Urban design in central Sydney 1945–2002: Laissez-Faire and discretionary traditions in the accidental city

John Punter

School of City and Regional Planning, Cardiff University, Cardiff CF10 3WA, UK

Abstract

This paper explores the laissez faire and discretionary traditions adopted for development control in Central Sydney over the last half century. It focuses upon the design dimension of control, and the transition from a largely design agnostic system up until 1988, to the serious pursuit of design excellence by 2000. Six eras of design/development control are identified, consistent with particular market conditions of boom and bust, and with particular political regimes at State and City levels. The constant tensions between State Government and City Council, and the interventions of state advisory committees and development agencies, Tribunals and Courts are explored as the pursuit of design quality moved from being a perceived barrier to economic growth to a pre-requisite for global competitiveness in the pursuit of international investment and tourism. These tensions have given rise to the description of Central Sydney as ‘the Accidental City’. By contrast, the objective of current policy is to consistently achieve ‘the well-mannered and iconic’ in architecture and urban design.

Beginning with the regulation of building height by the State in 1912, the Council’s development approval powers have been severely curtailed by State committees and development agencies, by two suspensions of the Council, and more recently (1989) by the establishment of a joint State-Council committee to assess major development applications. The creation of a ‘negotiation syndrome’ in control is explained along with the ‘forum shopping’ by developers as they sought to maximise their floor space allowances, and pursue the floor space bonuses introduced in 1971. The city vacillated between administrative and discretionary control systems, but the latter consistently prevailed, even through to the present.

The resultant patterns of development have done much to destroy the City’s fine 19th Century architectural heritage and the quality of its public realm, and are a denial of the city’s spectacular setting. Ironically it was the State Government that first recognised the need for better quality design in the Darling Harbour redevelopment and other Bicentenary projects, and who first established design principles that could operate city wide in the 1988 Strategy. But the joint State-City planning committee found it difficult to develop the necessary statutory plan to create an effective planning framework until 1993, though its scrutiny of major applications improved significantly.
From 1991 onwards a new Independent Mayor, working under significant State imposed constraints, drove the pre 2000 Olympics planning agenda, placing an increasing emphasis on urban design. Major policy developments in a revised Statutory Local Environment Plan, backed by Heritage and Development Control (guidance) plans, set a more design informed agenda. Visions of the ‘Living City’ were driven by over-generous residential and hotel bonuses that undermined design quality but revitalised city life. An ‘Accessible City’ vision was driven forward by a major capital programme of civic space and street improvements. The final piece of the jigsaw was the Mayor’s invention of a design excellence process that introduces design competitions into all major development projects, and seems to be consistently improving design quality in the City.

Questions are raised as to whether this policy transformation is evidence of a ‘design fetish’ perceived to be characteristic of neo-liberal planning regimes in Australia and Anglo America. A more generous interpretation of recent events is presented, and a positive assessment made of the recent achievements. Even if Sydney’s design review system, when tested against internationally derived criteria, is found wanting in many areas, there has been progress away from the ‘Accidental City’ to a much more sophisticated approach to design in a city whose setting, and new economy, demands it.

© 2004 Elsevier Ltd. All rights reserved.
CHAPTER 1

Introduction

In the story of the so-called Rum Rebellion it is always Bligh who is the bad guy, and while we would never want another Captain Bligh we might at least allow that there is no one else in our history who had the balls to stand up against the opportunism and cronyism of the Rum Corps or those spiritual descendants who the libel laws forbid us to name.

The modern CBD is their living monument, a tribute to an élite which places very little value on the public good.

If there were not that opera house and that harbour just down the road you might accept that you were somewhere provincial and uninspired, but Sydney is not uninspired and on the edges of the CBD, on the rocks at Bennelong Point, you get some glimpse not only of what we were, but what we might yet become. (Carey, 2000: 116–117)

1.1. Sydney’s image

Sydney, Australia, is generally regarded as one of the world’s most attractive and liveable cities. Much of this is attributed to its setting on one of the world’s finest and largest natural harbours, but Metropolitan Sydney also has 20 km of Pacific beaches, and its urban sprawl terminates north, south and west in a series of national parks that have preserved much natural bush, and unspoiled coast and mountains (Fig. 1). Its generally temperate climate, especially its warm sunny winters, contribute to its appeal and help make it an especially sought-after destination for tourists and multinational corporations looking for Australasian or Asian-Pacific regional offices. While it repeatedly won the World’s Best City tourist award in the 1990s, it has also come close to the top of world rankings for its quality of life (for multinational expatriate workers: the Mercer index) based on its safety, public services, cost of living, lack of pollution, and environmental quality (see CoS, 1999: 24–25).

The City of Sydney proper is a tiny part of the metropolitan area (0.4%), and increasingly off-centre as the suburbs continue to spread westwards. At the beginning of the 1990s it had less than one per cent of the metropolitan population of three million. Since 1988 the City’s boundaries have embraced only the Central Business District (CBD), its mature parklands to the east, and the Pyrmont peninsula to the west, a total land area of only 6.18 km². But that small area contains seven of Australia’s top ten tourist attractions and its three greatest urban icons—the Sydney Harbour Bridge (1932), the Sydney Opera House (1973) and the CBD skyline, all grouped around Sydney Cove, the heart of the harbour. These icons have featured in three of the world’s great spectacles of the last 5 years—the Australian 1998 Bicentennial, the closing of the 2000 Olympics, and the 2000/1 Millennium celebrations—reinforcing Sydney’s appeal as a global destination.
Fig. 1. Central Sydney: changing boundaries and jurisdictions 1948–2003. The new 2004 boundaries return the city to something approximating the 1948 boundaries (Source: Cos, 2000; Ashton, 1993). The larger map identifies planning jurisdictions still operated by the State government.
Behind Sydney Cove and beneath the city skyline lurks a very different Sydney that comes as a massive disappointment to tourists and urbanists alike. The city’s biographers and critical travel writers warn the unsuspecting tourist that away from the glamour of the harbour, and the splendour of its downtown parks, there is a city that is overbuilt, dark, and heavily trafficked, where speculative developers have built generations of mediocre, progressively taller office and now residential buildings. These have obliterated much of the city’s superb Georgian and Victorian architectural heritage, and blocked many of the city’s great public vistas and prospects. Peter Carey warns of a ‘vulgar, crooked convict town’ (Carey, 2001: 117) while John Birmingham (1999: 235–6) rails against the aesthetically worthless rent slabs for stacking human capital…a series of profoundly antihuman, brutal and vaguely Orwellian schemes such as the Masonic Centre (of course,) the knitted concrete face of the Hilton Hotel, and the giant brooding architectural bunker of Sydney Police Centre in Surry Hills.

Both hint at significant corruption in planning, property and police matters over the years (see Spearritt, 2000: 266).

Thus the essence of this paper is a paradox. Sydney has a reputation as a city with fine aesthetic and environmental qualities, and a consistent production of iconic buildings. Yet it is a city where design regulation has palpably failed. These design failings are often excused by the city’s dynamism and vitality, and the sharp but stimulating contrasts of building styles that have resulted, but the evidence of laissez-faire development and squandered civic design opportunities is everywhere for everyone to see. How could this have come to pass? How was it allowed to persist? And how real is the shift from a design agnostic to design committed city in the last decade?

1.2. Key research sources

These research questions were first encountered in three key texts. The first is a travel book, the novelist Peter Carey’s 30 Days in Sydney: a wildly distorted account, brilliantly conceived as a study in Sydney ‘mateship’ as he uses his old friends to tell a set of stories about the city’s character. He does not dwell on the city’s ‘curiously unloved opportunistic aesthetic’ (2001: 111), but he explains its historical roots and its modern persistence in a portrait of the city where city life and city landscape are inextricably intertwined. The second is Paul Ashton’s The Accidental City: Planning Sydney since 1788, a highly readable and well-illustrated account of the city’s chequered planning history. His title theme is Sydney as an accidental city, a city which emerged from a complex web of power relations without recourse to holistic planning…[a site of]…constant piecemeal redevelopment since the second half of the nineteenth century. (Ashton, 1993: 10)

He explores the constant tensions between State and City for control of what passes as planning in post-war Sydney and the nature of the city that emerges. The third key text is G.P. Webber’s remarkable edited volume on The Design of Sydney: Three Decades of Change in the City Centre which looks in detail, and from an insider’s perspective, at
planning and urban design between 1957 and 1987, with essays from nine planning and design professionals of the period.

On one level, all this research paper attempts to do is to re-evaluate and update Webber’s work, cross-relate planning and architectural evaluations of development outcomes, and provide a more distanced perspective on Sydney’s urban design history for an international academic and professional audience. But it goes further to pose a set of questions derived from studies of urban design and design review practices internationally in order to explore the complexities of the city’s public policies on urban design and, with the help of local architectural guides and histories, explain and evaluate its impacts.

1.3. Research method

The research relied upon four data-gathering exercises. In the first instance all the major secondary sources on the city’s planning and architectural histories were read. Much of the effort was directed at integrating the various accounts, discovering and rationalising discrepancies and differences of opinion. The second phase of the research was the pursuit of the city’s key planning documents, in particular its five Strategic Plans (1971–1988) and its numerous Local Environment, Development Control and Heritage Plans (1991–2002) and associated inquiry documents and consultants’ reports. The third phase of the research was a field survey, walking all of the streets of Central Sydney armed with architectural guides, architectural histories and the city’s excellent annual property gazettes (Sydney Cityscope) and property maps (Colliers). The fourth phase was the pursuit of primary data on Central Sydney Planning Committee (1989–2002) planning decisions through the Minutes and Agenda Reports. This was a cursory and very selective overview, but the reports are useful even if the minutes of meetings remain rather brief and anodyne.

