia and currently contains over 2000 heritage sites, many of which are of national significance. In addition to these sites, many other sites are identified within the City's planning controls as being part of Heritage Conservation Areas, Heritage Streetscapes and Special Areas.

The City of Sydney generates approximately 8% of Australia's gross domestic product and is a crucial engine for growth and change in the national economy. Such activity inevitably generates change in our built environment and potential conflict between the retention of heritage places and the provision of new development, predominantly being commercial and/or residential in nature. Heritage conservation must deal with the management of these changes. It is important to state that heritage is not static. The best of today's buildings (i.e. contemporary design and construction) may eventually become heritage items so there is the potential for the number of heritage items to increase in the long term.

The considerable experience of the City in heritage management should prove useful to the Productivity Commission. The City of Sydney has some heritage management systems that work well. There are, however, areas of potential improvement outside the scope of local government which would make the role of local government more effective. The City of Sydney hopes to use this Productivity Commission inquiry as an opportunity to examine all areas where improvements can be made.

This submission is structured around the six heads of consideration contained in the Conservation of Australia's Historic Heritage Places, Productivity Commission Issues Paper (May 2005). The issues to be examined are:

1. The main pressures on the conservation of historic heritage places;
2. The economic, social and environmental benefits and costs of the conservation of historic heritage places in Australia;
3. The current relative roles and contributions to the conservation of historic heritage places of the Commonwealth and the state and territory governments, heritage owners (private, corporate and government), community groups and any other relevant stakeholders;
4. The positive and/or negative impacts of regulatory, taxation and institutional arrangements on the conservation of historic heritage places, and other impediments and incentives that affect outcomes;
5. Emerging technological, economic, demographic, environmental and social trends that offer potential new approaches to the conservation of historic heritage places; and
6. Possible policy and programme approaches for managing the conservation of Australia's historic heritage places and competing objectives and interests.

There may be some repetition of information in this submission where responses to the above heads of consideration overlap.

## 2. The Main Pressures on the Conservation of Historic Heritage Places

The pressures on the conservation of historic heritage places are varied and the central ones as experienced within the City of Sydney may be summarised as follows:

- Development pressure in inner city areas in view of their prime location with proximity to services, employment, leisure opportunities and high availability of public transport;
- Increasing population, which is increasing pressure for new development in all areas, thus including historic heritage areas;
- Adapting heritage premises to meet contemporary living and working standards, including the desire to provide for car parking and additional amenities. In particular demand for car parking places heritage sites under increased pressure as it may be generally stated that a majority of heritage buildings were not designed to accommodate the car and opportunities to include parking are limited given the potential significant impact building fabric;
- Lack of maintenance of historic buildings which can lead to demolition by neglect;
- Upgrading buildings to meet Building Code of Australia (BCA) and Equitable Access requirements and the careful balance of respecting heritage values;
- High development expectations for all development, but especially in cases such as small heritage buildings (eg terraces), which are often unrealistic; and
- Loss of the historic curtilages of heritage items resulting in negative impacts on their setting, amenity and significance.

Some of these considerations may be managed within the policy framework that is developed by local government. Heritage provisions within local environmental plans and development control plans may not only list heritage items, but may provide quite detailed guidance as to the re-development of heritage items and sites within Heritage Conservation Areas, Heritage Streetscapes and Special Areas. However some considerations are outside of the control of local government and require higher levels of responses. For example the issues of development pressures and population growth have a wider impact than simply upon the future of heritage buildings and places. They are metropolitan-wide and ultimately national issues that require a higher level of policy response than can be formulated and delivered by local government.

A key concern that does impact upon local government is the issue of the lack of maintenance for heritage buildings that may lead to demolition by neglect. Local government is not empowered to take clear steps to rectify such situations. The process of serving orders and notices under the NSW Local Government Act 1993 is generally long and drawn-out, which usually only makes the matter worse as swift action is necessary to ensure that the heritage item is not reduced to a position where demolition is the only option. Neglect of heritage buildings also causes considerable levels of community angst, which are usually

communicated to local government and often exacerbated by the slow processes involved in taking action.

### 3. The Economic, Social and Environmental Benefits and Costs of the Conservation of Historic Heritage Places in Australia

There are a range of benefits and costs that arise in relation to the conservation and ongoing management of heritage places. The following attempts to summarise some of the key issues.

#### 3.1 Economic benefits

Economic benefits may include increased housing prices. Research exists to confirm this, for example the research contained in *The Economics of Heritage Listing* which may be found on the NSW Heritage Office website: [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au).

The economic benefits of Sydney's heritage sites for tourism are demonstrated by visitor numbers data from Tourism NSW. Popular attractions such as the Opera House and the Queen Victoria Building are heritage items and anecdotally it appears that people beyond residents and workers within the City of Sydney feel attachment and ownership of these important heritage places. Bridgeclimb is an activity that takes place on the heritage listed Sydney Harbour Bridge. It attracts significant numbers of patrons and won the Tourism NSW Major Tourist Attraction Award in 2004.

#### 3.2 Economic costs

Heritage planning controls that are prepared by local government (and at times by state government) may restrict development as it relates to heritage items and therefore may restrict:

- The size or extent of extensions;
- Potential for demolition and the construction of new buildings;
- The size and scale of new buildings.

In individual cases, this may limit the value of properties that are designated as heritage. The NSW Government recognises this by allowing heritage properties some concessions on land tax. The City of Sydney's planning controls also recognise this issue by implementing a system of transferable floor space (the Heritage Floor Space – HFS – system). In exchange for the conservation of heritage buildings, this system allows these buildings to receive an award of transferable floor space that is then able to be traded on an open market and is purchased by developers in the Central Business District (CBD) that need to purchase floor space so as to make up their maximum floor space ratio. Further details are included in Central Sydney Local Environmental Plan 1996 and Central Sydney Development Control Plan 1996, both of which may be viewed on the City's website: [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au).

#### 3.3 Social benefits

Heritage requirements may lead to the retention, adaptation and reuse of a variety of buildings which are available for community or other uses. Examples within the City of Sydney Local Government Area include:

- The Powerhouse Museum (a former power station);

- The Museum of Contemporary Art (formerly the Maritime Services Board building); and
- Customs House (now the City of Sydney Library).

The economic benefits and increased amenity of heritage areas may also lead to an improved sense of community in heritage areas and in the proximity of heritage items, though as raised previously the neglect of heritage items will similarly result in community concern that is usually voiced to local government. Better enforcement tools are required to ensure that neglect of heritage items is captured very early so as to prevent permanent damage and community distress.

### **3.4 Social costs**

Social costs are difficult to research or confirm, however increased prices for real estate in heritage listed areas may give rise to a reduced amount of affordable housing in these areas. Affordable housing is an issue that the City of Sydney is seeking to address in preparing an Affordable Housing Strategy over the next 12 months, however it is also an issue that requires a regional or metropolitan-level response that is likely to be better coordinated by the state level of government.

Conversely, countering this potential trend is that heritage items or buildings within heritage areas may be adapted through temporary or permanent alterations and additions, to a variety of other housing types, such as backpacker accommodation, low cost visitor and tourist accommodation, or boarding houses. The City's development consent records indicate that uses such as these are unlikely to be proposed in the context of new buildings and are always proposed in the context of adapting existing buildings. A heritage context is often a valuable marketing point for such uses.

### **3.5 Environmental benefits**

Similar to commenting on social costs and benefits, the City does not have a strong research base on which to comment as to the environmental benefits of heritage buildings or places. Obvious environmental benefits may result when natural areas (such as bushland, coastline) are designated to have heritage status and their natural environments are therefore preserved. In the context of heritage buildings, there are lifecycle benefits in recycling or adapting such buildings, in that existing built fabric is in continuing use rather than being demolished and replaced with new building materials. The existence of heritage buildings and places provides a variety and richness into the City's landscape that may increase environmental amenity.

