

Enquiries: Rick Hutchins 8203 7241  
Reference: 2018/03260



12 November 2018

Chair of The Parliamentary Officer  
Environment, Resources and Development Committee  
GPO Box 572  
ADELAIDE SA 5000

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South Australia 5001

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ABN 20 903 762 572

Dear Sir/Madam

### **Inquiry into Heritage**

Thank you for the opportunity to present to the Environment, Resources and Development Committee (Committee) on behalf of the City of Adelaide at the hearing on 22 October 2018.

At the hearing the Committee provided Council the opportunity to provide further information on two matters. Firstly, the change to criteria for local heritage listing that the City of Adelaide would recommend, and secondly, further information around the questions of planning policy and Davaar House.

Please find attached a response to those questions on behalf of the City of Adelaide.

Should the Committee require further explanation or information, please contact Rick Hutchins, Manager – Spatial Planning & Heritage on 8203 7241 or [r.hutchins@cityofadelaide.com.au](mailto:r.hutchins@cityofadelaide.com.au).

Yours sincerely

Shanti Ditter  
**Associate Director, Planning & Development**



## ADDENDUM – COA SUBMISSION

The below information should be read as an addendum to the submission by the City of Adelaide to the Environment Resources and Development Committee's (the Committee) Inquiry into Heritage.

At the hearing the Committee on 22 October, the City of Adelaide was invited to provide further information to the Committee on two queries:

1. Recommended changes to criteria for Local Heritage Listing, and
2. Questions on planning and Davaar House (316-320 South Terrace, Adelaide)

The City of Adelaide response is outlined below.

### Recommended Criteria for Local Heritage Places

#### EXTRACT FROM HANSARD

168 – The PRESIDING MEMBER: Keep going; you've got the floor. You have no witnesses behind you, so you have a little bit of time.

Ms DITTER: Regarding the question of whether the current local heritage listing criteria require modification, the City of Adelaide has formed a view that yes, they do need to be modified. In fact, when the City of Adelaide presented its view to the heritage inquiry that was held by the then state planning minister, yourself Mr Rau, it was that those criteria did need to be modified, and we can present that information separately to the committee. So the answer is yes.

The criteria introduced in the *Development Act 1993* (SA) have been in place for 25 years and are now not generally consistent with national guidelines. Over time, particularly in recent years, the application of local heritage criteria has suffered from insufficient guidance. For example, the Planning SA Heritage Bulletin of 2001 produced by the then Planning SA had no formal role, has not been updated and is largely irrelevant.

The Expert Panel on Planning Reform identified the desire for heritage reform in their report to the (Planning) Minister in December 2014. The 2016 Local Heritage Discussion Paper canvassed the opportunity to develop new local heritage criteria to provide more certainty in listing processes.

Council seeks a single integrated system for the identification of heritage places. This would replace the current separation of State and Local heritage listing processes which results in two authorities, two administrative systems and two sets of differing procedures. One way to achieve this would be to use the state heritage criteria to inform the drafting of new local heritage criteria, amended to substitute state with local heritage values.

Just as importantly however, is the need to establish a single heritage authority. This would enable a nominated heritage place to be quickly and more easily considered for the relevant level of listing i.e. local or state. The current twin legislative arrangement does not facilitate this, and in fact has resulted in nominated places being left in the "no-man's land" between the two systems where the Development Plan Amendment has stalled or is unable to respond quickly enough.

Council considers that the local heritage criteria in the *Development Act 1993* (SA) needs updating. Specifically, the criteria and process for identification of both State and Local heritage value should sit within the *Heritage Places Act 1999* (SA).

In considering updating listing criteria, Council has resolved the following position. Any changes in relation to arrangements for the listing of Local Heritage Places and areas should:

- not involve any changes to the existing listing criteria for State or local items which would make it more difficult to obtain listing and protection of the State's valued heritage whether of State or local significance;
- permit the listing of local character items and areas to reflect the importance which locally identified historic items and areas by local communities, the broader community and tourists;
- not result in the delisting of any existing item of State or local heritage; and
- not change or diminish the central role which Council's and their elected members have in relation to the listing of local heritage items or areas or local historic items or areas.

In June 2018, the Minister for Environment and Water, David Speirs MP, advised Council of his intent to explore a heritage reform roundtable for the conservation of the State's heritage for future generations. Acknowledging that the heritage recommendations of 2014 Expert Panel for Planning Reform have not progressed, Council's position supports the establishment of a roundtable comprising representatives from industry, government and community which could progress the question of Local Heritage listing criteria. The roundtable would enable a collaborative approach across different sectors.

#### Planning Policy and Davaar House

##### EXTRACT FROM HANSARD

174 – The Hon. J.R. RAU: Again, I am quite happy if you want to come back to us in writing on this one. One of the matters that really jumped out at me today was that appalling place with the vents coming out of a concrete car park and a tragic old building sitting at the end of it.

Obviously, it's not great that things like that happen. I wonder whether you have turned your mind to the question of incentives and, in particular, whether or not the development envelope for a particular area where there is a heritage building should be perhaps different or variable—put it that way—subject to the engagement with the heritage on that site.

I will give you an example, and this happens in Sydney, I think, to some degree. It is easier in Sydney because they don't have the height restrictions we have. If you want to go and do the standard boring job on the site, you can go to 20 storeys, but if you jazz it up and you do better stuff—better public realm, better interaction with adjoining properties and so forth—you might get a bonus of another 10 storeys on your property.

I know we can't do exactly the same thing here because of the airport and restrictions that that might place on heights, but you could sort of work it back the other way. For instance, let's say the zoning for an area is 20 storeys. If there's a heritage building on the site, automatically you would only get, say, 80 per cent of 20 storeys, or 60 per cent or 70 per cent of something, but you could make it back up to 100 if you do quality engagement with the heritage property. I am interested in your view about incentives.