The final phase consisted of a set of interviews with key State and City planners (6), consultants (2), architects (2), developers and development interests (3), residents’ groups (3), councillors (2) and the former Mayor in an attempt to get their views on both events and the critical features of planning practice. All of these researches were very compressed in 3 months in the middle of 2002, and subsequently written up using only those materials gathered over this period. So the research is more of the nature of a literature review than a fully researched design history, and it will be for others to pursue the detailed questions posed in more depth.

1.4. Research questions and themes

The principal research questions are derived from the literature on the evolution of urban design as public policy in Anglo-America. This embraces analyses of the consequences of the shift from the city as a site of production to one of consumption, from modernist to post modernist design principles, from concerns with architectural form to the qualities of the public realm. This literature also embraces studies of the processes of design review, their emergence and operation, and a set of now widely accepted principles for evaluating urban design régimes (Lai, 1988; Scheer and Preiser, 1994; Punter, 2002; see Table 5). But it will be evident, even in the discussion thus far, that Sydney is not being studied as a city with a highly sophisticated exemplary system, but rather as a city where
design regulation has been actively resisted, where laissez-faire principles have been upheld and celebrated, where planning and urban design have been accidental and inconsistent, and where the pursuit of the ‘well mannered and iconic’, to use the current Local Environment Plan’s (LEP’s) aspirations, have been, until recently, frequently aborted. It is a city where global economic aspirations and, specifically, the need for low occupancy costs for multi-national corporations and high returns for property investors, have driven planning responses, and where notions of design intervention have been resisted in the interests of maximising economic growth and property investment. What is especially interesting is that historically the State government has played a major role in resisting tighter design controls and a more demanding design régime, believing that it would undermine global economic competitiveness. However, its approach underwent a sharp change in approach in the second half of the 1980s, although this did not translate into everyday practices until 1996. This makes Sydney a particularly interesting case study in the context of what Christine Boyer describes as ‘the return of aesthetics to city planning’ (Boyer, 1988).

It is worth reminding ourselves that local government in Australia is very much a residual activity with the primary function of servicing and promoting local development. The States, by contrast, were established to be ‘first and foremost development authorities, leaving the Federal government to undertake those tasks the States found inconvenient or impossible’ (Roddewig, 1996: 40). So the States build the major highways and expressways, run the public transport system, police and fire protection, water and sewerage, and promote economic development. The State of New South Wales has taken a very direct interest in the planning and development of Metropolitan Sydney, and especially in the investment and redevelopment of the CBD, because it is the lynchpin of the global economy in Australia (Searle, 1996). For decades the State has emasculated planning and urban design in Sydney, but more recently it has contributed positively to its transition to a design-sensitive approach to planning. For its part the City has been very inventive in its adoption of competitive processes to deliver design, in the way it has circumvented bureaucratic design review and pacified architectural and development interests, and consistent in the way that it has minimised regulatory factors and maximised discretion in the hands of unelected experts.

Of special interest to students of international planning and urban design will be the attack on recent design preoccupations in Australian planning that has been launched almost before they have become embedded in current practice. Long’s (1998: 540) critique of the planning of Melbourne Docklands has a deep resonance in Sydney. The city of spectacle…footloose global capital…waterfront showpiece inhabited by the post-industrial bourgeoisie….Planning is about facilitating development, with a bit of urban design thrown in to keep things nice: ethics sacrificed to aesthetics in the global competition between cities.

So too does Gleeson and Low’s identification of the ‘design fetish’ in Australian planning which is seen as superficial, exclusive, reductive and reactionary, and prejudicing more important environmental, socio-economic and even cultural goals. They argue that
...much of the environmental and cultural reform rhetoric that was directed at planning by both governments and social movements during the 1980s has given way to a new vision of urbanism—the ‘productive city’—that derives from an increasingly unrestrained neo-liberalism. In this new vision, planning is reduced to ‘urban design’ which is necessary to international competitiveness. This simple nostrum resonates with a certain conventional wisdom: ‘nice places’ are needed to attract ‘nice (i.e. wealthy) people’. Good urban design (i.e. democratic, functional, aesthetically pleasing) is a vital element of urban governance, but it in no way substitutes for urban planning.... The recent trumpeting of design signals more than a simple resurgence of environmental determinism.... What is both novel and worrying about the policy rhetoric of such documents is the implied reduction of planning to a ‘politics of surfaces’... the reduction of substantive socio-economic, cultural and environmental programmatic objectives to nothing more than representations, images and ‘visions’. In a real sense, the triumph of the productive city signals...the triumph of government by the market (Self, 1993) (Gleeson and Low, 2000: 190–191)

The 1990s neo-liberal planning agenda in Sydney has other familiar, deregulatory impulses evident in reduced public sector staffing levels, an emphasis upon speed of control decisions rather than the value-added, a reduction in public participation at the expense of business leadership, low development levies and a minimal redistribution of the benefits of growth.

This design fetish is evident globally as central cities shift from sites of production to sites of consumption; in the shift from a debased modernism to collagist, eclectic, post modernist forms; in the multiple manifestations of the aestheticisation of city life and the commodification of architecture and urban space. In Sydney the transition in policy, and the transformation in the urban landscape, is especially recent, rapid and dramatic, and a clear expression of the State’s/City’s competitive entrepreneurialism and pursuit of global status as a site of international corporate investment and tourism. This transition invites close scrutiny because of the proliferation of both old and new icons set against a 1960s and 1970s legacy of the utmost mediocrity, in which curious shifts in the (always partial) adoption of Anglo-American planning practices failed to deliver adequate controls until these became politically imperative and achievable.

Then, finally, there are questions that have to be asked of all systems of design regulation (Lai, 1988; Scheer and Preiser, 1994; Punter, 2002). Is there a community vision that underpins the pursuit of design quality and how is it expressed both within and beyond planning circles? Are a wide range of actors and instruments harnessed to the goal of better design, are zoning and planning controls properly co-ordinated, and are the exclusionary effects of design regulation property addressed? Is design review predicated upon broad substantive design principles that embrace issues of amenity, accessibility, community, vitality and sustainability and is scope left for innovation and spontaneity? And are the processes of review transparent, constructive and skilled, and is administrative discretion appropriately managed? These are the questions that have preoccupied adherents and opponents of design regulation across Anglo-America, and they need to be asked in the Sydney context.
1.5. The structure of the paper

The paper is structured broadly chronologically. Chapter 2 briefly introduces the urban form of the Sydney CBD, before covering the period 1945–1966, the establishment of city planning, the State’s Height of Buildings Advisory Committee, and the first post-war commercial property boom. Chapter 3 covers the period 1967–1973, the second post-war property boom, embracing the abolition of the City Council, its re-establishment and the efforts of Civic Reform to establish a Strategic Plan. Chapter 4 covers the period 1973–1980, the implementation of the Strategic Plan through the new floorspace controls (FSR), and the attempts to develop an elaborate pedestrian network and significant heritage controls. Chapter 5 covers the period 1980–1988 with the re-establishment, and then the demise, of the Labor Party in City Hall, the disbanding of Council and the State-dominated rewriting of the City of Sydney Strategy, a period characterised by the shift from modern to post modern forms, and another increase in the scale of commercial development.

Chapter 6 covers the period 1989–1996 with the establishment of the State-City controlled Central Sydney Planning Committee (CSPC) and its operation to 1991, but then focuses exclusively on the efforts to establish (1993) and then refine (1996) a Statutory Local Environmental Plan (LEP) for the CBD. Chapter 7 also covers the period 1991–1996, but focuses on the new mayor’s planning vision, an ambitious public realm strategy, and a prolonged struggle between State and City for control of the decisions of the CSPC. Chapter 8 brings the study up to 2002, examining the decisions of the restructured CSPC, the amendments to the LEP, and the introduction of the Design Excellence initiative during a period of hectic activity in the residential and hotel markets. Chapter 9 concludes with reflections on the progress the City has made in establishing a planning régime that can routinely deliver design quality in development, utilising the aforementioned design criteria derived from critiques of Anglo-American design review.

The narrative covers little of the detail of individual buildings or specific design controversies. The plates cover the former, and some 18 boxed case studies cover the latter, taken out of the text because of their long chronology and inherent complexity. Appendix A contains a chronology of politics, planning, and construction events, and Appendix B contains a list of abbreviations used in the text.
CHAPTER 2

Post-war planning and the first post-war property boom 1947–1967

2.1. Introduction

In this section, the Central Business District (CBD) of Sydney is defined, and its urban form, character, and early planning history described. Then the transformation of the Sydney CBD is explored as the result of the city’s first post-war property boom. The evolution of new building types and their impact on the city’s landscape are discussed against the background of the failure of the City Council to get its statutory planning scheme approved by the State, and the State’s control of major development by virtue of the Heights of Buildings Advisory Committee, introduced in 1957.