There may also be limits to the extent of development growth, as heritage planning controls may limit the size or manner in which heritage buildings may be extended (eg restrictions on height are common) and may limit the construction of new buildings in heritage areas. In terms of environmental design, some heritage buildings may have better performance in terms of energy or water use, for example than new buildings. The introduction in NSW of state government BASIX requirements (to improve energy and water efficiency) now apply to existing houses undertaking extensions and in the future will apply to multi-unit dwelling proposals. So over time, both heritage and non-heritage residential buildings will be retro-fitted as part of future development.

### **3.6 Environmental costs**

There are environmental costs engendered by the popularity of heritage areas and resultant tourism. Heritage planning requirements lead to use of traditional materials (eg. timber framed windows and doors) which may have small scale

environmental costs. Further the impact of natural effects (i.e. wind, rain, gradual attrition due to weather) may have a negative impact on heritage whether built or natural, as was seen in recent days when one of the 12 Apostles on the Victorian coastline collapsed into the sea.

#### 4. The Current Relative Roles and Contributions to the Conservation of Heritage Places of the Commonwealth and the State and Territory Governments, Heritage Owners (Private, Corporate and Government), Community Groups and any Other Relevant Stakeholders.

The recent Commonwealth government heritage legislation clearly sets the Commonwealth's main priority as protecting heritage sites of national value.

The NSW state government's Heritage Council/Heritage Office has direct development control (through the NSW Heritage Act) over State Heritage Register items, which are of state heritage significance. While producing guidelines, and providing advice to local government, the NSW state government essentially leaves the protection of heritage items of local significance to local government (these are known as local or state heritage inventory items).

Local government has taken on this responsibility to a greater or lesser extent. The state heritage inventory for NSW now includes 20,000 buildings and sites, while the State Heritage Register only includes 1500 buildings and sites (source: NSW Heritage Office). This means the vast majority of heritage in NSW is under the protection of local government.

With regard to inner city areas, heritage is considered integral to the character, history and enjoyment of these areas, and therefore local government in these areas generally sets a high standard with regard to heritage protection. The local government bodies in the outer suburbs and rural areas often lack the will or the resources (or both) to adequately protect the heritage of their areas. Coastal local government areas in particular are under enormous development pressure due to increasing population and in these areas tourism, and the tourist development it engenders, is often a threat to both heritage and environmental values.

The main role of community groups (for example National Trust, resident action groups, heritage and historical societies) is to lobby for the protection of heritage, either by lobbying for heritage listing of sites, or commenting on development applications which are perceived as threats to heritage values. These groups make a valuable contribution to the process of preparing local environmental plans and development control plans that address heritage issues, and also in commenting on development applications relating to heritage items. However issues do arise from the role of community groups, including that they often expect a very hard line to be taken with planning controls and applications for changes to built heritage. As stated in the opening to this submission, heritage must not be seen as static and it must be open to sensitive, well-guided adaptation.

Communities may also suffer in local government areas such as the City where the NSW Minister for Infrastructure, Planning and Natural Resources is the consent authority (and in some cases the planning authority) for some key heritage areas of the overall local government area.

This means that the assessment of development proposals and at times the formulation of planning controls will be undertaken on behalf of the Minister by state government staff and the only access is during exhibition periods for proposed planning controls and development applications. There are no council meetings that the community may attend, there is no opportunity to engage in debate with the Minister or his advising officers, so there is a lack of transparency in decisions coming from these situations and it should be noted that again this is the case for both heritage and non-heritage matters that are subject to Ministerial control/consent.

The owners of heritage listed places have the responsibility to maintain the integrity of these places. Maintenance, and the ability of local government to ensure that maintenance of heritage listed places takes place, is an area of contention in NSW as the NSW Heritage Act at least gives the Heritage Council/Heritage Office the power to require owners of State Heritage Registered items to undertake a minimum standard of maintenance, but local government has no such parallel power with regard to local heritage items. The NSW Local Government Act 1993 enables local government to issue orders and prosecute owners of heritage items only where lack of maintenance has become a public safety concern. This severely limits local government powers to protect against demolition by neglect. As already flagged the decline of heritage items causes considerable community concern in the City of Sydney and it is difficult to explain why responses to this decline are not more prompt and effective.

With regard to state and commonwealth-owned heritage items, maintenance and development is a responsibility of these levels of government, and local government has limited power to either ensure maintenance or to prevent inappropriate development in relation to these classes of items.

There is a need for government-wide protocols regarding the protection of heritage items across both state and federal governments. Neglected heritage listed post offices, many being iconic items in their local areas, were sold off and essentially abandoned years ago by Australia Post in the suburbs and towns of NSW (example: former Leichhardt Post Office, Norton Street, Leichhardt) and those in use often have inappropriate uses which do not capitalise on the building's heritage and landmark qualities (example: the former Post Office, Burwood, NSW).

## 5. The Positive and/or Negative Impacts of Regulatory, Taxation and Institutional Arrangements on the Conservation of Historic Heritage Places, and Other Impediments and Incentives that Affect Outcomes

Heritage places are affected by a wide range of regulations and legal instruments generally. Many of these were developed in relation to other aspects of the economy or the built environment but have real and often unforeseen impacts on heritage places. In the experience of the City of Sydney, the positives and negatives of such arrangements are as follows.

### **Positive:**

- Listing of heritage places in planning or other statutory controls;
- Promotion of heritage conservation in the community through events such as;
  - > Heritage Week;



- > History Week;
  - > Heritage Walking Tours;
  - > History/Heritage websites; and
  - > National Trust/Energy Australia Awards.
- Administrative Incentives for the conservation of heritage places, which include:
    - > market based incentives such as the City of Sydney HFS scheme. This allows owners of heritage items to sell a proportion of the unrealised development potential of their site in return for undertaking approved conservation works;
    - > direct cash grants or dollar for dollar grants;
    - > main street studies;
    - > NSW Heritage Office heritage incentive funded projects;
    - > administrative assistance, such as:
      - NSW Heritage Office funds the appointment of Heritage Advisors to Local Government Areas that could not otherwise afford such expertise; and
      - The NSW Heritage Fire advisory panel has been a successful agent in promoting engineered, performance-based solutions for heritage sites. This counters the indiscriminate application of the Building Code of Australia and the Australian Standards related to Accessibility (enforced under the Commonwealth Disability Discrimination Act) to heritage places.
  - Taxation incentives also exist for the conservation of heritage places such as:
    - > Heritage Places listed in the register of the national estate; and
    - > NSW land valuations for land tax assessment result in a land tax reduction for owners of heritage listed properties. This acknowledges the opportunity cost that is often inherent in the conservation of a heritage place.

**Negative:**

- Over-riding of issues related to heritage significance in NSW Land and Environment Court determinations of development applications;
- Loss of cohesive groups or types of heritage places due to the corporatisation or re-structuring of public institutions, for example:
  - > Australia Post has closed a very large number of landmark post offices nationwide in the last fifteen years. This has resulted in the loss of the use for which the buildings were designed, demolition or, in some cases, inappropriate adaptive re-use of the buildings. It has also eroded the institutional hierarchy of public buildings. Post offices - traditionally amongst the most prominent public buildings in Australian towns and cities - have been relegated to inconspicuous locations in nondescript commercial buildings. Local examples of this process in the city of Sydney include:
    - The Sydney GPO, No 1 Martin Place. The post office now occupies a small corner of its former premises;
    - Pyrmont Post Office. The post office has disposed of its purpose-built

historic premises on a prominent public square and moved to a less prominent, non-descript commercial building; and

- Haymarket Post Office.
- > NSW State Rail Authority has disposed of or demolished heritage listed places, despite their obligation to protect such places under Section 170 of the NSW Heritage Act;
- > Re-structuring in the NSW Courts System has resulted in the closure of the heritage listed Redfern Courthouse. A new use compatible with the building's heritage significance is not immediately obvious. This very prominent public building in an important suburban high street may remain vacant for the foreseeable future,
- The indiscriminate application of Australian Standards related to Accessibility (enforced under the Commonwealth Disability Discrimination Act) to heritage places can in some cases result in major loss of heritage significance to achieve marginal gains in accessibility or amenity. Appropriate performance-based solutions can currently be over-ruled under the provisions of the Commonwealth act without any reference to heritage considerations;
- Poor co-ordination of land releases can and has resulted in the alienation and destruction of significant natural and man-made heritage places.