Ms DITTER: Thank you for the question. I think that's an excellent question and I love it. When we saw the development adjacent the deaf society building, that is a really good example where adjacency has been addressed really carefully. Fortunately, for that state-listed building, it got developed like it did despite the planning policy, which could have allowed quite a different outcome for that site.

I think the question is about policy and how policy is written. Unfortunately, for Davaar House, on the corner of Hutt Street and South Terrace, the building to which you refer, that was not to be the case, a local heritage listed building. There is an opportunity to think differently around how planning policy is written at the moment.

Unfortunately, when the 2012 amendments were made to the development plan, which increased both development potential and facilitated over-height development—there are provisions in our development plan that talk about development being over-height—one of the considerations that could have been in that policy that wasn't was around heritage, and so the answer to that question is most definitely yes.

175 – The Hon. J.R. RAU: If you want to put anything in detail about that, feel free to do it in writing at some point.

## Planning Policy

In the City in the early-mid 1980's, the approach to built heritage involved a combined package aiming to '**protect, preserve and promote**'.

- The **preservation** goal was given effect through what was and continues to be the City of Adelaide's Heritage Incentives Scheme, which provides free professional advice and financial incentives to owners to enable 'conservation' of heritage buildings.
- The **promotion** goal was given effect through an annual heritage promotions program involving events, books and other promotional activities, and for example, via the History Festival, and plaques.
- The **protection** goal was given effect through legislation and a comprehensive suite of planning policy.

Considerable discussion occurred in the mid-1980s over the form of new buildings, including the policy in place to protect important Townscape elements and to encourage retention of heritage places. This discussion gave rise to the introduction of the concept of Transferable Floor Area.<sup>1</sup>

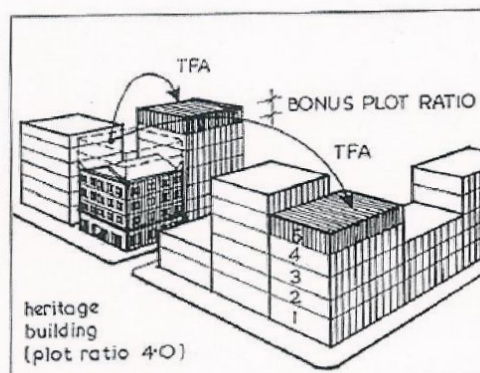
<sup>1</sup> The City of Adelaide Plan, 1986-1991, Department of Planning and Development of the Corporation of the City of Adelaide

The below extract<sup>2</sup> provides a simple explanation of the transferable floor area scheme:

## Transferable Floor Area

What does a transferable floor area control do?

1. Typically used associated with heritage listed buildings
2. A site with an existing floor area less than able to be built on the site is able to 'transfer' the unused floorspace to other sites that do not have impediments to receiving additional floorspace.
3. Provides financial return to heritage listed building
4. Enables recipient site to accommodate additional floorspace



As part of the preservation and protection goals for heritage listed buildings, a transferable floor area scheme existed between 1988 and 2006 within that part of the CBD that is now the Capital City Zone.

Eleven transfers of floor area occurred between 1988 and 1993, totalling 8,800 m<sup>2</sup>. Between 1993 and 2006, no transfers eventuated. The transferable floor area scheme was removed in 2006. At the same time, the approach to plot ratio was refined with a more open and flexible approach to floor space controls.

In 2008, in a study for Council, Colliers advised that *'Transferable Development Rights (TDR) Schemes are one method of reducing the difference in yield between listed and non-listed places. TDR Schemes allow the transfer of 'lost floor space' from within a limited development potential of a heritage place to 'donor' sites adjacent to, or in other areas of the Council. The success of TDR Schemes within Australia is mixed and has been found to be dependant on a buoyant market and strong planning controls. The current Adelaide (City) Development Plan has too much flexibility in building height levels, and the circumstances in which these heights can be surpassed for such a scheme to be effective.'*

Sydney CBD has transferable floor area within their planning scheme. The Heritage Floor Space Update, City of Sydney, June 2018 (refer **Appendix 1**) states *'The award and allocation of HFS 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 is registered, the HFS can be sold and transferred to a development that is required to purchase HFS to achieve the floor space proposed in the approved development application. HFS may only be awarded to heritage buildings in the B8 Metropolitan Centre Zone. Its allocation is restricted to sites in Central Sydney where the proposed development exceeds a specified building height and floor space ratio.'*

The Sydney Update scheme illustrates the role of the scheme in transferring floor space over the last 25 years within a property market environment that can be characterised as having buoyant demand.

<sup>2</sup> Planning and Design Guidelines, City of Adelaide Plan, Edition 2 – November 1995



The City of Sydney's planning controls and requirements in respect to HFS are set out the *Sydney Development Control Plan 2012* (Section 5.1.9 Award and Allocation of Heritage Floor Space) and in the *Sydney Local Environmental Plan 2012*, as per clauses provided below.