2.2. The urban form of the Sydney CBD

Central Sydney, the City of Sydney CBD, is essentially the area defined in the City’s Local Environment and Development Control Plans between 1993 and 2002. As regards the City of Sydney as a whole (as constituted 1989–2003), it excludes only the Ultimo/Pyrmont peninsula to the west, a largely residential area slightly smaller than the CBD itself (Fig. 1). The CBD is only some 4 km north to south and 800 m at its widest. It is essentially a wedge-shaped peninsula protruding into Sydney Harbour, with extensive, beautiful parklands occupying most of its eastern margins. To the west more than half of the Darling Harbour waterfront retains active dock wharves, but to the south, and all around Cockle Bay, it has been redeveloped as a tourist haven since 1984.

At its widest the built-up area only accommodates ten quite narrow north-south streets, and there are a similar number of cross streets creating long narrow city blocks and an irregular grid. There is no street hierarchy and most streets are about 40 m wide measured from opposing property boundaries (Fig. 2). This width was generous when the prevailing built form was three-storey sandstone terraces, adequate when lined with five to eight-storey Victorian palazzos, claustrophobic when faced with 12-storey commercial buildings of 150 ft, but very dark and canyon-like when fronted with offices, hotels and apartments two, three or even five times that height. Fig. 3 shows the characteristic building heights of Sydney in 1988.

In sum, Central Sydney is a very constricted area with a complex pattern of blocks and property boundaries placing a premium on site amalgamation for redevelopment. It has a street plan that is hardly suitable for intense development beyond a floor space ratio (FSR) of about 6:1, though it has had to accommodate many buildings two and a half times that density. The intensity/density of the CBD is partly compensated by the immediacy of the Harbour and the parklands, and securing views to the same has driven development ever higher over the last 50 years (Plate 1).
Fig. 2. The streets and spaces of Central Sydney. (Source: CoS, 1988).
2.3. The foundations of planning in the City of Sydney

Ashton summarises pre-World War I planning in Sydney as follows:

Sydney’s City Council continued to do what it had been doing since 1906: widening and straightening streets, banishing blind alleys, importing trees into the inner city and planting annuals....A comprehensive survey and plan, however, was not forthcoming: Sydney’s Council lacked the political will. (Ashton, 1993: 54, 61)

The Council lacked many of the powers that suburban councils had been granted, had no subdivision controls until 1935, and did not even have a town planner until 1938 (and then only a single assistant). The City Council had passed a resolution in 1908 limiting building heights to 150 ft, but in 1912 the State government intervened to pass the Height of Buildings Act which allowed the Council to approve buildings only up to 100 ft in height, and gave the Minister the powers to approve taller structures. The Act set a limit of 150 ft on all buildings, putting in place a system of joint control that operates in a modified form

---

Plate 1. Air View of Sydney Cove, ca 1952. A view of Sydney Cove and the CBD with the recently completed AMP Tower next to the Customs House. The 1938 AWA Tower still dominates the skyline (middle top) and the Cahill Expressway (1956) runs above the Bondi railway. (Source: Spearritt & De Marco 1998).

Fig. 3 Prevailing building heights and the city’s tallest buildings. These drawings illustrate the progressive change of scale of Sydney’s tallest buildings, and the prevailing building heights which reflect different height regimes (Source: Ashton, 1993; CoS, 1988).
Table 1
Building heights, FSRs and Bonuses: 1908–2002

<table>
<thead>
<tr>
<th>Date</th>
<th>Authority</th>
<th>Height limit</th>
<th>FSR</th>
<th>Permits and bonuses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1908</td>
<td>Council resolution</td>
<td>150'</td>
<td></td>
<td>Council approves development</td>
</tr>
<tr>
<td>1912</td>
<td>State Act</td>
<td>150'</td>
<td>12–13:1 in effect</td>
<td>State approves all &gt; 100'; Council approves remainder: demarcation reduced to 80' in 1952</td>
</tr>
<tr>
<td>1952</td>
<td>City Council adopts planning scheme</td>
<td></td>
<td></td>
<td>Not gazetted by State</td>
</tr>
<tr>
<td>1957</td>
<td>Amended State Act</td>
<td>150' but State can increase</td>
<td>Effective limit 15:1; de facto 12:1</td>
<td>State Advisory Committee approves &gt;80'.Minister can raise 150' height limit</td>
</tr>
<tr>
<td>1958</td>
<td>City amend planning scheme</td>
<td></td>
<td></td>
<td>Adopted by City but not gazetted by State</td>
</tr>
<tr>
<td>1961</td>
<td>Council resolution</td>
<td></td>
<td>10:1/12:1</td>
<td>Setback controls re street width</td>
</tr>
<tr>
<td>1962</td>
<td>Court decision (MWB appeal)</td>
<td></td>
<td>10:1 equivalence 12:1 on corners</td>
<td>Limits HoBAC discretion</td>
</tr>
<tr>
<td>1964</td>
<td>City revises planning scheme</td>
<td></td>
<td>10:1/12:1 later reduced to 6.1</td>
<td>Bonuses for public benefits</td>
</tr>
<tr>
<td>1971</td>
<td>State gazettes planning scheme</td>
<td></td>
<td></td>
<td>Outdated city planning scheme remains statutory plan reducing Council control</td>
</tr>
<tr>
<td>1971</td>
<td>Council resolution adopts new strategic plan, parking policy and FSR code (and various precinct FSRs)</td>
<td>10:1/12:5 max with bonus in CBD: 6:1 across rest of area</td>
<td>Six forms of floor space bonus—pedestrian, parking, heritage (never a statutory plan)</td>
<td></td>
</tr>
<tr>
<td>1979</td>
<td>New state planning legislation</td>
<td></td>
<td>10:1/12.5:1</td>
<td>New statutory LEP and advisory DCP required</td>
</tr>
<tr>
<td>1988</td>
<td>State/city strategic plan</td>
<td></td>
<td>10:1/12.5:1</td>
<td>Non-statutory plan but political consensus: HoBAC abolished: heritage bonus only</td>
</tr>
<tr>
<td>1991</td>
<td>Draft LEP/DCP published</td>
<td></td>
<td>10:1/15:1 (5 precincts with FSRs 2:1–6:1)</td>
<td>2.5 Heritage, 2.5 public benefit</td>
</tr>
<tr>
<td>1993</td>
<td>Widely amended LEP gazzetted</td>
<td></td>
<td>10:1/12.5:1 with bonus precincts as before: sun access plane constraints</td>
<td>Bonuses only with HFS: 1:0 extra residential.</td>
</tr>
<tr>
<td>1994</td>
<td>LEP and DCP amendments</td>
<td></td>
<td>Max. 16.5:1 for residential and 12.5:1 for commercial</td>
<td>Bonuses require conformity to controls: extra 4:1 for residential, hotel and serviced apartments for Olympics</td>
</tr>
<tr>
<td>1996</td>
<td>LEP amended by CSPC</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(continued on next page)
today (Table 1). Any higher buildings had to take advice from the Superintendent of the Metropolitan Fire Brigade (Ashton, 1993: 42–44). While the rationale for this was often couched in terms of the capabilities of the fire brigade to fight fires in tall buildings, in reality it was an aesthetic concern, and an expression of deep anti-urban sentiments and concerns over public health and the light and air in buildings and on the streets (Farrelly, 1997: 15). There were debates about the merits and de-merits of ‘Manhattanisation’ even though Sydney only had one tall building under construction (and New York had 600) by 1912. These debates embraced the whole question of desirable future urban forms, and were resolved decisively in favour of more suburban forms of development and British planning practices, at least until 1957.

Certainly these controls ensured that until 1957 all building in Sydney’s CBD respected a general 10–15 storey limit (Table 1), creating a very uniform pattern of development, but one which had very few positive benefits for the cityscape, the public realm, or office working conditions (Fig. 3).

### 2.4. Post-war planning 1945–1956

The post-war period saw the State establish a Planning Act in 1945, but Sydney was slow to use it as was every other Council. A rudimentary zoning map had been prepared in 1938 and a land-use zoning scheme was prepared in 1947, mainly to prevent the infiltration of industry into residential areas. A Town Planning Branch was created in 1948 within the City Engineer/Surveyor’s Department, and A.H. Garnsey, the City Engineer, became the titular City Planning Officer. Garnsey’s last act in-post was to complete a planning scheme for the city that the Council adopted in 1952, but which did not become statutory until the State gazetted it in 1971! The Scheme reflected Garnsey’s beliefs in planning realism rather than idealism, and the pursuit of ‘order’ through piecemeal compromise and rudimentary zoning (Garnsey, 1947; Ashton, 1993: 73), beliefs that were to persist through to the present in Sydney.

The City had to work within the framework created by the 1951 Cumberland County Council Planning Scheme approved by the State Government. This identified the city centre’s role as the ‘County Centre’ but had no prescriptions for its redevelopment, design or servicing, concentrating instead on suburban development and green belt provision.