## 6. Emerging Technological, Economic, Demographic, Environmental and Social Trends that Offer Potential New Approaches to the Conservation of Heritage Places

Change is an inevitable result of human activity. To retain their significance, change to heritage places must be managed so that they are made useful but remain meaningful in terms of the reasons why they are designated as "heritage". If a heritage place is useful, its economic value acts to preserve its cultural value.

Trends continue to emerge that allow heritage place to be well-conserved and well-used.

### **Technological:**

Advances in technology for conservation of materials which result in improved conservation in a more cost-effective manner are making a difference. These include epoxy repairs to sandstone and techniques for paint removal that minimise damage to the original masonry finishes. More funding for research and development of new technologies such as these would be a wise investment.

### **Economic:**

- Savings from adaptively reusing and recycling of heritage buildings need to be communicated to the development industry and local communities, as this will assist in promoting the attractiveness of reuse as an option for heritage buildings;
- Increased property values of heritage buildings and properties in heritage areas is not widely known and should be better promoted;
- Existing incentives (such as tax relief) should also be better promoted and promotion should target owners and developers of heritage buildings, so that

they are aware of these opportunities; and

- The tourism value of heritage areas, such as The Rocks, and buildings such as Queen Victoria Building and Sydney Opera House, could be further developed in tourism and heritage promotion strategies.

#### **Demographic:**

There are an increasing proportion of affluent and educated people in inner city areas who have a greater appreciation and understanding of conservation of the historic built environment and who want heritage places retained and conserved. This provides an opportunity to better integrate the community in the conservation process. The City of Sydney local government area includes a number of vocal and well-informed community groups and history/heritage societies. The City also receives numerous complaints from individuals over heritage buildings that are falling into decline through lack of maintenance.

#### **Environmental:**

Benefits include the energy and cost savings embodied by retaining heritage buildings as opposed to the costs in demolishing existing buildings and disposing buildings materials and providing new resources for replacement buildings. These benefits need to be made known to the wider community, particularly the building industry and developers.

#### **Social:**

- There is increased appreciation of heritage places and the importance of being able to identify with the past. Personal connections with heritage places are becoming more important or more realised in a public sense. Examples in the City of Sydney context include the connection of workers to the Eveleigh Railway Yards, and workers to the East Darling Harbour wharves. This needs to be more fully recognised in identifying, assessing and promoting heritage conservation;
- Popular culture is becoming more eclectic. It no longer has the 1960s and 1970s view that everything has to be new and awareness of heritage as a vast array of periods and types is rising; and
- There is an increased appreciation of the quality of craftsmanship in heritage buildings in an age where the machine dominates. Craftsmanship is a feature that requires education and promotion as part of heritage conservation.

## **7. Possible Policy and Programmed Approach for Managing the Conservation of Australia's Historic Heritage Places and Competing Objectives and Interests**

From the experience of the City of Sydney and analysis of the above issues, the City of Sydney makes the following summary recommendations as proposals that may facilitate better management of heritage in Australia. Some recommendations are within our own powers to promote, others apply across all levels of government.

## **Summary recommendations:**

### **Government protocols**

- That government-wide protocols should be developed for all levels of government to ensure the protection and ongoing maintenance of government-owned heritage properties. This should include making publicly available federal and state government departmental databases of heritage properties;
- Any government-wide protocols should be developed with regard to the change of use and/or disposal of government owned heritage properties, which require all options to be considered prior to the change of use/sale, and future uses/adaptation to be explored prior to the sale of heritage properties, with the aim of ensuring ongoing maintenance and appropriate new uses for heritage properties. These protocols should require inter-governmental and community consultation prior to the sale or change of use of government owned heritage properties.

### **Access to information/transparency**

- Open government systems are essential to ensure that community groups can be fully informed of proposed changes to heritage properties and are given the opportunity to contribute in a meaningful manner.

### **Funding/taxation reform**

- Heritage funding assistance to local government should be tied to evidence of a minimum level of responsible heritage management by that local council, and the extent of the local council's level of responsibility for heritage (measured by heritage listing) should also be taken into account. This would give local governments and private property owners real incentive to encourage or seek heritage listing, as funding/grants would be tied to the extent of total heritage listings in a local government area;
- Tax concessions for heritage property owners, again based on statutory heritage listing of the property (i.e. not available to owners of properties not on statutory heritage lists);
- The establishment of a taxation regime that encourages triple bottom line analysis of buildings and projects is likely to encourage heritage conservation;
- The United Kingdom has operated a very successful national heritage lottery for the last ten years. Funds raised by the lottery are directly invested in appropriate heritage projects nationwide. This scheme should be examined for adoption in Australia.

### **Demolition by neglect**

- Changes to State laws to give local government the power to prevent "demolition by neglect" and to allow earlier intervention in the need for maintenance of heritage buildings;

### **Promotion and education**

- Promote the benefits of heritage conservation to property owners, developers and the wider community; and
- Make further resources available to owners of heritage places at a local level - this could take the form of free professional advice, explicit design guides including standard details and colour scheme studies, project grants or awards for heritage restoration.

**Attachments:**

City of Sydney Heritage Floor Space Information Brochure

City of Sydney Heritage Floor Space Update (dated 04 July 2004)

## FREQUENTLY ASKED QUESTIONS

### Can HFS awards be staged?

Yes, there is scope for Council to consent to a staged award of HFS. The staged approach can be used where a heritage item requires extensive conservation work to be done.

The Development Application for the overall conservation work will include a condition of consent specifying the stages in which the work is to be undertaken, and the amount of HFS that will be granted after the completion of each stage.

### What is the current purchase price?

Any purchase price is to be determined between the owner of the HFS and the prospective purchaser. The purchase price is currently about \$500-\$700 per m<sup>2</sup> depending on the quantum and market conditions. Note that the onus is on the prospective purchaser to contact the owners of HFS and to negotiate a purchase price.

For more information regarding the owners of HFS and the purchase price of recent sales, refer to the HFS Update found on the internet at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au).

### How many times can HFS be awarded to a heritage item?

HFS can only be awarded once.

### Does it matter which heritage item a HFS transfer comes from?

HFS may be transferred to a development site, as required by a condition of development consent, from any available HFS quantum listed in Council's HFS Register.

### Who pays for all legal agreements?

The cost of all legal agreements, transactions and other documentation required in connection with the award and allocation or change of ownership of HFS is to be met by the respective owner of the HFS and the proposed purchaser.

### Do I sell my HFS to Council?

No. The transfer of HFS is a private transaction with Council acting as an administrator of the scheme.

## FEES

Assessment of Conservation Plan	\$550
Heritage Floor Space - Registration of Award	\$550
Heritage Floor Space - Transfer (change of owner / sale)	\$330
Summary from HFS Register	\$55



### Do you need further information?

Contact the Planning Policy Unit on 9265 9641

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## Heritage Floor Space General Information

## WHAT IS HERITAGE FLOOR SPACE?

The Heritage Floor Space (HFS) Scheme provides an incentive for the conservation and ongoing maintenance of Schedule 1 heritage items within Central Sydney.

Once conservation works to the heritage item have been completed, the owner of the heritage item may be awarded HFS. This HFS may then be allocated (sold) to a site which requires the purchase of HFS as part of an approved development application. The monies raised help conserve the heritage item.