**“6.1 Objective of Division**

*The objectives of this Division are as follows:*

- (a) to provide for additional floor space to be granted as an incentive for certain development in Central Sydney,*
- (b) to establish a framework for the transfer of development potential from the site of a heritage building to another site in Central Sydney.”*

**“6.11 Utilisation of certain additional floor space requires allocation of heritage floor space**

- (1) Despite any other provision of this Part, development consent must not be granted to development in respect of a building on a site in Central Sydney that utilises any amount of additional floor space specified in paragraph (a), (b) (c), (d) or (e) unless the consent authority is satisfied that an amount of heritage floor space will be allocated to the site (whether because of a condition of consent or otherwise) in accordance with the following relevant paragraphs:*
  - (a) accommodation floor space in respect of a building (the height of which will exceed 55 metres following the development) on a site in Area 1, 2 or 3—unless an amount of heritage floor space is allocated to the site that is equal to 50% of the accommodation floor space to be utilised,*
  - (b) accommodation floor space in respect of a building (the height of which will exceed 55 metres following the development) on a site in Area 4 (but only if the accommodation floor space causes the floor space ratio of the building to be greater than 8:1)—unless an amount of heritage floor space is allocated to the site that is equal to 50% of any accommodation floor space to be utilised,*
  - (c) opportunity site floor space—unless an amount of heritage floor space is allocated to the site that is equal to 50% of the opportunity site floor space to be utilised,*
  - (d) additional floor space granted by a consent authority under clause 6.21 (7) (b) or 6.26 (7) (b)—unless an amount of heritage floor space is allocated to the site that is equal to 50% of the additional floor space to be utilised,*
  - (e) additional floor space permitted under clause 4.6 in respect of a building on a site that also utilises additional floor space referred to in paragraph (a), (b) (c) or (d)—unless an amount of heritage floor space is allocated to the site that is equal to the additional floor space permitted under that clause.*
- (2) The consent authority may reduce the amount of heritage floor space that is required to be allocated to a site under subclause (1) as follows (and in such a case that reduced amount is the amount of heritage floor space that is required to be allocated):*
  - (a) if the proposed development is the winner of an architectural design competition carried out in accordance with the City of Sydney Competitive Design Policy—the amount of heritage floor space may be reduced by up to 50% or 1,000 square metres, whichever is the lesser,*
  - (b) if the development includes any covered or partially covered pedestrian route through the site at street level and the consent authority is satisfied that the pedestrian route*

*provides a vital and publicly accessible link between 2 streets—the amount of heritage floor space may be reduced by up to 50% or 250 square metres, whichever is the lesser.*

*(c) (Repealed)*

- (3) In the case of development that is an alteration or addition to an existing building, the amount of heritage floor space required to be allocated to the site of the building under subclause (1) is to be no more than the difference between:*
- (a) the amount of heritage floor space that would be required to be allocated to the site if the building (as altered or added to) were to be constructed as a new building, and*
  - (b) the amount of heritage floor space that would be required to be allocated to the site if the building (without the alteration or addition) were to be constructed as a new building.*
- (4) No heritage floor space is required to be allocated in the case of development that is an alteration or addition to an existing building if the development does not increase the gross floor area of the building by more than 100 square metres.*

**6.11A Temporary alternative heritage arrangements in relation to allocation of heritage floor space**

- (1) This clause applies to development in respect of a building on a site in Central Sydney that utilises additional floor space referred to in clause 6.11 and for which development consent cannot be granted unless heritage floor space will be allocated to the site in accordance with that clause.*
- (2) If the consent authority is satisfied that the requisite amount of heritage floor space cannot be acquired for allocation to the site on reasonable terms and within a reasonable period, the consent authority may dispense with the requirement for the allocation of heritage floor space, or may reduce the amount of heritage floor space required to be allocated, if:*
- (a) the consent authority has adopted and published a policy that makes alternative heritage arrangements to the allocation of heritage floor space for the purposes of this Subdivision, and*
  - (b) the consent authority is satisfied that the relevant alternative heritage arrangements have been made in relation to the development (because of a condition of consent or otherwise).*
- (3) The objective of the policy adopted by the consent authority is the conservation and on-going maintenance of heritage buildings within Central Sydney. The alternative heritage arrangements made by the policy may include the following:*
- (a) the carrying out of (or the provision of financial or other assistance for the carrying out of) conservation works on those heritage buildings,*
  - (b) the preparation of (or the provision of financial or other assistance for the preparation of) heritage conservation management plans for those heritage buildings.*
- (4) This clause applies only in relation to an application for development consent that is made before 1 January 2019.”*

## Davaar House

Davaar House is a local heritage place located on a site of 1842 m<sup>2</sup>. The site is within the South Terrace Policy Area of the City Living Zone. As the site has an area in excess of 1500 m<sup>2</sup>, development on the site is also subject to 'catalyst site' policy in the Development Plan. This policy has no numerical allowable building height or floor area controls, enabling a flexible approach to building height and floor area subject to considerations around the neighbouring context.

Davaar House was designated in the Development Plan as a local heritage place in 2011. Supporting the 2011 listing, the 2008 City Heritage Survey identified *'This place is of considerable heritage value primarily because of its associations with the Johnson family, Sir Jenkin Coles and the Totally and Permanently Disabled Soldiers' Association. It is also important as a surviving mansion overlooking the south parklands, underscoring the attraction for such a location by Adelaide's successful men. The heritage value remains, despite unsympathetic additions to the mansion.'*

The current Development Plan policy for Davaar House requires that part of the site with heritage fabric to retain the heritage elements, and thus, the air space immediately above the listed item is not able to be developed with floorspace. As the overall site of Davaar House is also a 'catalyst' site with a flexible approach to determining allowable building height, this enables the non-heritage part to be developed with significant floor space.

The attached table summarises the Development Plan policy applicable to Davaar House and how it has changed over time. The table also summarises the development that is built on site.

What can be drawn from this example is that policy changes have increased flexibility and enabled greater floorspace and height to be built on the site, this accompanying the 'heritage' component of Davaar House being retained.