<table>
<thead>
<tr>
<th>Date</th>
<th>Authority</th>
<th>Height limit</th>
<th>FSR</th>
<th>Permits and bonuses</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>LEP, DCP and heritage plan amendments and</td>
<td>55 m. General; zonal</td>
<td>As of right FSR reduced to 8:1</td>
<td>4.5:1 Commercial and 6:1 residential bonuses if proposal conforms to design, height and heritage controls: greater CSPC discretion</td>
</tr>
<tr>
<td></td>
<td>consolidation</td>
<td>controls up to 236 m</td>
<td>(6 precincts with FSRs 2:1–5:1: lower bonuses here)</td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>LEP extended to Pyrmont</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The main features of the City’s new planning scheme were the five proposed expressways converging on the city centre, and their adjacent parking stations, and a new civic centre at the southern end of Hyde Park. It was the merest sketch of a plan, yet the opposition of property owners and business interests was intense. As one councillor expressed the prevailing mood:

the guiding principle should be, as far as possible, to leave an established city undisturbed...[and]...call in the engineers to give it the services it needs. (S.E. Watson 1953, quoted in Ashton, 1993: 74)

A key focus of the opposition was the proposals for FSR controls for the CBD, inspired by the 1947 British Advisory Handbook on the Redevelopment of Central Areas (MTCP, 1947). In 1952 these were set somewhere between 1.5:1 and 4:1, but such was the property owner outcry at the implied reduction in floor space entitlements that by 1954 they had been revised to 10:1 for the CBD, 8:1 for the retail core and 6:1 for the industrial edges of the central area. The protests continued. In 1952 the State Government tightened its grip on major development by reducing the height limit for new development to 80 ft, sparking repeated protests from the City about the ‘dual controls’ being operated. The protests went unheeded. The City mooted the idea of height and setback provisions for the densest areas (Farrelly, 1997: 180), and these were included in the 1958 Planning Scheme when it was finally approved by Council.

There was also extensive architectural opposition expressed to any controls, reinforced by Walter Gropius’s talk in Sydney in 1954. The Royal Australian Institute of Architects (RAIA) argued for the abolition of height limits, and the intensification of the CBD, but supported the use of FSRs as an incentive zoning system to ‘encourage the provision of car parking and open space at ground level in the city’ (Farrelly, 1997: 118), an important idea that eventually took root in the plan of 1971. As the anti-plan campaign gathered momentum the Mayor agreed to support a removal of height restrictions. The City Engineer remained concerned about the failures to endorse the plan’s FSRs which he saw as essential to prevent gross over-development, correctly prophesying demands for 15:1 FSR from development interests. A number of significant policy shifts ensued.

The State’s Chief Secretary established an expert committee to review the height limits and the means of control of major buildings. At the same time the building regulations were changed to permit lighter steel-framed and glass curtain-walled buildings. Meanwhile the abandonment of the 132 ft height controls and the introduction of a discretionary control system in Melbourne, and general press boosterism for tall buildings in Sydney, all set the seal on reforms. When the Height of Buildings Committee reported, the Premier welcomed their recommendations and State legislation followed.

2.5. The Heights of Buildings Amendment Act 1957: the removal of the 150 ft limit

The amendments to the Heights of Buildings Act, passed in April 1957, were largely unopposed. They gave new powers to the Minister to approve applications over 150 ft, at the discretion of a committee of experts, the Height of Buildings Advisory Committee (HoBAC) (Farrelly, 1997: 267–269: Table 1). The legislation defined 13 matters for
the Committee to consider, including building use, number of occupants, FSR, light and air, traffic, loading, parking, pedestrian movement, fire hazards, public safety, and appearance, but crucially gave no guidance on how to judge these matters. An ‘equivalence provision’ argued that the total floor space of the building should not accommodate more people than the number housed in a building erected to a height of 150 ft. It became a de facto FSR control (at about 12:1), but it provided a loophole for developers to argue that certain amounts of office floorspace were not used to house workers, allowing them to bid up their allowances, and turning a maximum allowance into a minimum entitlement as always happens with such controls.

Meanwhile the City was trying to get its plan, with its more modest FSRs of up to 10:1, accepted, while the new Act appeared to allow the construction of buildings with 15:1 FSR and threatened major congestion problems. But when Council finally adopted its planning scheme in 1958, it being forced on them by the onset of a development boom, they deleted their FSR controls despite the advocacy of distinguished international planners (Ashton, 1993: 80). In any event the Minister was in no hurry to receive or approve the plan, and his attitude and lack of co-operation did not seem to worry many politicians or professionals. Largely similar views of successive Ministers effectively emasculated City Council planning as a constructive activity, arguably until the late 1980s.

The introduction of HoBAC marked an entirely new era in development control.

HoBAC enjoyed almost unlimited discretion and an effective power of veto over all tall building approvals…HoBAC meetings were always held in camera, its minutes were entirely confidential, and there was no appeal against its decisions as ratified by the Minister. Further, because all members were appointed, the Committee bore no electoral accountability. (Farrelly, 1997: 277)

Nonetheless, HoBAC decisions caused very little controversy, perhaps because no one dared offend such a powerful and unaccountable body. HOABC processes were, in Farrelly’s words, “tortuous...byzantine and unpredictable”, as the AMP Building’s approval process was to show (see Case Study 2), and the Committee maximised its discretion by not developing any policy. Farrelly (1997: 277) notes:

HoBAC consistently rejected any applications to heighten existing buildings beyond 150 ft, even when to do so would have fallen within the confines of the Act, and approved tall, low-site coverage buildings, promoting or when necessary requiring site amalgamation/laneway absorption in order artificially to lower the development’s floor space index.

Building height was never an issue with the HoBAC: never discussed, never stipulated, and not a required item of information for development application (DA) lodgement. Floor space index was the priority variable, but for the first 4 years HoBAC’s operational decisions in this regard were conspicuously non-uniform, with approved maxima ranging from 15.5:1 to 10.7:1.

All these FSRs exceeded the City Council’s proposed limit which had risen to 10:1 maximum, and it was not until an appeal case in 1962 that some consistency of decision-making was forthcoming (Case Study 4).
The RAIA and other experts were very much in favour of ‘merit based’ decision making, confident that firm regulations would evolve as decisions accumulated. However, as Farrelly points out

The build-now-regulate-later principle crucially fails to acknowledge the fact that development pressure, reinforced by precedent, is strictly mono-directional (viz. upwards)...even one-off decisions become de facto policy decisions...in practice, it is virtually impossible to downzone (Farrelly, 1997: 248)

There was a naïve, modernistic faith in the notion of experts administering this maximum discretion, merit-based system, but as Farrelly (1997: 249) noted “expert qualifications do not guarantee immunity to political pressure”. The results were always going to be a dramatic change in the height and bulk of urban redevelopment, because this was what the architects, developers and insurance companies wanted.

2.6. The first post-war office buildings: the glass curtain-wall blocks

The first major post-war office buildings clustered around the shores of Sydney Cove and the northern streets of the CBD. The new commercial buildings of the 1950s adopted glass curtain-wall cladding hung on steel (initially in short supply) or concrete frames. Berger House, Anzac House, and the Sulman (Sydney’s most prestigious annual architectural prize) prize-winning Liner House (Plate 2a) were the earliest examples in the CBD. More characteristic were the much larger ‘mature curtain-wall’ buildings that began to appear on the east side of Circular Quay such as ICI and Unilever House (see Case Study 1), and their mid-1960s successors like Sun Alliance, NRMA House and the Flotta Lauro Building in Bridge and Pitt Streets (Turner, 2001: 63). Of particular significance was Qantas House (Plate 2b), a very refined corporate headquarters, which finally implemented half of the City Engineer’s 1938 proposal for a semi-circular Chifley Square, its elegant, curved green glass façade set within a sandstone frame, defining a new building line and obeying the 150 ft height limit (Jahn, 1997: 162).

2.7. The pursuit of a heavier aesthetic

Curtain-wall buildings reached their apotheosis in the late 1950s as the Sydney latitude relentlessly exposed their solar gain, particularly on the AMP Tower (see Case Study 2). Alternative responses in the shape of much higher solid to void relationships, more strongly textured cladding, and crucially more sun-screening began to emerge in the late 1950s. Jennifer Taylor suggests that clients were tiring of the glassy look and seeking something less flimsy and more solid, developing a much heavier aesthetic (Taylor, 2001: 15, 24–29). Examples include the Western Assurance Building and Kindersley House, both providing a more textured and structured façade, and the P&O building, its continuous vertical mullions emphasising the verticality of the 18-storey building. The Federal Reserve Bank on Martin Place used a podium and tower form and ‘decidedly Miesian’ elevations in granite, bronze and marble (Jahn, 1997: 167), while the IBM Building (1964) used its integral pre-cast concrete sun shades as a successful response to solar gain.
Plate 2. Key Commercial Buildings: 1957–1962. Four of the most elegant of the new office buildings built during the first property boom, including two Sulman prize winners, Liner House (a) on Bridge Street and Qantas House (b) on Chifley Square. Both respond carefully to the scale of the Victorian city, but Australia Square (c) and the Royal Exchange Building (d) took advantage of HoBAC’s deliberations to transform the scale of development and capture views of the Harbour and prime rentals.
Case study 1: East Circular Quay and Alfred Place 1956–1984 (Source: CoS Archives)

Redevelopment…marked the beginning of the “walling-in effect” when national and international capitalists vied with each other to dominate the gateway to Sydney. Today these once-revered “modernist” glass boxes are quaint reminders of a discredited and irrelevant style of architecture. (Spearritt and Martin in Maher, 1993: 12)
2.8. The pursuit of the slab and tower form