## HOW HFS WORKS

There are two components in the HFS scheme: Award of HFS & Allocation of HFS.

### Award

The owner of a Schedule 1 heritage item may elect to apply for an award of HFS (if the relevant criteria is met) or alternatively the heritage item can be part of a development which relates to the land occupied by the heritage item.

### Allocation

Developments can only achieve a certain development potential if HFS is transferred (allocated) to the development from the bank of awarded HFS.

## AWARD OF HERITAGE FLOOR SPACE

Heritage Floor Space may only be awarded to a heritage item if it is:

- listed as a Schedule 1 heritage item pursuant to Central Sydney Heritage Local Environmental Plan 2000, and
- is located within the City Centre or City Edge zones of the Central Sydney Local Environmental Plan 1996; and
- has been built prior to the 1957 amendment of the Height of Buildings Act, 1912.

### Amount of HFS to be awarded

The formula used to calculate the amount of HFS to be awarded is (for rateable buildings in private ownership):

$$HFS_h = 0.5A_s \times FSR_h$$

$HFS_h$  = the maximum amount of heritage floor space which may be awarded (in square metres)

$A_s$  = site area

$FSR_h$  = the FSR for the site of the heritage item

The formula varies for non-rateable buildings, and is

$$HFS_h = 0.5 \times FSA_h$$

Note that Council may reduce the amount of HFS to be awarded if there are elements of the building, existing or proposed, which detract from the significance of the building, or by an amount equal to any additional floorspace.

## STEPS TO OBTAIN AN AWARD OF HFS

### 1 Development Application and Conservation Management Plan to be approved by Council

Once eligibility has been established, a development application including a Conservation Management Plan is lodged with Council. All relevant fees are to be paid at Council's One Stop Shop.

A Conservation Management Plan provides a history of the building and surrounding area, a statement of significance, and ranks levels of significance in order to guide the future management of the building. The development application details the scope of works that are required to conserve the significance of the building. This could include the removal of the elements that detract from the significance of the building, the reinstatement of original fabric and where appropriate, reconstruction based on documentary evidence.

### 2 Development Application approved / Construction Certificate approved / Building and Conservation works completed

After the development application has been approved by Council, approval of a construction certificate for building work is required. Once all building and conservation works have been completed, the owner of the land on which the heritage item is situated enters into a deed with Council and registers covenants on title.

### 3 Deed and Registration of positive and restrictive covenants on title

A deed is drafted and executed between the owner of the land on which the heritage item is situated and Council to reinforce the positive and restrictive covenants which are to be placed on title.

The covenants:

Limit any future redevelopment of the site to the total floor space area and height of the conserved heritage item (restrictive);

Ensure the ongoing conservation of the building by regular maintenance in accordance with the Conservation Management Plan (positive).

### 4 Registration of an HFS Award

Once the deed has been executed, and a \$550 registration fee has been paid at Council's One Stop Shop, a letter is sent to the owner of the HFS advising them that the HFS has been entered on Council's Register. The HFS is now able to be sold.

Note: The HFS deed and the registration of covenants on title may be finalised prior to the completion of conservation works. However HFS will only be registered once all the requirements have been met.

## ALLOCATION OF HERITAGE FLOOR SPACE

An allocation of HFS is required if a proposed development exceeds the permissible floor space ratio for development. In this case, Council would grant consent subject to a condition requiring the allocation of heritage floor space to the site.

**Only buildings that are over 55 metres in height, and located in the City Centre zone will require HFS to be allocated.**

The formula used to calculate the amount of HFS required is generally:

$$HFS_d = (FSR - FSR_d) \times A_s$$

$HFS_d$  = is the amount of heritage floor space to be allocated by the proposed development.

$FSR$  = is the floor space ratio of the proposed development.

$FSR_d$  = is the FSR for the development site, as shown on the LEP map.

$A_s$  = is the site area of the proposed development.

The amount of HFS to be allocated may further be reduced by 50% if a design competition (where applicable) is held. Note that the permissible floor space ratio will vary for mixed-use developments. For more information refer to Schedule 6 of Central Sydney Local Environmental Plan 1996.

## STEPS TO ALLOCATE HFS TO A DEVELOPMENT

- The applicant pursues the owner of HFS by viewing the HFS update. A copy of the HFS update is available at the One Stop Shop or on Council's website.
- A copy of the signed deed between the owner of the HFS and the purchaser of HFS is sent to Council. The original Section 12 Notice (Conveyancing Act, 1919) must also be sighted by Council. This will be returned once the transfer of HFS has been registered.
- Stamp Duty on the transfer must also be paid. Evidence of the payment must be provided to Council.
- Once the Section 12 Notice and all other documentation is endorsed by Council, a fee of \$330 is to be paid at Council's One Stop Shop to complete the registration of the HFS Transfer. A letter is then sent to the purchaser of HFS confirming the allocation.

## PLANNING CONTROLS

The Planning Controls relating to Heritage Floor Space are contained in Central Sydney Local Environmental Plan 1996 (Clauses 44 and 45) and Central Sydney Development Control Plan 1996 (Section 7).

# Heritage Floor Space Update

HFS awards, sales and development news

## Introduction

This issue of the Heritage Floor Space (HFS) Update reports on awards, sales and recent development applications which have been awarded or require the purchase of Heritage Floor Space. The award and allocation of Heritage Floor Space provides an incentive for the conservation and ongoing maintenance of heritage buildings within Central Sydney. Once conservation works have been completed and an award of HFS registered, HFS can be sold and transferred to enable additional floor space to be built to a development (which require the purchase of HFS as part of an approved development application) within the city.

Heritage Floor Space can be awarded in both the City Centre and City Edge zones, however its allocation is restricted to sites located within the City Centre zone. The controls and requirements in respect to HFS are outlined in Central Sydney Local Environmental Plan 1996 (in particular Clause 44 and 45), and Central Sydney Development Control Plan - Section 7. Refer also to Central Sydney Heritage Local Environmental Plan 2000 and draft Central Sydney Local Environmental Plan 2002.

A summary of the HFS market (from 1990) is detailed below. The recent awards and sales are highlighted. Please note that the onus is on the applicant to pursue the owners of HFS in respect to any potential transfer.

## Recent HFS Activity

### Registered Awards

There have been no awards of Heritage Floor Space since December 2003.

### Sales

Only one sale occurred between December 2003 and July 2004. This was for 16m<sup>2</sup> at \$550 per square metre.

### Approved Awards

No applications for the award of HFS have been approved:



### NSW Sports Club

The NSW Sports Club building, situated at 10-14 Hunter Street, exhibits Victorian Free Classical style and is a rare example in the City of Sydney of a highly intact original commercial Victorian building. It has been occupied by the NSW Sports Club since 1900 and is socially significant because of its continued presence in Sydney for over a century.