Policy Attribute	1990	2004	2017	Built Development
<b>Development Plan</b>	The City of Adelaide Plan 1991 – 1996	24 June 2004	7 June 2018 This Development Plan was based on the 2012 amendments that introduced catalyst site policy	-
<b>Zone</b>	South Terrace East Precinct	Waverly Precinct	City Living Zone, South Terrace Policy Area	-
<b>Envisaged Land Uses Policy</b>	Existing non-residential can be replaced by other non-residential provided new uses do not lead to a loss of residential floor space	Mix of uses allowed provided new uses do not lead to a loss of residential floor space		Ground and 1 <sup>st</sup> level in Davaar House, and ground level of new 14 level building, non-residential. Upper level apartments
<b>Floor Area Policy</b>	Floor area determined via plot ratio policy (non-complying trigger). As plot ratio policy was 1.0, given site area, 1,842 m <sup>2</sup> allowed	Floor area determined via plot ratio policy As plot ratio policy was 1.5, given site area, 2763 m <sup>2</sup> allowed	Floor area determined based on context. As the site is over 1500 m <sup>2</sup> in area, no plot ratio applies.	Approximately 7,300 m <sup>2</sup> (estimate CoA staff 2018)



Policy Attribute	1990	2004	2017	Built Development
<b>Height Policy</b>	Three storeys allowed (non-complying trigger)	Three storeys allowed (non-complying trigger)	No numerical height limits apply.  As site greater than 1500 m <sup>2</sup> , height to be determined based on context (known as catalyst site policy).	14 storeys
<b>Heritage Policy</b>	Not listed	Not listed	Local Heritage Place	
<b>Site Coverage</b>	20% landscaped open space	20% landscaped open space	Landscaping envisaged, but no numerical standards set.	

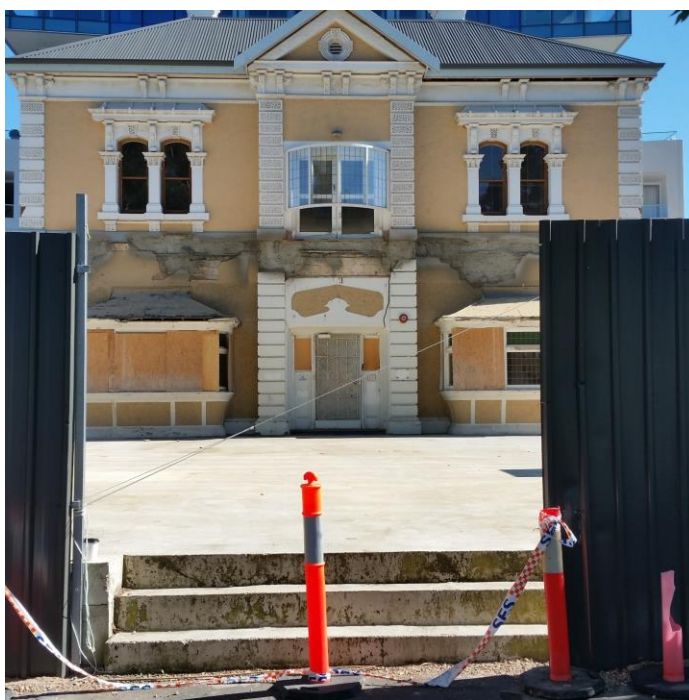
The development under construction has been subject to a number of variations since the original consent was granted. The image below is an artist's representation<sup>3</sup> of the original proposal.



<sup>3</sup> Anthony Donato Architects, <http://www.anthonynonatoarchitects.com.au/portfolio/august-towers/>

Council's observations on the outcomes are:

- The statutory planning system (noting that this DA was considered, assessed and approved by DAC and SCAP) does not require heritage advice to be sought as part of the assessment process for a development impacting a local heritage place. From records to which Council has access, there is no evidence that new heritage advice has been obtained for each variation submitted.
- The consent granted does not require the conservation works to the heritage place to be completed prior to the construction of the new building. As it stands, the proponent has 3 years to complete the works before any action can be taken to require completion of the development.
- There is no legislative requirement that prohibits the occupation of the new building prior to completing the works to the local heritage place. This an opportunity for the development to be partially completed and sold off leaving an incomplete and dilapidated local heritage item. The photos below show the current status of the works on the land.



- The front fence of this heritage item was to be retained as part of conservation works. During construction the front fence was removed without approval.
- The original ground level in front and to the sides of the heritage place has been raised by approx. 480mm for the construction of the basement carpark. This means that it is impossible to reinstate front fence or elevated front verandah in their previous form. Given the concrete slab over the entire front garden, it is unlikely that any landscaping can be established to the front of the house as per the original scheme.
- There are some parts of the new building that appear to be inconsistent with the approvals granted and there is a large scope of work associated with the heritage place that remains incomplete.
- As permitted by legislation, this development has had planning consent decisions granted by the DAC/SCAP and/or its delegates; building consent decisions granted by a private certifier and Development Approval decisions issued by Council. The extent to which having the consent varied multiple times with different authorities who are responsible for different, but overlapping, parts of the approval in the process creates a complex administrative scenario has led to the outcome on this site is worthy of further exploration – this arrangement not being an unusual circumstance for large projects within the City of Adelaide.
- Under current legislation it is responsibility of Council to address compliance matters. With Council not involved in the planning or building consent assessment processes, it is questioned whether this arrangement should be reviewed.



## **APPENDIX 1 – CITY OF SYDNEY – HERITAGE FLOOR SPACE UPDATE – JUNE 2018**

As attached.

# Heritage Floor Space Update

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000

June 2018



Sydney2030/Green/Global/Connected  
*city of villages*

CITY OF SYDNEY  



## HFS awards, sales and development news

### Introduction

This issue of the Heritage Floor Space Update reports on recent awards and sales of Heritage Floor Space (HFS). It also provides information on development applications which have been approved for the award of HFS or require the purchase of HFS.