More important than the exploration of appropriate elevational treatment was the quest for new building forms, moving away from the limitations imposed by back-of-pavement alignments and the 150 ft height limit. The first scheme to test the height limit was Caltex House, a fine 16-storey slab block, De-Stijl-like in its elevations atop the cliff overlooking Darling Harbour (Taylor, 2001: 42), setting an unfortunate precedent for adjacent sites (Collings Power’s proposal for a 21-storey, 204 ft high block) and putting early pressure on HoBAC. Another key precedent, approved in principle by the Cabinet before HoBAC had reported, was the State’s own 230 ft tower at Hunter/Elizabeth Streets (Plate 3). But it was the AMP building that was the first genuine tower building to come before HoBAC (see Case Study 2). Its 2-year approval process tested the developers’ patience to the full, but the frustration of the process was not without its rewards as the FSR reached 18.7:1 and the proposed height reached 383 ft.
Case study 2: AMP Building, Circular Quay 1957–1962 (Source: Haskell, 1997)

The 383 ft high AMP Building at Circular Quay, deflowered the virgin purity of the skyline and the city’s familiar scale was shattered…there were dire forebodings of
the effect of the building’s vast shadow...there were aesthetic objections to placing the tallest building on the lowest point of the town instead of its high hills...but most of the protests were concerned with the violence being done to the scale of Sydney as it was... (Freeland, 1974: 299–300)

The AMP building was a deliberate attempt to subvert the 150 ft height limit. The ornate Farmers and Graziers wool store was demolished and plans lodged for an office building of ‘maximum possible height’. The architect, Graham Thorp of Peddle Thorp Walker, always favoured a tower around 300 ft in height as a ‘signature building’ on the Cove, and AMP directors lobbied the State premier to get permission, but it took nearly 2 years and over 40 meetings to finally get approval from HoBAC. An FSR of 15.5:1 was agreed, but the final FSR achieved was 18.7:1, a figure only exceeded by Australia Square (Case Study 3).

In many respects the AMP Tower was a very refined building, with its gently concave floor plans, a slightly recessed and vertically emphasised shaft supported on pilotis, a recessed side entrance on Young Street between the two blocks, and a narrow raised plaza on Alfred Street. However, despite being a fully air-conditioned building, the solar gain on the north façade continually created overheating problems with office workers having to be sent home (Taylor, 2001: 60). The next generation of commercial buildings tackled this problem with various forms of external cladding (see Case Study 4).

2.9. Public space and building relationships with the public realm

Beyond elevational treatment and building form and height there was little evidence of attention being paid to how these new buildings interacted with the street, a characteristic of the modernist approach. Jennifer Taylor (2001: 48) comments:

Context was inconsequential and plazas tended to divorce, rather than unite, the building with the city. Associated art works were characteristic, but these tended to share the language of the building, and the general aesthetic remained somewhat cold and remote. Retail uses were rarely accommodated in these glazed icons and the building proclaimed its autonomy and indifference.

So the streets of the CBD not only lost their historic buildings and fine grain but also many active uses. Some of the buildings had a transparency and a lobby design that could engage the interest of the passer-by and vitalise the street, but many others chose to create privacy by raising and recessing the ground floor. As regards public space, very few commercial buildings contributed anything, being predominantly located on or very close to the building line, partly because of their generally constricted sites. Australia Square was a key precedent in terms of its creation of publicly accessible space (Case Study 3). It is another of those developments whose complex development/design history illuminates the struggles between developer/architect and City planners/HoBAC. The painstaking land assembly of an entire block, including the city-owned laneway that bisected the site, gave the architect a unique design opportunity, and Harry Seidler’s prodigious skills did the rest (Plate 2c). The scheme achieved FSRs far in excess of any other development (as high as
20:1 if you discount the laneway), but it also delivered what is widely regarded as Australia’s first great post-war urban plaza. Less positively it became a key precedent for the departure from the street-enclosing building and consequent urban design failings (Webber, 1988: 24). However, Jennifer Taylor has suggested that if such departures were dispersed, perhaps every seventh block, with the back-of-pavement building line reinforced elsewhere to give the city morphological continuity, they could perform a valuable role as pedestrian oases and light wells (Taylor, 2001: 259).

2.10. The Metropolitan Water, Sewerage and Drainage Board (MWSDB) appeal and its implications

The inconsistencies of HoBAC’s early decisions were exemplified in a number of very generous allocations of floor space besides that granted to the AMP Tower (18.7:1). These
...cited many times as an example of the virtues of amalgamation of large sites, of the value of locating a tall tower in an open plaza, of the need to encourage other
developers to provide similar public open spaces; but other developments have demonstrated that these attributes in different circumstances are not the only ingredients necessary for success. (Webber, 1988: 24)

The Australia Square redevelopment consists of the rectangular Plaza Building fronting Pitt Street, and the slender circular 183 m tower located on George Street (the city’s tallest building until 1978) with a plaza between. Australia Square first went before HoBAC in 1960, and there were disputes over its FSR calculated at 16.9 gross and 20.6 net. When approved by HoBAC in 1962 the committee found a way to describe its FSR as 12:1 by including the laneway in the calculation.

The 50-storey tower on George Street is an architectural masterpiece that has lost none of its obvious quality over the last half century. The geometry and precision of the details and finishes are as stunning as the original drawings, and the transition into the circular lobby to the core of the building, past tapestries by Le Corbusier and Vasarely, is a very special urban experience. The mid-block plaza is arguably Sydney’s most successful ‘public’ space, not least because it is not overshadowed at midday. Jennifer Taylor (2001: 251) describes ‘the inexorable logic’ of the building positioning and changes of level which create a highly accessible but well-enclosed space between the two buildings. She revels in the ‘human ballet’ within a ‘gigantic puritanical table setting’:

Overlap these realities; route and destination with a participating population; and surround them with an architecture which is unobtrusively elegant and there it is: Australia Square, a major civic place, resonating with the casual celebrations of humanity.

(Taylor, 2001: 259)

included five downtown buildings—the Royal Exchange (14.85:1) (Plate 2d), P&O Building (14.79:1), Pearl Assurance (14.1:1), ANZ Bank (13.21:1), and Australia Square (12.1 with special exclusions). Such inconsistencies were reduced by the case of the MWSDB building, ironically an instance where City, County and HoBAC all rejected a mid-town building with a proposed FSR of 15.5:1 and a height of 350 ft (Case Study 4). In the resultant appeal the judge noted that HoBAC had been consistently misusing the ‘equivalence provision’, as a loose, as-of-right entitlement instead of as a maximum allowance. He saw no justification for FSRs up to 15:1 which he pointed out were as high as those in New York, and much higher than Melbourne where the streets were much wider. From then on HoBAC largely adhered to a limit of 10:1 for all except corner sites, and those with special advantages, where 12:1 could be approved. The policy remained in place until HoBAC was abolished in 1988, effectively setting a clear limit on the maximum density that could be achieved in the city, a density that office buildings have broadly adhered to ever since.

But the Judge’s decision had another important policy implication because he noted that if the Water Board acquired the final property on that block of Bathurst Street, and undertook not to develop it, this would resolve both the issues of excessive FSR and appropriate separation between building edge and site boundary. So the appeal decision

Sydney’s first tall building to attempt a conscious and sensitive response to the city’s historic built character and sense of place...[it]...has deservedly earned a place as one of Sydney’s most distinguished and well mannered tall buildings of its generation. It could only be Sydney. (Taylor, 2001: 227)

The MWSD building was a landmark building in a number of ways: it defined a new Sydney aesthetic; it was the first tall building outside the CBD, and it was the first appeal against a refusal of planning permission for a multi-storey commercial building. It redefined the rules under which HoBAC operated, leading to a revision of the so-called ‘equivalence provision’, reducing the presumed development entitlements back to a defined maximum FSR of 10:1 (12:1 on street corners etc.), marking a significant reduction in HoBAC’s discretion. It also signalled an architectural change by
also encouraged site amalgamations to allow the development of tall buildings, and in the process encouraged the further erosion of the city’s fine grain of building frontages.

In the meantime the City was reformulating its policies, and the City Building Surveyor, John Rankin, who served ex officio on HoBAC, began to assert his influence through the introduction of ‘Rankin’s Rules’, controls whose height, width and setback regulations were unfortunately flawed in derivation and application. The new rules required building setbacks in accordance with the width of the road and the site, and the site area, but these sought to progressively widen the streets rather than control the bulk and height of the building in relation to the existing street. As Webber (1988: 22) notes ‘they resulted all too often in narrow useless forecourts, exposure of ungainly side walls and discontinuation of awnings’ and they broke up the harmony of the street alignment. Attempts were made to get a consistency of decision-making between the City and HoBAC, but this did not happen.

2.11. Architects’ perspectives on appropriate controls

In the early 1960s the architects entered the debate and the RAIA wrote a report to State and City which was highly critical of the absence of a ‘coherent and logical approach to development limits’ (Webber, 1988: 23). The State Planning Authority Chairman drew similar conclusions from comparing Sydney practices with American height and density controls, but no changes were made to the regulations. The City proposed increased FSRs of 10:1 and 12:1 in 1964 and again in 1967 following in part the RAIA’s recommendations. In 1969 the RAIA tried again to get the Minister to revise the City Council’s 1961 regulations, particularly those relating to setbacks, citing San Francisco’s sophisticated controls as better alternatives. Again nothing was done (Webber, 1988: 23).