## Award of Heritage Floor Space \*

Building Name	SCHI number	No	Address	Vendor	HFS Approval Date	HFS Award
Iona		2	Darley Street, Darlinghurst	J Rutherford	19/03/84	8597
Watch House Terraces	2023	68-80	Erskine Street, Sydney	Pediko P/L	12/04/84	3040
Parking Station		383-395a	Kent Street, Sydney	DW & Co P/L	10/05/76	14486
		168-180	Sussex Street, Sydney		12/07/76	
Societe Generale House	2078	348-352	George Street, Sydney	National Mutual Life Association	24/11/80	10460
Horbury House	2123	171-173	Macquarie Street, Sydney	St Martins Properties P/L	30/07/73	1823
Pinnacle House	2033	2-6	Barrack Street, Sydney	Kelaw & Beaverton Inv. P/L	19/09/86	3535
Former Police Station	4015	281	Clarence Street, Sydney	D E Greive & IMG of American P/L	8/12/86	1952
The Great Synagogue	4027	164-166 187a	Castlereagh St, Elizabeth St, Sydney	G H Symonds The Great Synagogue	14/06/88	1826
The Trust Building	4000	72-72a 155	Castlereagh Street, King St, Sydney	Ladywood P/L	24/08/89	2686
The Trust Building	4000	72-72a 155	Castlereagh Street, King St, Sydney	Ladywood P/L	24/08/89	1117
The Trust Building	4000	72-72a 155	Castlereagh Street, King St, Sydney	Ladywood P/L	25/05/90	620
Building		119-139, 1-6,	Victoria Street, Rowena Place,	Katies Properties P/L	24/11/75	16260
			36-50 Brougham St, Woolloomooloo			
RJI House	4098	147-149, 80	York St, Druitt Street, Sydney	Tasman Properties P/L	5/04/88	1080
Pilgrim House	4154	262-264-266	Pitt Street, Sydney	The Uniting Church Property Trust	7/06/88	1214
MLC Ass. Bldg	2130	38-46	Martin Place, Sydney	MLC Life Ltd	28/08/89	4900
Sydney Grammar School	3005	10-12	College Street, Sydney	Trustees of Sydney Grammar School	22/03/90	2998
Capitol Theatre	4117	3	Campbell Street, Sydney	City of Sydney	23/03/92	22336
Fayworth House	4165	379-383	Pitt Street, Sydney	Tower holdings P/L	27/03/95	5082
Building		10	Bligh Street, Sydney	Yamamoto Realty Co Ltd	13/03/89	4981
Norman Gibson & Co	6009	69	Campbell Street, Sydney	Cranbrook Inv. P/L	5/03/91	1777
Building	2044	10-18	Bulletin Place, Sydney	Northbourne Corporation P/L	3/09/96	407
Challis House	2128	4-10	Martin Place, Sydney	The University of Sydney	24/05/91	4159
APA Building	2132	53-63	Martin Place, Sydney	Overseas Union Bank Ltd	25/06/90	4169
Strand Arcade	4033	412	George Street, Sydney	Prudential Corporation Australia Ltd	17/03/97	10505
Westpac	5030	824-826	George Street, Sydney	Westpac Banking Corporation	23/07/90	1400
Grace Bros Building	4036	432-434	George Street, Sydney		14/04/94	16710
Building	2162	22-26	York Street, Sydney	Australia Growth Properties	21/01/97	6900
BMA House	2121	135-137	Macquarie Street, Sydney	The Body Corporate Strata Plan 14172	14/05/90	3105
St Marys Cathedral	3000	2	St Marys Road & College St, Sydney	Trustees of Roman Catholic Church	24/04/96	3850
Perpetual Trustee Co.	2011	33-39	Hunter Street, Sydney	Perpetual Trustee Co.	21/03/97	5545
International House	2159	14-16	York Street, Sydney	Bertram Property Management Pty Inv.	19/09/97	2060
Mirvac Trust Building	4026	183-187	Elizabeth Street, Sydney	185 Elizabeth St P/L	22/10/97	1117
Mirvac Trust Building	4026	183-187	Elizabeth Street, Sydney	185 Elizabeth St P/L	22/10/97	1117
Station House	5044	790-798	George Street, Sydney	Lonshaw P/L	25/11/91	1174
		1	Rawson Place, Sydney			
Letraset House	4045/4010	346-348	Kent Street, Sydney	W.S.D. Louey P/L	12/06/98	6176
	4011	201-207	Clarence Street, Sydney			
AWA House	4086	45-47	York Street, Sydney	Vaneri Pty Limited	2/10/91	3183
Royston House	4044	342-344	Kent Street, Sydney	Cicibuck P/L	26/03/97	8045
	2042	6-8	Bulletin Place, Sydney	Dapaxu P/L	26/02/98	115
Retail Terrace	4150	77-79	Liverpool Street, Sydney	Tovele P/L	27/06/97	1295
Retail Terrace	2150	77-79	York Street, Sydney	Linkbond (Asia) Ltd	23/06/97	1379
Mirvac Trust Building	4026	183-187	Elizabeth Street, Sydney	185 Elizabeth Street P/L	22/10/97	1490
Bank of New South Wales	2026	16-18	O'Connell Street, Sydney	Emporia Holdings Ltd	26/02/98	2178
Millions House	2146	122	Pitt Street, Sydney	Nal Investments (No.2) P/L	19/11/99	1505
		197	Clarence Street, Sydney	WG Sherman, N Esherman, EG Sherman	10/03/97	617
Clarence House	2053	120	Clarence Street, Sydney	Initier	05/03/99	1295
	4050	414-418	Kent Street, Sydney	122-130 Arthur Street Property P/L	23/11/00	3143
York House	4087	50-54	York Street, Sydney	Bellevue Crescent P/L	10/09/97	2674
Company Director House	2165	71	York Street, Sydney	Ola Kola P/L, BAM Properties & Walker Douglas Investments P/L	24/06/99	4205
	2100	104	King Street, Sydney	Hillridge Investments	25/02/97	462
Stoddart House	4093	125	York Street, Sydney	Zandra P/L	24/12/99	2360
Former Warehouse	4212	76-78	Liverpool Street, Sydney	Raque P/L	12/08/99	1720
Cyprus Helene Club	1912	150-152	Elizabeth Street, Sydney	Metropolitan Aboriginal Association Inc.	22/12/99	4181
NSW Sports Club	2005	10-14	Hunter Street, Sydney	NSW Sports Club Ltd	21/07/00	1232
Bruce & Walsh Building	2101	106	King Street, Sydney	Hardie Holdings P/L	25/03/97	411
The Judges House	4146	531	Kent Street, Sydney	Capital Group Properties P/L	24/05/99	2303

\* This sheet indicates all HFS awards registered and not necessarily HFS available for sale.

### Notes

- Some previous awards are not in the City of Sydney area, were not listed as heritage items, or were the result of a court decision.