The award and allocation of HFS 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 is registered, the HFS can be sold and transferred to a development that is required to purchase HFS to achieve the floor space proposed in the approved development application. HFS may only be awarded to heritage buildings in the B8 Metropolitan Centre Zone. Its allocation is restricted to sites in Central Sydney where the proposed development exceeds a specified building height and floor space ratio.

The City of Sydney's planning controls and requirements in respect to HFS are set out in Sydney Local Environmental Plan 2012 (in particular Clauses 6.10, 6.11 and 6.11A) and Sydney Development Control Plan 2012 – Section 5.1.9.

### Recent HFS Activity

In the 12 months to 30 June 2018:

- **no development consents for the award of Heritage Floor Space** were approved.
- there were **two awards of Heritage Floor Space registered**, for 69-75 King Street and 158-160 Pitt Street, Sydney.
- there were **four sales of Heritage Floor Space**.
- the **average sales price of Heritage Floor Space was \$1,378 per square metre**.

### Contacting owners of Heritage Floor Space

Please note that the onus is on applicants to pursue owners of HFS in respect to any potential transfer. To facilitate this, the HFS Update includes the contact details of owners of HFS who have authorised the City to publish those details.

Any other owner of HFS who wishes to have their contact details published is invited to contact the City's Strategic Planning and Urban Design Unit to obtain the form to be completed before the City can make those details public.

The details of HFS ownership in this HFS Update are as at the end of the relevant quarter of the year. Applicants should contact the City's Strategic Planning and Urban Design Unit to confirm the amount of registered Heritage Floor Space outstanding and available for sale before any potential transfer.

### Contacting City of Sydney

For all enquiries relating to the City's Heritage Floor Space Register and to obtain relevant forms, please contact Peter Blow, Strategic Planning and Urban Design Unit on ph: 9265 9619 or [pblow@cityofsydney.nsw.gov.au](mailto:pblow@cityofsydney.nsw.gov.au)

## Outstanding Heritage Floor Space

There is a **total stock of 41,754 sq.m of HFS** remaining from awards and allocations. The owners of this HFS may sell their HFS. Please contact the owners direct to enquire about the purchase of HFS.

### Remaining HFS from Awards

	Address	Owner	Contact	HFS available (m <sup>2</sup> )
Retail Terrace	77-79 York Street, Sydney	Linkbond (Asia) Ltd		1,379
	104 King Street, Sydney	Hillridge Investments	Ron Wakil 02 9290 9839	462
Company Building	152-156 Clarence Street, Sydney	Clarence Street Properties P/L		511
Qantas House	68-96 Hunter Street, Sydney	DEXUS Funds Management Ltd		359
	341 George Street, Sydney	NGI Investments P/L	Graeme Walker 8084 3374	4,666
Railway House	19-31 York Street, Sydney	Memocorp Australia P/L	Mr Jae Kang 02 9279 1211	4,423
Carla Zampatti Building	435A-437 Kent Street, Sydney	Carla Zampatti (NSW) P/L		4,145
Commerce Building	345B Sussex Street, Sydney	Commerce Building P/L		3,306
Former Andrews Bros. Warehouse	306 Kent Street, Sydney 40 King Street, Sydney	Torallo (NSW) P/L	Ben Snelling 02 9226 9700	1,188
Washington H. Soul Pattinson	158-160 Pitt Street, Sydney	Washington H. Soul Pattinson & Co. Ltd		2,175
			<b>HFS remaining from awards</b>	<b>22,614</b>

### Remaining HFS from Allocations

Address	Owner	Contact	HFS available (m <sup>2</sup> )
533 Kent Street, Sydney	CW Crawley		30
10 Spring Street, Sydney	Deka Immobilien Investment GmbH		13
511-513 Kent Street, Sydney	Toga Development		224
60-62 Castlereagh Street, Sydney	Hooker Projects P/L		988
60 Castlereagh Street, Sydney	Perpetual Nominees Ltd		2
2 Park Street, Sydney	Trust Company		0.5
339-347 Kent Street, Sydney	MML Properties P/L & Athelas Ltd		25
16-20 Hunter Street, Sydney	Leda Holdings P/L	Robert Eil 02 8226 4400	35
8 Spring Street, Sydney	J.P. Morgan Trust		2
37-51 Martin Place, Sydney	Colonial Portfolio Services Ltd		943
	Stockland Property Mgmt Ltd		1,022
16-32 Bridge Street, Sydney	National Australia Trustees Ltd		2
790-798 George Street, Sydney	Bowmont P/L	D. Low 02 9212 4599	1,174
77-79 Liverpool Street, Sydney	Mehmet Cihan	0421 323 579	1,295
122-122B Pitt Street, Sydney	122 Pitt Street Sydney Ltd		678
	Ashington Management P/L		13
Undetermined	CF Building Services P/L	Jeff Taitz or Robyn Shnier 02 9233 4477	1,511.5
18-32 Jamison Street, Sydney	Commonwealth Custodial Services P/L		1
Undetermined	IOF Custodian P/L		691
Undetermined	Anson Developments (Australia) P/L	Mr Wei Min Hu 02 8296 8711	142