So effectively for a decade the City operated with defective controls which were inconsistent with HoBAC policy (such as it was), which had a largely negative effect upon the city’s public realm, and which did nothing to control the bulk of buildings, their overshadowing of the public realm, or the delivery of meaningful pedestrian amenities. However, the State effectively negated the Council powers “relegat[ing] the value of
Fig. 4. Map of office space completions and consents in Central Sydney: 1957–1975. The map shows the extent of the office consents granted 1957–1975, the buildings completed and the unimplemented consents (Source: Daly, 1982).
a Council development consent to practically nothing more than a permission to apply for consent under HoBAC” (Doran, 1971: np). Furthermore, the three categories of application (under 80’, 80–150’, and over 150’), and their respective consent authorities, caused significant confusion and delays in processing applications.

2.12. The end of the first post-war boom

The first post-war office boom was closed out with the completion of a series of major developments, two in particular of iconic status—Australia Square (Case Study 3: Plate 2c) and the State Office Block (Plate 3). Two non-office buildings of the period deserve mention. The Wentworth Hotel, completed in 1966 (Skidmore Owings and Merrill), was a modernist landmark with its horse-shoe floor plan, and was Australia’s largest hotel (Jahn, 1997: 169). Second, an important precedent was the Park Regis apartments, a 42-storey tower above a podium of car parking on the corner of Park and Castlereagh Streets in midtown, signalling the profitability of very high density residential development on the margins of the CBD. Otherwise, the pattern of development showed a relatively even spread of redevelopment across the CBD north of King Street and east of George Street (Fig. 4).

These buildings were the last of the late 1950 and early 1960s approvals to be built as the commercial property market paused to absorb the new space and waited for rental prospects to improve. The 1950s had seen the persistence of Sydney’s planning traditions of an under-resourced and poorly led planning function, without any political support. Efforts to develop a coherent approach to the city’s redevelopment, with elementary land-use controls and floor space allocations appropriate to the character of different areas of the city centre, had been subverted, first by property owners opposed to any down-zoning, and then by the State ignoring the City’s new planning scheme. The State could exercise all the discretionary powers it wished through HoBAC, and while the MWSDB appeal decision ended the abuse of the ‘equivalence provision’, and reined back FSRs beyond 10:1 (or 12:1 on favoured sites), it also encouraged larger site amalgamations that helped destroy the scale of Central Sydney. Glass curtain-walled slab blocks that ignored their context had given way to more climatically sensitive, more masonry-clad taller buildings that sometimes evoked the traditions of Sydney sandstone. Then with the abolition of the height limit the tall tower became the norm for the most ambitious developers, and its impact upon the character of the locality—from street to skyline—increased dramatically, especially given the absence of coherent planning or design principles with which to ameliorate them.
CHAPTER 3

Establishing a planning strategy in the second post-war property boom: 1967–1973

3.1. Introduction

The second post-war property boom was short-lived but dramatic in its impacts. It coincided with significant political changes at the State level that led to changes in City policies, and even the abolition of the City Council between 1967 and 1969, intensifying the boom. When the (Liberal) Civic Reform Association (CRA) succeeded Labor as the controlling party on the City Council, it began to develop a Strategic Plan for the city, a plan remarkable for its depth and foresight, but only parts of which were implemented, and with very mixed results.

3.2. City politics and State interventions 1960–1973

During the early 1960s, the Labor Party remained firmly in control of the City Council even though it was fragmenting internally, a process hastened by the lack of a ward focus. The State Labor Government, while it was in power, tried to legislate against repeated bribery and corruption allegations, many of them surrounding commercial development, and force disclosure of sources, and it continued to tinker with the electoral machinery. When a State Liberal government was elected in 1965 reforms were immediate. First, a rapidly established Boundary Commission proposed a return to the city’s pre-1948 boundaries, stripping out the residential areas of Leichhardt, Marrickville and South Sydney (Fig. 1). The new electoral roll was reformed and owners, lessees and resident occupiers now constituted about 45% of the electorate, completely changing the City’s social base and political affiliation. Compulsory voting was abolished, and the stage was set for a Labor defeat. Second, the State Government created the Sydney Cove Redevelopment Authority (SCRA), taking control of the harbour foreshore and the historic Rocks district away from the City in the long term, creating a mechanism to ensure that its massive redevelopment plans for this historic area could be implemented unimpeded by the Council. Third, to emphasise their determination to change the whole nature of city government, the State abolished the Council, and handed its management over to three commissioners to run it until new elections were held in 1969 (a 22-month period). The reasons given for the sacking of the Council included its failure to promote development of the city centre and to resolve its infrastructure needs, and wasteful bureaucracy and public services (Fitzgerald, 1992: 57). The commissioners were a mixed bunch, the most competent being too busy to devote the time to the task, another being widely considered to be too old, and the third, who took over planning, an ex-commissioner of Main Roads and known to be a ‘very difficult person’ (Doran in Ashton, 1992: 80).

Replacing Labor after the 1969 elections was Civic Reform, which described itself as a non-political body whose sole interest was a ‘better Sydney’. However, it had strong business support and included ‘cliques of real estate agents and property developers’ (Fitzgerald, 1993: 63; Sandercock, 1997: 197) and key Liberals on its executive.
However, it also had a commitment to serious planning for the city centre, evident prior to the election by their commission of a strategic plan for the city from private planning consultants, and by their spearheading a critique of city planning policies at the Public Inquiry into the boundary changes (Briger in Webber 1998: 39–43).

3.3. The second post-war property boom

These political upheavals came at a critical moment in the city’s development history as it was undergoing a second major post-war boom in commercial office development (Fig. 5), greatly intensified by rapidly growing international capital markets and a substantial inflow of foreign capital. British insurance companies and developers were particularly responsible for introducing the highly speculative dimension to the market (Daly, 1982: 46–54) and for dragging down the quality of architecture and urban design. Between 1967 and 1969 there was even less regulation of development as the State-appointed Commissioner, who effectively had sole responsibility for major control decisions, conducted very rapid development control meetings where there was no discussion, and his recommendations were approved unopposed. His only apparent design concern was a dislike of dark finishes, so developers quickly learned to propose light coloured materials (Ashton, 1993: 93).

Fig. 5. City and State politics and the commercial construction cycle 1957–2004. The construction cycle illustrates the peaks and troughs of commercial office completions in the CBD. The changes in political control sometimes have considerable impact upon rates of completions, but are not observable until 2 years later because of the time required to actually erect the building (Source: data updated from Proudfoot, 1996).
The coincidence of this minimalist planning regime, and the rising tide of investment and development interest in downtown offices, resulted in a flood of ill-conceived, poorly designed, maximum FSR-seeking, speculative development proposals and a dramatic increase in the scale of development. Schemes with over 10:1 FSR became the norm, 22 being approved in 1967 and 35 in 1968, and in 1969 approvals trebled to nearly 1.5 million sq. ft (an allocation close to the total amount of space built since 1975).

In September 1969 the CRA duly won the gerrymandered election and the new Council resumed development control functions. It did not attempt to change the development control régime even though it was preparing a totally new planning approach, and the boom in applications continued for two more years, but at half the 1969 rate. The State Government imposed new floor space controls on the Council, utilising the Minister’s Exhibition Ordinance set out in 1965. This allowed a 10:1 base FSR with a bonus of 2:1 for pedestrian improvements. The City Council approved 105 developments over the next 2 years (1970–1972), 93 with FSRs of over 10:1, so they were scarcely less generous than the Commissioners had been. Consents were scattered all across the central area, but the pattern of completions was much more concentrated. Two thirds of these consents had not been commenced by 1975, contributing to widespread development blight (Fig. 4). The FSR and Car Parking Code included in the 1971 Strategic Plan led to many of the consents being renegotiated and to significant design changes, particularly in terms of their pedestrian amenities.


The first buildings of the second boom, completed in 1971, were clustered around Martin Place and were very much continuations of the heavier aesthetic adopted in the late 1950s. The Prudential building, with its rectangular pre-cast concrete panels and recessed hooded windows, was distinguished by its generous forecourts and shopping arcades, while the Bank of New South Wales opposite had a one-storey banking hall as a podium and a 31-storey tower with marble-faced columns to give it solidity. Then came a group of much taller towers. The Quantas Centre, started in 1970, included two tall towers of 48 and 29 storeys with hexagonal floor plans, clad largely in dark glass above a minimalist plaza (Plate 4a). The dark glass tower of the AMP Centre, completed in 1975, filled the rest of the block behind the original AMP building with a retail complex, with a little-used landscaped plaza above. The St Martin’s (Plate 6) and National Mutual towers were both nondescript tall towers with open plazas to the street on Market Street. In the south of the city the biggest schemes were Central Square, a 22-storey heavy white pre-cast deep plan monolith, and the McKell Building (Plate 4b). Few of these schemes achieved any distinction, their uncompromising height and bulk, their windswept plazas and their lack of architectural refinement comparing poorly with many of the first post-war wave of commercial buildings.