## Registered Allocation of Heritage Floor Space

No	Address	Vendor	Purchaser	\$ m <sup>2</sup> (excl. GST)	TFS Transfer Date	HFS Transfer
5	York Street, Sydney	<b>Katies Properties P/L</b>	Mirvac Properties P/L	\$ND	1/08/80	2416
19-29	Market Street, Sydney	<b>Katies Properties P/L</b>	Tooheys Ltd & A.T.G Devs P/L	\$ND	13/02/81	1905
2	Phillip Street, Sydney	<b>DW &amp; Co P/L</b>	Londra Inv.	\$199	17/05/82	1486
52-56	Martin Place, Sydney	George Angel Inv. P/L	State Bank of NSW	\$ND	7/09/82	5990
6-20	Clarence Street, Sydney	<b>DW &amp; Co P/L</b>	Ecarte P/L	\$25	10/12/82	1837
126-130	Phillip Street, Sydney	<b>St Martins Properties P/L</b>	St Martins Properties P/L	\$ND	30/05/83	1369
6-8	Underwood Street, Sydney	<b>DW &amp; Co P/L</b>	Paradic P/L	\$25	16/10/84	924
131-133	York Street, Sydney	<b>DW &amp; Co P/L</b>	Ecarte P/L	\$26	22/01/85	1340
331-337	Kent Street, Sydney	<b>DW &amp; Co P/L</b>	Frank Kolos & Partners	\$ND	25/02/85	301
572-598	George Street, Sydney	<b>Pediko P/L</b>	Carringbush P/L	\$ND	31/07/85	1994
143-145	York Street, Sydney	<b>J Rutherford</b>	Palings P/L	\$111	22/10/85	111
263-265	Castlereagh Street, Sydney	<b>J Rutherford</b>	Maunalo P/L	\$210	20/01/86	780
345-355	George Street, Sydney	<b>J Rutherford</b>	Suholu P/L	\$210	28/04/86	2141
91-91a	York Street, Sydney	<b>DW &amp; Co P/L</b>	Galyala P/L	\$269	20/05/86	1270
397-409	Kent Street, Sydney	<b>J Rutherford</b>		\$ND	30/05/86	3699
55-59	Sussex Street, Sydney	<b>J Rutherford</b>	Felseve P/L	\$ND	8/10/86	819
135	King Street, Sydney	<b>Kelaw &amp; Beaverton Inv. P/L</b>	New World Oil & Devt P/L	\$237	24/10/86	3535
187-191	Clarence Street, Sydney	<b>St Martins Properties P/L</b>	M & J Berger	\$441	28/11/86	454
234-238	Sussex Street, Sydney	<b>J Rutherford</b>	Evuna P/L	\$258	2/12/86	1016
106-120	Goulburn Street, Sydney	<b>DW &amp; Co P/L</b>	Kinda Inv.	\$ND	18/12/86	1858
106-120	Goulburn Street, Sydney	Leighton Properties P/L	Kinder Inv.	\$208	28/01/87	4470
234-238	Sussex Street, Sydney	<b>DE Greive &amp; IMG of American</b>	P/LEvuna P/L	\$270	25/03/87	1952
	Daines Inv. P/L	New World Oil & Dev. P/L	Daines Inv. P/L	\$ND	1/05/87	3535
307-329	Kent Street, Sydney	<b>DW &amp; Co P/L</b>	Cardy & Co	\$ND	18/10/87	5574
	Daines Inv. P/L	New World Oil & Dev. P/L	Daines Inv. P/L	\$ND	10/05/88	11939
60-62	Castlereagh Street, Sydney	Daines Inv. P/L	Hooker Projects P/L	\$1,292	11/05/88	5574
76-78	Clarence Street, Sydney	<b>Pediko P/L</b>	Nelbay P/L	\$538	23/08/88	1046
210-216	Clarence Street, Sydney	Daines Inv. P/L	J Berger, M Berger & Red Breast P/L	\$1,619	29/09/88	1247
383-395a	Kent Street, Sydney	Cardy & Co	DW & Co P/L	\$0	19/10/88	5574
281-285	Elizabeth Street, Sydney	Daines Inv. P/L	Austotel P/L	\$1,500	1/05/89	1500
	Lend Lease	<b>The Great Synagogue</b>	Butterbur P/L	\$1,862	2/06/89	1826
8-18	Bent Street, Sydney	SAS Trustee Corp.	Axiom Fund Management	\$ND	19/10/89	48
38-52	Carrington Street, Sydney	<b>Ladywood P/L</b>	MEPC Aust. Ltd	\$1,175	7/06/90	2686
38-52	Carrington Street, Sydney	<b>Ladywood P/L</b>	MEPC Aust. Ltd	\$1,175	12/02/91	1117
25-33	Erskine Street, Sydney	Kinder Inv.	Health Insurance Commission	\$676	28/02/91	1176
1-7	Bligh Street, Sydney	<b>DW &amp; Co P/L</b>	Kizar P/L	\$ND	8/03/91	56
154-166	Sussex Street, Sydney	Kinder Inv.	P & O Aust. Ltd	\$388	29/05/92	516
533	Kent Street, Sydney	<b>DW &amp; Co P/L</b>	C W Crawley	\$67	10/06/92	30
304-308	Pitt Street, Sydney	Daines Inv. P/L	Meriton Apartments P/L	\$180	15/01/93	3018
130	Elizabeth Street, Sydney	<b>DW &amp; Co P/L</b>	Meitetsu Aust. P/L	\$200	11/05/93	36
432-434	George Street, Sydney	<b>Coles Myer P/L</b>	Coles Myer P/L	\$ND	14/04/94	16710
397	Kent Street, Sydney	Daines Inv. P/L	National Mutual Trustee Ltd	\$ND	1/01/95	1315
265-273	George Street, Sydney	Kinder Inv.	Commonwealth Funds Management	\$286	25/01/95	133
117	York Street, Sydney	Daines Inv. P/L	117 York Street P/L	\$200	30/01/95	550
511-513	Kent Street, Sydney	Daines Inv. P/L	Toga Dev.	\$190	13/04/95	1520
511-513	Kent Street, Sydney	Daines Inv. P/L	Toga Dev.	\$190	13/04/95	50
53-63	Martin Place, Sydney	<b>Overseas Union Bank Ltd</b>	Overseas Union Bank Ltd	\$ND	1/05/95	14
	Bevonel P/L	Kinder Inv.	Bevonel P/L	\$453	5/05/95	33
	Bevonel P/L	Kinder Inv.	Bevonel P/L	\$453	5/05/95	4470
117	York Street, Sydney	Daines Inv. P/L	Toga Dev.	\$ND	20/07/95	700
35-45	Wentworth Avenue, Sydney	Bevonel P/L	Aircord P/L	\$240	2/08/95	1365
135	King Street, Sydney	Bevonel P/L	Kumagai Aust. P/L	\$275	18/08/95	33
135	King Street, Sydney	Bevonel P/L	Kumagai Aust. P/L	\$275	18/08/95	619
289-299	Elizabeth Street, Sydney	<b>Trustees Sydney Grammar School</b>	Hany & Partners Co P/L	\$330	11/09/95	162
400	George Street, Sydney	Meriton Apartments P/L	Farwell Inv. P/L	\$174	14/09/95	3018
338-348	Pitt Street, Sydney	Bevonel P/L	Prima Devs P/L	\$345	22/09/95	1515
339-347	Kent Street, Sydney	<b>Trustees Sydney Grammar School</b>	MML Properties Pty Ltd & Athelas Ltd	\$380	29/09/95	2836
400	George Street, Sydney	<b>DW &amp; Co P/L</b>	Farwell Investment P/L	\$320	13/10/95	2320
418a	Elizabeth Street, Sydney	M & J Berger	Elizabeth Towers P/L	\$350	7/11/95	28
6-12	Bridge Street, Sydney	Lend Lease Dev.	National Aust. Trustees Ltd	\$383	16/11/95	1826
16-32	Bridge Street, Sydney	National Aust. Trustees Ltd	National Aust. Trustees Ltd	\$383	16/11/95	1580