Address	Owner	Contact	HFS available (m <sup>2</sup> )
Undetermined	IOF Custodian P/L		1,359.5
184-190 Pitt Street, Sydney 168-174 Pitt Street, Sydney 77-83A Castlereagh Street, Sydney 97-99 Castlereagh Street, Sydney	Westfield Management Ltd		10
14-24 College Street, Sydney	Venus No.8 P/L		7
367-373A George Street, Sydney	Kingvest P/L		44
367-373A George Street, Sydney	Kingvest P/L		102
416-418 George Street, Sydney	Fortius Funds Management P/L		39.5
416-418 George Street, Sydney	Fortius Funds Management P/L		68.5
416-418 George Street, Sydney	Fortius Funds Management P/L		37
108-120 Pitt Street, Sydney	Dexus CPA P/L and Cbus Property 5 Martin Place P/L		242
161 Clarence Street, Sydney 161-163 Clarence Street, Sydney 304 Kent Street, Sydney	Crown Central P/L		1,282
161 Clarence Street, Sydney 161-163 Clarence Street, Sydney	Multiplex (Clarence Street) P/L		310
161 Clarence Street, Sydney 161-163 Clarence Street, Sydney	Multiplex (Clarence Street) P/L		505
580 George Street, Sydney	GPT Funds Management 2 P/L		14
135 King Street, Sydney	Perpetual Trustee Company Ltd		47
Undetermined	AMP Capital Investments Ltd		2,211.5
Undetermined	AMP Capital Investments Ltd		3,562.6
391-395 Pitt Street, Sydney	Schwartz Family Co. P/L		1
302 Pitt Street, Sydney	NFF Pitt P/L as trustee for the NFF Pitt Street Trust	Jonty Rzechta 03 9519 7800	50
302 Pitt Street, Sydney	NFF Pitt P/L as trustee for the NFF Pitt Street Trust	Jonty Rzechta 03 9519 7800	85
302 Pitt Street, Sydney	NFF Pitt P/L as trustee for the NFF Pitt Street Trust	Jonty Rzechta 03 9519 7800	185
302 Pitt Street, Sydney	NFF Pitt P/L as trustee for the NFF Pitt Street Trust	Jonty Rzechta 03 9519 7800	68
478 George Street, Sydney	The Greater Union Organisation P/L		5
400 George Street, Sydney	400 George Street P/L		81
Undetermined	Vaneri P/L	Dexus Wholesale Property Ltd	31
		<b>HFS remaining from allocations</b>	<b>19,139.6</b>

## Award of Heritage Floor Space since 1 July 2011

Building name	Address	Vendor	Date award approved	HFS award (m <sup>2</sup> )
	11-23 Rawson Place, Haymarket	YHA Ltd	07/11/2011	1,970
The Commerce Building	345B Sussex Street, Sydney	Commerce Building P/L	28/03/2012	3,306
	95 Bathurst Street, Sydney	Minh Hai and Chi Thuyen Ta	09/05/2012	910
John Sands Building	60-62 Clarence Street, Sydney	Levanai Nominees P/L	02/06/2010	734
	153-159 Clarence Street, Sydney	153 Clarence Street P/L	28/04/2015	3,562.6
	306 Kent Street, Sydney 40 King Street, Sydney	Torallo (NSW) P/L	27/08/2015	1,188
Commonwealth Bank Building	11 Barrack Street, Sydney	Gwynvill Properties P/L	09/11/2016	2,415
	69-75 King Street, Sydney	The Owners Strata Plan No.36666	17/10/2017	750
Washington H. Soul Pattinson	158-160 Pitt Street, Sydney	Washington H. Soul Pattinson & Co. Ltd	10/07/2018	2,175

## Registered Allocation of Heritage Floor Space since 1 July 2011

Address	Vendor	Purchaser	\$/m2 (excl GST)	Date of transfer	HFS transferred (m <sup>2</sup> )
219-227 Elizabeth Street, Sydney	DW & Co P/L	The Trust Company Ltd as custodian for Valad Commercial Mgt. Ltd as Trustee for the 227 Elizabeth Street Trust	\$682	08/07/2011	27
148 Goulburn Street, Sydney	Cyprus Hellene Club Ltd	Ti Amo Strategies P/L and Cavafall P/L	\$361	09/08/2011	59
188-208 George Street, Sydney	Cyprus Hellene Club Ltd	Mirvac George Street P/L (as trustee for the George Street Trust)	\$360	11/07/2011	1,064
188 Pitt Street, Sydney	Cyprus Hellene Club Ltd	Westfield Management Ltd	\$350	26/10/2011	750
58-68 King Street, Sydney	Cyprus Hellene Club Ltd	CBD One P/L	\$380	10/11/2011	34
52-56 Martin Place, Sydney	Kamirice P/L	The Trust Company Ltd	\$450	15/02/2012	118
232-236 Pitt Street, Sydney; 238-242 Pitt Street, Sydney; 244-248 Pitt Street, Sydney; 161-163 Castlereagh Street, Sydney; 165-167 Castlereagh Street, Sydney	CF Building Services P/L	GPT Funds Management Ltd and The Trust Company (RE Services) Ltd	\$375	04/04/2012	1,218
61-79 Quay Street, Haymarket	YHA Ltd	The Quay Haymarket P/L	\$380	10/09/2012	1,359
416-418 George Street, Sydney	CF Building Services P/L	Fortius Funds Management P/L	\$475	12/09/2012	39.5
416-418 George Street, Sydney	Castle Partners P/L	Fortius Funds Management P/L	\$475	12/09/2012	68.5
416-418 George Street, Sydney	Cyprus Hellene Club P/L	Fortius Funds Management P/L	\$475	12/09/2012	37
188-208 George Street, Sydney	Castle Partners P/L	Mirvac George Street P/L	\$370	19/09/2012	1,000
108-120 Pitt Street, Sydney	NSPT P/L	CFS Managed Property Ltd and Cbus Property 5 Martin Place P/L	\$324	01/03/2013	85
108-120 Pitt Street, Sydney	Ozton P/L	CFS Managed Property Ltd and Cbus Property 5 Martin Place P/L	\$324	01/03/2013	2,378
108-120 Pitt Street, Sydney	Valad Funds Management Ltd	CFS Managed Property Ltd and Cbus Property 5 Martin Place P/L	\$323	05/04/2013	3,583