Two particular exceptions, examples of the very best of modernism, were the King George V (subsequently American Express) Tower by John Andrews International and the MLC Centre by Harry Seidler (Plate 4c). The American Express Tower, as it is usually known, was unusual in that the developers, the Hooker Corporation, commissioned an international architect and gave them the scope to design a very unusual building.
Plate 4. Key Commercial Buildings: 1968–1972. Four buildings built in the second major property boom, each of which aroused significant antipathy for their size/scale, overshadowing, or plaza design. The World Trade Centre (Qantas Centre) (a) obliterated the prospects down Bridge Street while the McKell building demonstrated the ultimate in minimalist and brutal modern plazas (b). The MLC Centre (c) was another Sulman prize-winner for Harry Seidler, principally because of its urban design and technological innovation, as was the American Express Building for John Andrews (d), now much altered. (Source: John, 1997).
This utilised clip-on sun shades and a triangular floor plan, creating a similarly shaped, bare plaza on the north-east corner of George and Market Streets (Plate 4d). The MLC Centre (see Case Study 5) was another fine, but not unflawed, piece of Seidler urban design, and at 68 storeys took over the mantle of the city’s tallest building.

3.5. The Civic Reform Association’s planning manifesto for the city

Various members of the CRA, notably Andrew Briger and Leo Port, had been pursuing the matter of more effective planning policies and controls for Sydney since the CRA had identified planning as one of its ‘foremost aims’ in its 1962 Annual Report. An outline of a plan was commissioned from consultant James Colman, and used to lobby the Minister for Local Government and Planning for new planning controls, but to no avail. A second consultant, George Clarke, developed the idea of a strategic plan for the city and when CRA were elected Clarke was appointed to head a consultant consortium to prepare a plan within 36 weeks.

Clarke was especially keen on the idea of a strategy and management by objectives. He was acutely aware both of the widespread suspicion of planning and the need to define broad directions that wider constituencies could support. The plan’s objectives and policies were worked through line-by-line with the Civic Reform caucus, and the team solicited views from influential people, building these into their policy structure. The political debate was carefully managed to ensure that the majority party fully endorsed the plan. The consultants wrote to several hundred organisations in the city to seek their views and provoked some significant response, but there was no real public participation. Briger has described the process in detail elsewhere and noted the subtlety of the tactics employed.

Clarke proposed the introduction of a system of bonuses based on a carrot and stick approach. These bonuses would help to enhance the city and to provide certain facilities which Council could not afford. They would help to establish a city-wide pedestrian network to restrain motor traffic within the CBD and yet be sufficiently beneficial to owners and developers so as to encourage them to support the broad objectives of the plan.

We agreed that, due to the shortage of time and in order to obtain maximum public support, the detailed FSR and parking codes would be submitted subsequent to the publication of the plan. It would allow maximum time for the public to absorb the primary objectives of the plan before getting to the details which, if revealed too soon, could distract from an appreciation of the plan’s overall intent. We were also aware that the greater the public acceptance of the Strategic Plan the more difficult it would become for vested interest detractors to do any harm. (Briger in Webber, 1988: 51)

There were Labor Party and professional criticisms of the plan, but the press reaction was overwhelmingly favourable, though the Sydney Morning Herald noted that it was ‘no more than a guideline plan’. This echoed Harry Seidler’s views that the plan was something of a ‘toothless tiger’, because although it was adopted by Council, crucially it had no formal legal status (Ashton, 1998: 109).
Case study 5: The MLC Centre, Martin Place: 1975–1978 (Source: Frampton and Drew, 1992)

A podium of (shopping) plazas was planned on various levels, opening out onto the surrounding streets. Along the boundaries, shops generally face outward, thereby continuing the adjoining existing development which extends into interior arcades. The central space of the site, however, is open and used for landscaped plazas, outdoor restaurants and a vertically connecting circular well containing a fountain…
forming an amphitheatre for lunchtime group entertainment, public meetings and music-making (Frampton and Drew, 1992: 140–143)

This project won a fourth prestigious Sulman award for Harry Seidler, but it was a much more controversial development than Australia Square. It was conceived as a 308 m office tower, but what was finally approved was 20% lower, at 65-storeys. At plaza level the building’s eight massive angled columns project from the office walls to create another semi-circular lobby, but as they ascend they taper back into the walls to create a purer hexagonal form. As with Australia Place, the Italian structural engineer, P.L. Nervi, played an important role in refining the design, and again the foyer art is stunning. The great joy of the MLC Centre is the sunny space created by placing the tower close to the King and Castlereagh corner, making space for a long multi-level plaza on the sunny north side of the tower, screened from Castlereagh Street by a two-storey retail/restaurant building. The plaza focuses on a circular space cut out of the level below the office entrance to give light to the food court and shops below. Circles and radii are used throughout the site plan to define the office lobby, the edges of the upper plaza and the steps leading to it, and two circular buildings in the north-east corner.

Despite its positive virtues the project has three major urban design failings. On the King/Castlereagh Street corner the pavement is blocked by the car-park ramps while the tower casts a long shadow into Hyde Park in the winter months. Finally, a strange, white, mushroom-shaped building, detached from the retail wing on Castlereagh Street, gratuitously intrudes upon the Victorian character of Martin Place.

3.6. The 1971 strategic plan

Whatever criticisms might be made about the City’s 1971 Strategic Plan, its political astuteness, policy sophistication, analytical depth, comprehensiveness and detail were on a far higher level than any previous city planning document in Australia, let alone Sydney. With its easily grasped four long-term objectives (managing economic growth, improving accessibility, increasing community diversity and enhancing the physical environment), each reinforced with four policy statements and three to seven action priorities, it was clear and comprehensible. Precinct planning was introduced with five broad districts split into 32 precincts, each distinguished by land-use/urban form criteria. The City committed itself to a programme of action plans that ranged from detailed pedestrianisation schemes, through to district plans and policies for residential and redevelopment areas. The plan was the first in Australia to introduce a preservation of historic buildings policy, identifying 178 buildings or spaces to be protected, with heritage incentives in the form of Transferred Development Rights (TDR).

The urban design policy and action points are spelt out in Fig. 6, and each was elaborated in some detail. Collectively they demonstrate that the plan’s writers had a good grasp not only of key design issues, but also of the means of addressing them. The recommendations for careful design review embraced all the key environmental issues, but also heralded a character area approach to the development of planning controls,
FOURTH OBJECTIVE
ENVIRONMENT
Conserve, enhance and improve the physical environment of the City

POLICY 13
PRESEvation
Adopt practical measures to preserve places and structures of historic or architectural significance

ACTION PRIORITIES
A Establish a Preservation Advisory Committee comprising representatives of appropriate citizen and governmental bodies, to advise and assist in devising and implementing practical measures to preserve places and structures of architectural and historic significance

B Prepare and adopt a Register of places and structures to the preservation of which Council will direct particular effort and types of action

C Seek to include, in the definition of "development" in the Statutory Planning Scheme Ordinance, the demolition of structures listed in Council's Preservation Register

D Investigate the legality and practicability of incorporating, in the City's development control codes, provisions and conditions under which Council may permit the transfer or sale of permissible Floor Space, from the site of a place or structure listed on Council's Preservation Register, to other approved sites, in return for acceptable guarantees of the preservation and maintenance of the listed place or structure

E Investigate practical measures to strengthen the unique character of the following historic areas: The Civic Precinct of the Town Hall – Cathedral – Queen Victoria Building – Martin Place; the Macquarie Street Governmental Precinct; Macquarie Place and Bridge Street, the West and East Rocks, Victoria Barracks, Darlington Courthouse and Gaol; and the terrace house-residential clusters of Paddington and Surry Hills

POLICY 14
URBAN DESIGN
Improve the appearance of the City from afar and from within in harmony with the City's unique topography and character

ACTION PRIORITIES
A Preserve and enhance Harbour views, emphasise the City's natural topography, and protect and enhance the drama of the City's skylines, by encouraging the erection of the tallest buildings along ridges, and controlling the heights of buildings on slopes and valleys leading to the Harbour

B Prepare and adopt a Height of Buildings Control Map showing the maximum permissible height of building in each part of each Precinct

C Establish urban design review procedures to guide and control the visual, shadow and wind effects of major developments and public works

D Require the submission of scale models, sunlight and wind effect analyses with Development Applications for relevant buildings particularly for sites on the North side of East West streets or adjoining places such as Martin Place; and seek to build up a series of inter-locking scale models of the City's Precincts, to assist Council in design review procedures and for public exhibition

E Continue to redesign street furniture, and to implement streetscape improvement works throughout the City, including paving, ramps, steps, handrails, kerbs, seating, litter bins, shelters and signs

F Review the City's advertising and night lighting policies and standards and seek to enhance the City's skylines and streetscapes by night

POLICY 15
OPEN SPACE
Extend the City's network of boulevards, foreshore promenades, plazas, parks and playgrounds

ACTION PRIORITIES
A Enhance and link the City's existing green spaces to create a City-wide network of boulevards, foreshore promenades, plazas, parks and playgrounds

B Proceed with action plans to create boulevards from the Town Hall to Five Crowns Gardens along Park Street, William Street and Darlinghurst Road; along York Street to Wyllyong Vale and Lang Parks; along Liverpool and Oxford Streets, linking Hyde Park to Taylor Square; along Boundary Street to Rushcutters Bay Park; along Wentworth Avenue, Elizabeth and Clapham Streets, linking Hyde, Belmore and Prince Alfred Parks; along Broadway, linking Belmore and Victoria Parks; and along Harris Street linking Broadway to the foreshore at Johnston's Bay

C Coordinate action to create a continuous foreshore promenade from Dawes Point around Sydney Cove to Bennelong Point, Farm Cove and Woolloomooloo; investigate the feasibility of promenades on other sections of the City's foreshores

D Award Floor Space Ratio bonuses for the creation of approved plazas in commercial Precincts

E Incorporate mini-parks and playgrounds in action plans for residential Precincts; and require landscaped open space in residential redevelopments

Fig. 6. Design policies and action points in the 1971 Strategic Plan. (Source: CoS, 1971).
supported by policies/action points on pedestrianisation, conservation, open space and boulevarding.