## Registered Allocation of Heritage Floor Space (cont.)

No	Address	Vendor	Purchaser	\$ m <sup>2</sup> (excl. GST)	TFS Transfer Date	HFS Transfer
	Exister P/L	Austotel	Exister P/L	\$400	21/11/95	1500
60	Carrington Street, Sydney	<b>Sydney City Council</b>	Aust.n Mutual Provident Society	\$507	29/11/95	700
400	George Street, Sydney	Exister P/L	Farwell Inv. P/L	\$600	5/12/95	1500
400	George Street, Sydney	<b>Tower Holdings P/L</b>	Farwell Inv. P/L	\$550	7/12/95	5082
357-363	George Street, Sydney	Aircord P/L	Apitz P/L	\$750	22/01/96	1365
27	Reiby Place, Sydney	Halwood Corp. Ltd	AJ Richardson Properties P/L	\$100	29/01/96	4586
	Cretan Holdings Ltd	<b>Yamamoto Realty Co Ltd</b>	Cretan Holdings Ltd	\$560	14/02/96	1000
	Grayworth P/L	<b>Yamamoto Realty Co Ltd</b>	Grayworth P/L	\$ND	28/02/96	2490
400	George Street, Sydney	Grayworth P/L	Farwell Inv. P/L	\$450	11/03/96	2490
	Jobrenco P/L	<b>Uniting Church Property Trust</b>	Jobrenco P/L	\$545	22/03/96	1214
16-20	Hunter Street, Sydney	Jobrenco P/L	Leda Holdings P/L	\$638	3/04/96	1214
16-20	Hunter Street, Sydney	Cretan Holdings Ltd	Leda Holdings P/L	\$655	7/05/96	1000
38-52	Carrington Street, Sydney	A J Richarson Properties P/L	MEPC Aust. Ltd	\$800	14/06/96	621
16-32	Bridge Street, Sydney	Yamamoto Realty Co Ltd	National Aust.Trustees Ltd	\$630	28/06/96	1491
	BT Funds Management Ltd	<b>Sydney City Council</b>	BT Funds Management Ltd	\$750	4/10/96	7000
58-60	Martin Place, Sydney	A J Richarson Properties P/L	Westpac Properties Ltd	\$900	28/11/96	2698
	SAS Trustee Corp.	<b>DW &amp; Co P/L</b>	SAS Trustee Corp.	\$ND	17/12/96	2787
357-363	George Street, Sydney	<b>Aust. Growth Properties</b>	Aust. Growth Properties	\$ND	1/04/97	6900
16-32	Bridge Street, Sydney	<b>Northbourne Corporation P/L</b>	National Australia Trustees Limited	\$775	1/03/97	407
357-363	George Street, Sydney	<b>Aust. Growth Properties</b>	Aust. Growth Properties	\$0	1/04/97	2141
357-363	George Street, Sydney	<b>Tasman Properties P/L</b>	Apitz P/L	\$750	15/05/97	1080
252	Sussex Street, Sydney	<b>Sydney City Council</b>	Metroland Dev.	\$900	27/06/97	670
60	Castlereagh Street, Sydney	<b>Prudential Corp. Aust. Ltd</b>	Perpetual Trustee Co Ltd	\$750	21/08/97	6218
357-355	George Street, Sydney	<b>The University of Sydney</b>	Apitz P/L	\$700	16/09/97	1157
60	Castlereagh Street, Sydney	<b>Prudential Corp. Aust. Ltd</b>	Prudential Corp. Aust. Ltd	\$0	16/09/97	6218
433-435	Kent Street, Sydney	DW & Co P/L	Austchan Dev. P/L	\$650	24/09/97	100
433-435	Kent Street, Sydney	<b>Ladywood P/L</b>	Austchan Dev. P/L	\$635	24/09/97	620
37-51	Martin Place, Sydney	<b>Prudential Corp. Aust. Ltd</b>	Prudential Corp. Aust. Ltd	\$0	21/11/97	1046
35-43	Clarence Street, Sydney	SAS Trustee Corp.	Bendal P/L	\$300	5/12/97	1243
58-60	Martin Place, Sydney	<b>Westpac Banking Corp.</b>	Westpac Properties Ltd	\$ND	4/01/98	1400
16-32	Bridge Street, Sydney	<b>The Body Corporate Strata Plan 14172</b>	National Aust.Trustees Ltd	\$550	6/01/98	250
35-43	Clarence Street, Sydney	Bendal P/L	Truegulf P/L	\$493	8/01/98	1243
17	Castlereagh Street, Sydney	<b>185 Elizabeth Street P/L</b>	Hartswan P/L	\$550	2/04/98	518
10	Spring Street, Sydney	<b>DW &amp; Co P/L</b>	Gafac Properties	\$550	14/04/98	102
35-43	Clarence Street, Sydney	<b>Bertram Prop. Management P/L</b>	Truegulf P/L	\$430	16/04/98	2060
10	Spring Street, Sydney	Gafac Properties	Despa Deutsche Sparkassen Immobilien Anlage Gesellschaft mbH	\$ND	29/07/99	13
155	Macquarie Street, Sydney	<b>Vaneri P/L</b>	Lend Lease Dev 1/8, 155 Macquarie Street P/L 4/8 and Ranec Pty Ltd 3/8	\$450	2/10/98	308
184-194	Pitt Street, Sydney	<b>The Body Corporate Strata Plan 14172</b>	AMP Life Limited	\$475	21/06/99	335
16-20	Bridge Street, Sydney	<b>Vaneri P/L</b>	National Australia Trustees Limited	\$450	10/05/99	200
2	Park Street, Sydney	<b>Sydney City Council / IPOH</b>	Trust Company	\$694.60	18/02/99	4319
155	Macquarie Street, Sydney	Louey Hong Kong Ltd	Lend Lease Dev 1/8, 155 Macquarie Street P/L 4/8 and Ranec Pty Ltd 3/8	\$450	23/08/98	6176
346-348	Kent Street, &					
201-207	Clarence Street, Sydney	<b>W.S.D. Louey P/L</b>	Louey Hong Kong Ltd	\$ND	31/07/98	6176
27	Reiby Place, Sydney	AJ Richardson Properties P/L	AJ Richardson Properties P/L	\$0	20/10/98	56
50-58	Hunter Street, Sydney	<b>Sydney City Council / IPOH</b>	Nerridan Pty Ltd	\$600	8/10/98	12
174	George Street, Sydney	185 Elizabeth Street P/L	Marsico Holdings P/L	\$550	18/07/98	63
155	Macquarie Street, Sydney	<b>MLC Life Limited</b>	Lend Lease Dev 1/8, 155 Macquarie Street P/L 4/8 and Ranec Pty Ltd 3/8	\$771	6/10/98	4900
2	Park Street, Sydney	<b>Sydney City Council / IPOH</b>	Trust Company	\$694.60	31/07/98	4319
201-217	Elizabeth Street, Sydney	<b>185 Elizabeth Street P/L</b>	Perron Investments Ltd & Trust Company of Aust.	\$500	3/12/99	407
400	George Street	<b>Cranbrook Investments P/L</b>	Farwell Investments P/L	\$562.73	8/11/95	1777
155	Macquarie Street, Sydney	<b>Trustees of Roman Catholic Church</b>	Lend Lease Dev 1/8, 155 Macquarie Street P/L 4/8 & Ranec Pty Ltd 3/8	\$500	22/09/99	167
263-265	Castlereagh Street	<b>Daxapu P/L</b>	Hentroth P/L	\$450	21/12/99	115
400	George Street	<b>Farwell Investments P/L</b>	PT Limited	\$ND	14/02/00	70