Address	Vendor	Purchaser	\$/m2 (excl GST)	Date of transfer	HFS transferred (m²)
108-120 Pitt Street, Sydney	Valad Funds Management Ltd	CFS Managed Property Ltd and Cbus Property 5 Martin Place P/L	\$323	05/04/2013	304
18-30A Martin Place, Sydney	Kamirice P/L	Horizon MP Management P/L as Trustee for Pembroke MP Unit Trust	\$380	07/06/2013	992
331 & 333-339 George Street, Sydney	Kamirice P/L	The Trust Company (Australia) Ltd	\$380	14/03/2014	4,025
161 & 161-163 Clarence Street, Sydney 304 Kent Street, Sydney	Levanai Nominees P/L	Crown Central P/L	\$350	18/03/2014	734
169-183 Liverpool Street, Sydney	City of Sydney / IPOH	Sicard P/L	\$382	28/05/2014	1,597.5
161 & 161-163 Clarence Street, Sydney 304 Kent Street, Sydney	CF Building Services P/L	Crown Central P/L	\$390	06/05/2014	1,532
161 & 161-163 Clarence Street, Sydney 304 Kent Street, Sydney	Valad Funds Management Ltd	Crown Central P/L	\$350	24/06/2014	684
115-119 Bathurst Street, Sydney	Kusu Investments P/L	Greenland (Sydney) Bathurst Street, Development P/L	\$485	27/06/2014	3,740
115-119 Bathurst Street, Sydney	Kamirice P/L	Greenland (Sydney) Bathurst Street, Development P/L	\$380	02/07/2014	410
83-85 Clarence Street, Sydney	YHA Ltd	SAS Trustee Corporation	\$350	04/07/2014	611
15 Castlereagh Street, Sydney	CF Building Services P/L	Castlereagh Investments P/L	\$390	19/09/2014	156
580 George Street, Sydney	CF Building Services P/L	GPT Funds Management 2 P/L	\$500	30/07/2014	300
168-190 Day Street, Sydney	Hardie Holdings P/L	Loflex P/L	\$400	31/07/2014	411
168-190 Day Street, Sydney	AJ Richardson Properties P/L	Loflex P/L	\$400	31/07/2014	149
11 Alberta Street, Sydney	Minh Hai Ta & Chi Thuyen Dong Ta	Alberta Devts P/L	\$500	22/09/2014	910
83-85 Clarence Street, Sydney	SAS Trustee Corporation	Farwell Investments P/L	\$400	27/10/2014	260
135 King Street, Sydney	Stockland Trust Management Ltd	Perpetual Trustee Company Ltd	\$600	09/03/2015	70
115-119 Bathurst Street, Sydney	Judith Langton	Greenland (Sydney) Bathurst Street, Development P/L	\$600	27/02/2015	588
115-119 Bathurst Street, Sydney	Susan Varga	Greenland (Sydney) Bathurst Street, Development P/L	\$600	27/02/2015	588
Undetermined	City of Sydney	AMP Capital Investments Ltd	\$500	28/04/2015	2,211.5
Undetermined	153 Clarence Street P/L	AMP Capital Investments Ltd	\$600	14/07/2015	3,562.6
302 Pitt Street, Sydney	Loftex P/L	NFF Pitt Street Ltd	\$495	29/07/2015	50
302 Pitt Street, Sydney	Alberta Development Ltd	NFF Pitt Street Ltd	\$500	13/08/2015	68
302 Pitt Street, Sydney	Red Breast P/L	NFF Pitt Street Ltd	\$450	21/08/2015	85
302 Pitt Street, Sydney	Farwell Investments P/L	NFF Pitt Street Ltd	\$800	24/08/2015	185
2 Chifley Square, Sydney	CF Building Services P/L	Reco Bathurst P/L	\$800	30/09/2015	17
Undetermined	Valad Commercial Management Ltd	IOF Custodian P/L as trustee of Clarence Street Sydney Trust	\$550	14/08/2015	1390
Undetermined	Valad Commercial Management Ltd	IOF Custodian P/L as trustee of Clarence Street Sydney Trust	\$550	14/08/2015	691