## Registered Allocation of Heritage Floor Space (cont.)

No	Address	Vendor	Purchaser	\$ m <sup>2</sup> (excl. GST)	TFS Transfer Date	HFS Transfer	
357-365	George Street, Sydney	<b>185 Elizabeth Street P/L</b>	Politic P/L	\$500	29/06/00	617	
8A-12	Castlereagh Street, Sydney	<b>Vaneri P/L</b>	Tilberg Holdings P/L	\$525	9/06/00	193	
37-51	Martin Place, Sydney	<b>Colonial Portfolio Services Ltd</b>	Colonial Portfolio Services Ltd	\$0	8/05/00	103	
135	King Street, Sydney	<b>Trustees of Roman Catholic Church</b>	Perpetual Trustee Co Ltd	\$800	28/08/00	31	
383	Kent Street, Sydney	<b>Trustees of Roman Catholic Church</b>	National Mutual Life Nominees	\$305	9/11/00	3652	
383	Kent Street, Sydney	<b>Vaneri P/L</b>	National Mutual Life Nominees	\$395	8/11/00	2451	
383	Kent Street, Sydney	<b>Emporia Holdings</b>	National Mutual Life Nominees	\$450	31/10/00	2178	
383	Kent Street, Sydney	<b>The Sydney Club</b>	National Mutual Life Nominees	\$450	16/10/00	752	
173-179	Pitt Street, Sydney	<b>185 Elizabeth Street P/L</b>	Commonwealth Custodial Services	\$550	28/06/01	264	
93-105	Quay Street, Sydney	<b>Ola Kala P/L, BAM Properties P/L &amp; Walter Douglas Investments P/L</b>	Ricky Developments P/L	\$600	17/07/01	565	
	Undetermined site	<b>Ola Kala P/L, BAM Properties P/L &amp; Walter Douglas Investments P/L</b>	Ozton P/L	\$500	10/01/01	3640	
	Undetermined site	Colonial Portfolio Services	Stockland Property Management United	\$375	14/06/02	3169.8	
298-304	Sussex Street, Sydney	<b>City of Sydney / IPOH</b>	Julie Torre	\$650	05/12/02	24	
42-44	Margaret Street, Sydney	<b>122-130 Arthur Street Property P/L</b>	Scots Church Development Ltd	\$450	09/12/02	1333	
	Undetermined	Ozton P/L	Grocon (Castlereagh St, NSW) P/L	\$490	08/01/03	692	
133	Liverpool Street, Sydney	NGI Investments	The Trustees of the Roman Catholic Church	\$400	03/02/03	55	
60	Castlereagh Street, Sydney	<b>Colonial Portfolio Services P/L</b>	Perpetual Nominees P/L	\$775	03/02/03	71	
323-327	Pitt Street, Sydney	Ozton P/L	Meriton Apartments P/L	\$770	20/02/03	400	
27-29	Commonwealth St, Surry Hills	<b>Initier P/L</b>	Pacific Counties Corporation Ltd	\$575	06/03/03	432	
Lot 2	KENS Site	185 Elizabeth Street Pty Ltd	Westpac Funds Ltd	\$515	03/04/03	1855	
DP 1051308	Lot 2	KENS Site	Overseas Union Bank / United	Westpac Funds Ltd	\$505	03/04/03	4155
DP 1051308	Lot 2	KENS Site	Overseas Bank / Marshall Investments				
77-79	Liverpool Street, Sydney	Tovele Pty Ltd	Mehmet Cihan	\$ND	14/05/03	1295	
3	Campbell Street, Sydney	<b>Sydney City Council / IPOH</b>	Jireh International P/L	\$625	29/05/03	23	

### Notes

- **Bold** text indicates original owner of HFS
- Some HFS sales are without prices and some transfer dates are estimated
- The point of sale & exchange of monies may occur after the date of assignment
- \$ND - price not disclosed

**Outstanding Heritage Floor Space - This is what is available for sale. Please contact the vendor directly to enquire about the purchase of HFS.**

**Remaining HFS from Awards**

Building Name	SCHI number	No	Address	Vendor	m <sup>2</sup> available
Iona		2	Darley Street Darlinghurst	J.Rutherford	31
Parking Station		383-395a/168-180	Kent Street/Sussex Street	DW & Co Pty Ltd	39
Capitol Theatre	4117	3	Campbell Street	City of Sydney / IPOH	4787
Challis House	2128	4-10	Martin Place	The University of Sydney	3002
BMA House	2121	135-137	Macquarie Street	Owners Corporation Strata Plan 14172	2520
Perpetual Trustees Co	2011	33-39	Hunter St	Perpetual Trustee Co	5545
Station House	5044	790-798/1	George Street/Rawson Place	Lonshaw P/L	1174
AWA House	4086	45-47	York Street	Vaneri P/L	31
Royston House	4044	342-344	Kent Street	Cicibuck P/L	804
Retail Terrace	2150	77-79	York Street	Linkbond (Asia) Ltd	1379
Guild House	4008	197	Clarence Street	WG Sherman, NE Sherman, EG Sherman	617
Millions House	2146	122	Pitt Street	NGI Investments (No2) P/L	698
Clarence House	2053	120	Clarence Street	Initier	863
Building	4050	414-418	Kent Street	122-130 Arthur Street P/L	1810
York House	4087	50-54	York Street	Bellevue Crescent P/L	2674
	2100	104	King Street	Hillridge Investments	462
Stoddart House	4093	125	York Street	Zandra P/L	2360
Former Warehouse	4212	76-78	Liverpool Street	Raque P/L	1720
Cyprus Helene Club	4127	150-152	Elizabeth Street	Cyprus Hellene Club	4181
NSW Sports Club	2005	10-14	Hunter Street	NSW Sports Club Pty Ltd	1232
Bruce & Walsh Building	2101	106	King Street	Hardie Holdings P/L	411
The Judges House	4146	531	Kent Street	Capital Group Properties P/L	2303
					38,643

**Remaining HFS from Allocations**

No	Address	Vendor	m <sup>2</sup> available
16-20	Hunter Street	Leda Holdings P/L	65
8-18	Bent Street	Axiom Fund Management	48
NA		SAS Trustee Group	1496
37-51	Martin Place	Prudential Corporation Australia Ltd	943
16-32	Bridge Street	National Aust Trustees Ltd	2
10	Spring Street	Despa Deutsche Sparkassen Immobilien	13
		Anlage Gesellschaft mbH	
263-265	Castlereagh Street	Hentroth P/L	6
210-216	Clarence Street	J Berger, M Berger & Red Breast P/L	85
60-62	Castlereagh Street	Hooker Projects P/L	988
533	Kent Street	CW Crawley	30
511-513	Kent Street	Toga Developments	320
NA	NA	Bevonnel P/L	971
117	York Street	Toga Developments	14
339-347	Kent Street	MML Properties Pty Ltd & Athelas Ltd	25
400	George Street	Farwell Investments P/L	105
27	Reiby Place	AJ Richardson Properties P/L	207
NA	NA	Ozton P/L	2548
323-327	Pitt Street	Meriton Apartments P/L	19
N/A	N/A	Colonial Portfolio Services Ltd	3169
77-79	Liverpool Street	Mehmet Cihan	1295
L2 / DP 1051308	Kent Street	Westpac Funds Management Ltd	50
N/D	N/D	Grocon (Castlereagh Street)	692
			13,091

Total HFS outstanding 51,734

**Notes**

- Only whole amounts of HFS have been included in the "Remaining HFS from Allocations" table.

## Summary of Heritage Floor Space Market as at 31 December 2003

### Proposed Heritage Floor Space

HFS Award DA approved, Conservation works outstanding, covenants not registered, fees outstanding.

No of DA's Lodged (since last update)	2	Total No of DA's Approved for the Award of HFS (not registered)	41	Total HFS Approved* (not registered)	151,589
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\* includes recent amendments to DA's

### Heritage Floor Space Awarded

HFS Awarded and Registered, conservation works completed, covenants registered, fees paid, stamp duty paid.

No of Registered Awards*	54	Total HFS Awarded	215,716.5	Total HFS Outstanding	51,720
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- \* No of Awards includes Awards from previous TFS schemes
- \* Total HFS outstanding fluctuates due to allocations
- \* Staged Awards are counted once

### Heritage Floor Space Required to be Allocated

Development Applications that require the purchase of HFS

No of Applications outstanding	34	Total HFS required to be purchased *	30,735.00	Total estimated development cost of DA's required to purchase	\$1.365 billion
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\* This figure excludes two Stage 1 DA's which will require the purchase of HFS

### Heritage Floor Space Sales

Average HFS Sales recorded yearly from 1990

Year	No. of Allocations	Total Sq.m	Average Price per Sq.m
2004	1	16	\$550
2003	9	7683	\$556
2002	3	4526.8	\$398
2001	6	9862	\$450
2000	3	841	\$608
1999	7	7119	\$628
1998	11	19393	\$590
1997	12	20010	\$701
1996	12	23314	\$572
1995	21	29960	\$381
1993	2	3054	\$180
1992	1	516	\$388
1991	2	2293	\$919
1990	1	2686	\$1,175

#### Further information

For further information contact Lisa Thomas, Technical Co-ordinator - Planning Policy  
 tel: 9246 7728  
 fax: 9265 9679  
 email: lthomas1@cityofsydney.nsw.gov.au  
 Internet: www.sydneycity.nsw.gov.au  
 Please provide your name, home/company address, contact number, email address and a brief description of why you require the information. This will help tailor future issues of the Heritage Floor Space Update.

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