Address	Vendor	Purchaser	\$/m2 (excl GST)	Date of transfer	HFS transferred (m²)
478-480 George Street, Sydney 49-51 Market Street, Sydney	CF Building Services P/L	The Greater Union Organisation P/L	\$700	08/10/2015	90
1 Macquarie Place, Sydney	Henroth P/L	DEXUS Wholesale Property Ltd	\$1300	15/10/2015	1,080
Undetermined	Farwell Investments P/L	Investa Custodian P/L	\$500	21/10/2015	40
Undetermined	Farwell Investments P/L	Investa Custodian P/L	\$500	21/10/2015	2,490
2 Chifley Square, Sydney	CF Building Services P/L	Reco Bathurst P/L	\$800	28/10/2015	2
1-15 O'Connell Street, Sydney	Investa Custodian P/L	Harina Co Ltd and Lend Lease Real Estate Investments Ltd as responsible entity for Australian Prime Property Fund – Commercial	\$600	14/12/2015	130
6 O'Connell Street, Sydney	IOF Custodian as trustee of Clarence Street Sydney	IOF Custodian P/L as trustee of AJO Subtrust 3	\$1000	11/04/2016	11.5
391-395 Pitt Street, Sydney	Denwol P/L	Schwartz Family Co. P/L	\$2000	11/05/2016	9
50 Bridge Street, Sydney 33 Alfred Street, Sydney 5-17 Young Street, Sydney 2-20 Loftus Street, Sydney	Henroth P/L	AMP Capital Investors Ltd as trustee for Quay Quarter Trust No.1	\$1000	17/06/2016	6
50 Bridge Street, Sydney 33 Alfred Street, Sydney 5-17 Young Street, Sydney 2-20 Loftus Street, Sydney	Henroth P/L	AMP Capital Investors Ltd as trustee for Quay Quarter Trust No.1	\$1000	17/06/2016	2,140
6 O'Connell Street, Sydney	IOF Custodian P/L in its capacity as trustee for the Clarence Street Sydney Trust	IOF Custodian P/L in its capacity as trustee for the AJO Subtrust 3	\$800	18/11/2016	19
58-60 Martin Place, Sydney	ICPL P/L	Investa Nominees (2) P/L	\$750	07/12/2016	2,360
58-60 Martin Place, Sydney	ICPL P/L	Investa Nominees (2) P/L	\$750	07/12/2016	40
58-60 Martin Place, Sydney	Gwynvill Properties P/L	Investa Nominees (2) P/L	\$750	07/12/2016	2,415
58-60 Martin Place, Sydney	Farwell Investments P/L	Investa Nominees (2) P/L	\$750	07/12/2016	75
201-217 Kent Street, Sydney	Investa Nominees (2) P/L	Maritime Nominees P/L	\$1495	31/01/2017	5
Undetermined	Minister for Emergency Services (NSW Fire Brigades) on behalf of Her Majesty Queen Elizabeth II	Karimbla Properties (No.40) P/L	\$1,370	21/12/2016	3,500
400 George Street, Sydney	Farwell Investments P/L	400 George Street P/L	\$500	05/04/2017	105
55 Market Street, Sydney	400 George Street P/L	Leader Autainvest II P/L	\$1,200	28/04/2017	14
58-60 Martin Place, Sydney	400 George Street P/L	Investa Nominees (2) P/L	\$1,200	28/04/2017	10
Undetermined	Vaneri P/L	Dexus Wholesale Property Ltd	\$650	30/10/2015	31
1 Alfred Street, Sydney	Minister for Emergency Services (NSW Fire Brigadier) on behalf of Her Majesty Queen Elizabeth II	Wanda One (Sydney) P/L	\$1,365	22/12/2016	5,041
210-214 George Street, Sydney	The Owners Strata Plan No.36666	Wynyard 048 Service P/L ATF Wynyard 048 Trust	\$1,503	05/03/2018	750

Address	Vendor	Purchaser	\$/m2 (excl GST)	Date of transfer	HFS transferred (m²)
210-214 George Street, Sydney	Karimbla Properties (No.40) P/L	Wynyard 048 Service P/L ATF Wynyard 048 Trust	\$1,370	05/06/2018	344

#### HFS requirement secured through the Alternative Heritage Floor Space Allocation Scheme

Address	Applicant	Date of execution of VPA	HFS (m²)
38-44 York Street, Sydney	Fife Capital P/L	10/08/2016	3,390.00

#### HFS requirement deferred through the Alternative Heritage Floor Space Allocation Scheme

Address	Applicant	Date of execution of VPA	HFS (m²)
115-119 Bathurst Street, Sydney	Greenland (Sydney) Bathurst Street Development P/L	31/01/2017	11,392.00
137-151 Clarence Street, Sydney	Mr S. Chiu	13/02/2017	851.00
130-134 Elizabeth Street, Sydney	Cbus Property 130 Elizabeth Street P/L	18/11/2016	3,428.00
58-60 Martin Place, Sydney	Investa Nominees P/L	14/08/2017	3,687.00
50 Bridge St, Sydney	AMP Capital Investors Ltd	12/04/2018	8,547.00
280-288 George Street, Sydney	Planning Lab	07/11/2017	1,549.00
286-296 Sussex Street, Sydney	Ausbao (286 Sussex Street) P/L	13/02/2018	2,572.00
271-275 Kent Street, Sydney	Mirvac Property P/L	07/06/2018	1,190.44
			<b>33,216.44</b>

## Summary of Heritage Floor Space Market as at 30 June 2018

### Proposed Heritage Floor Space

HFS award DA approved, conservation works outstanding, covenants not registered, fees outstanding	
Number of DAs lodged (since last update)	0
Total number of DAs approved for the award of HFS (not registered) since 2000	5
Total HFS approved* (not registered)	13,455

\* includes recent amendments to DAs

### Heritage Floor Space awarded

HFS awarded and registered, conservation works completed, covenants registered, fees paid, stamp duty paid	
Number of registered awards*	81
Total HFS awarded	316,495
Total HFS outstanding	41,754

\* - number of awards includes awards from previous Transferable Floor Space 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	
Number of applications outstanding	33
Total HFS required to be purchased*	60,932
HFS deferred through the Alternative Heritage Floor Space Scheme	33,216.44

\* - this figure excludes Stage 1 DAs which will require the purchase of HFS  
 - excludes DAs approved before 2000 and not taken up in whole or part

## Heritage Floor Space 2004 – 2018

### Average HFS Sales recorded each calendar year

Year	No. of transactions	Total (m <sup>2</sup> )	Average price per m <sup>2</sup>
2018	2	1,094	\$1,461
2017	6	5,206	\$1,343
2016	10	10,575.5	\$1,007
2015	18	13,338.1	\$615
2014	14	15,519.5	\$413
2013	5	7,342	\$331
2012	7	3,840	\$382
2011	9	8,038.5	\$359
2010	12	11,906	\$379
2009	3	1,180	\$351
2008	15	29,457	\$427
2007	17	15,112	\$398
2006	13	21,517	\$464
2005	11	9,172	\$423
2004	8	3,214	\$531

The number of transactions and amount of HFS transferred includes non-monetary transactions (eg intercompany transfers) and the combined sale of a heritage building and the HFS awarded to it.

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