Crucially, the 1971 Strategic Plan was not adopted by the State as the statutory plan for the city, and successive reformulations in 1974, 1977, 1980, 1983 and 1988 remained non-statutory. The statutory plan was the City of Sydney Planning Scheme, first adopted by the Council in 1958, amended by the State Planning Authority and accepted by the State appointed City commissioners in 1968, but all but ignored by the Minister for Local Government until four days before the 1971 Strategic Plan was published. Then it was suddenly (and seemingly maliciously) gazetted, despite being hopelessly outdated, completely undermining the new Strategic Plan and emasculating its strategies, and giving the commercial developers much more freedom of action (Fitzgerald, 1992: 282). The now gazetted City of Sydney Planning Scheme exerted a largely negative influence on planning decisions by virtue of the fact that it over-zoned some 540 acres of the ‘County Centre’, stretching well beyond the centre proper, an area where any use was legally permissible (Ashton, 1992: 25). When the City attempted to narrow down the area of major office development to cover the central spine between Kent Street and Hyde Park south of Circular Quay and north of the Railway Station (1974), developers merely appealed to the Courts and were almost always successful. As the City planners ruefully noted, not only did the Planning Scheme give them very little power but the ‘procedures for varying the scheme were byzantine in their complexity and slowness’ (CoS, 1974: Policy 2). The State continued to prevent the implementation of consistent development controls, subverting the Strategic Plan that George Clarke had specifically intended to override the unplanned development concepts of the State and contain the ‘wildcat speculative promoters’ that were threatening the city on all sides. Clarke cited 10 such mega-schemes, “the tips of a few of the icebergs that threatened to sink Sydney between 1970 and 1972” (Ashton, 1992: 54–55), including the plans for the Rocks (Case Study 7) and the World Trade Centre (Case Study 18).

3.7. Implementing a new control régime: the FSR

The 1971 Strategy included the specification of action plans “positively to prescribe the space about buildings…the height, floor space, use, design, external appearance or character of buildings”. It promised to “prepare and adopt an FSR and Development Control Code for each precinct, generally reducing the base ratio, but granting bonuses in return for mixed uses; amenities or public facilities”, and even recommended a rating/land tax for the provision of public facilities (CoS, 1971: 93–97).

The adoption of the Code for Control of Development and Floor Space Ratio at the end of 1971, and its implementation a year later, finally introduced area-specific FSRs as a control mechanism in the city (Tables 1 and 2). It set the FSR at 12:1 at the heart of the CBD, 10:1 in Midtown and Downtown South, and 6:1 across most of the remainder of the CBD. Only sites above 12 000 sq. ft qualified for the base ratio, and only sites of more than 17 500 sq. ft qualified for full floor space bonuses, which could not accumulate to an FSR of more than 12.5:1 in the heart of the CBD. The new method of calculating the FSR effectively added another 10% to each allocation (Webber, 1988: 25). At the same time a Parking Code was adopted reducing the previously very high standard of one space to
1500 sq. ft of gross floor space to some 50–100 places on site, with contributions to the Council for public car-parking stations.

The idea of bonusing pedestrian amenities was borrowed from North America, and it provided a means of mollifying developers who would otherwise have suffered significant

<table>
<thead>
<tr>
<th>Precinct:</th>
<th>Al Tank stream</th>
<th>1971 Statutory Zoning:</th>
<th>County Centre Zone 3d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>BASIC FSR and PURPOSES for which it may be used:</td>
<td>For any approved purposes: For sites less than 12 500 sq. ft Basic FSR is defined by the attached graph. For sites 12 500 sq. ft and more, BFSR 5.5. For projects incorporating 200 bedrooms on sites of 20 000 sq. ft or more, BFSR 6.5. For projects incorporating 400 bedrooms on sites of 40 000 sq. ft or more, BFSR 7.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bonus elements (see detailed definitions)</td>
<td>Bonus floor space which may be awarded</td>
<td>Maximum limit to bonuses</td>
<td></td>
</tr>
<tr>
<td>1. The use of basic floor space for specified uses:</td>
<td>Two square feet bonus FS per sq. ft of Club, Place of Assembly, Place of Public Worship, Refreshment Room, Shop, Tavern, Theatre Restaurant, or for Hotel, Motel or Residential Uses in addition to any claimed in qualification for a higher BFSR.</td>
<td>For sites less than 17 500 sq.ft, maximum limit defined by graph. For sites of 17 500 sq. ft and more, FSR 3.0</td>
<td></td>
</tr>
<tr>
<td>2. Required or approved</td>
<td>For sites less than 17 500 sq.ft, maximum limit defined by graph. For sites of 17 500 sq. ft and more, FSR 3.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Through site Link Plaza or Terrace</td>
<td>Five square feet bonus FS per sq. ft Two square feet bonus FS per sq. ft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Required or approved Underpass (off-site)</td>
<td>Ten square feet bonus FS per sq. ft Five square feet bonus FS per sq. ft</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td>Overpass (off-site) Escalators (on or off-site)</td>
<td>Five square feet bonus FS per sq. ft Five thousand square feet bonus FS per single run up/down pair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Required or approved public amenity</td>
<td>Five square feet bonus FS per sq. ft No limit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Contribution to Parking Stations Fund</td>
<td>Four hundred square feet bonus FS per unit of financial contribution per car space 2.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Preservation of Historic Place or Structure Purposes for which bonus floor space may be used</td>
<td>Bonus FS may be added by approved purchase or transfer from a preserved place or structure on Council’s Register 2.0</td>
<td>Any approved purposes</td>
<td></td>
</tr>
<tr>
<td>Maximum total FSR</td>
<td>For sites less than 17 500 sq. ft in area, Maximum Total FSR is defined by attached graph. For sites of 17 500 sq. ft or more, basic FSR plus all bonus FSR shall not exceed 12.5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Source: CoS, 1971a).
reductions in floor space entitlements (up to half in some cases) compared to those
achieved prior to 1971. There were three specific and very generous bonuses for pedestrian
amenity and separate bonuses for financial contributions to car parking, use of heritage
floor space (HFS) (both 2:1 FSR), or inclusion of other uses like retail, residential or hotel,
particularly on ground floors (up to 3:1; see Table 2). No absolute limit was placed on
these bonuses (Table 2).

Certainly the incentives had the desired effect because they were very widely used,
even by those developers who had already obtained development consents prior to 1973.
For example, the CBA tower on Margaret Street, a key connector between the Wynyard
Pedestrian network and the Qantas Centre, gained bonuses of 3:1 for mixed uses, a plaza,
and a through site link, 0.4:1 for underpasses and overpasses, and 2:1 for car-parking
contributions, increasing its FSR from 5.5:1 to 10.9:1 and doubling its storey height to 38
storeys. The T and G building on the corner of Park and Elizabeth Streets already had a
12:1 FSR but gained a 3:1 bonus for plazas on two levels and a through site link and 2:1 for
car parking contributions. The extra floor space elongated the shadow the building cast
across Hyde Park in the afternoon, while the basement plazas were “divorced from the
footpath, almost invisible to pedestrians and seldom used” (Webber, 1988: 60). Regrettably the code was mute on building form and environmental impacts upon the
public realm. It was not until the 1980 Strategic Plan that the issue of environmental
criteria for control was raised, and not until 1988 that urban design principles were clearly
articulated. Neither were enshrined in a statutory plan until 1993.

3.8. The task ahead

The 1967–1973 property boom left the city with a legacy of some 100 developments,
most of them adopting pre-cast concrete frames and heavy masonry treatments, largely
lacking any architectural refinement or urban design quality. But more than that, it left a
huge oversupply of consents, enough to supply the market until the end of the century
(Figs. 4 and 5), many of which would be renegotiated to maximise the advantages of the
new FSR code. But the Strategic Plan was not a statutory plan, and the hopelessly outdated
City of Sydney Planning Scheme continued to exert a malign influence on control
practices and the control of land uses. There was much to admire in the 1971 Strategic
Plan, but the political savvy of its authors was not enough to win the broad political
support it needed. As for the FSR code itself, it was an interesting Anglo-American hybrid,
harnessing the FSR to an essentially discretionary British style planning system, but then
calibrating it at close to the levels set in the most intensely developed American CBDs.
While the adoption of the floor space bonus system was another major step towards
American planning practices, it was one which was never followed through to adopt a fully
fledged zoning system and a clear administrative system of development rights. Sydney
politicians, developers and architects were never interested in an unequivocal
administrative planning system: the discretionary system was much more flexible, more
easily manipulated, and ultimately more profitable.
CHAPTER 4

The implementation of the strategic plan 1973–1980: council versus state ambitions for the CBD

4.1. Introduction

The implementation of the 1971 Strategic Plan was aided by a long and deep development recession. Many property and development companies went bankrupt, and with them went the frequently poor schemes that had been approved in the period 1967–1972. When interest in redevelopment returned, there were entirely new rules to be negotiated, but their consistency of application was erratic. There was a dramatic decline in development approvals and building starts from 1972 onwards, while office vacancies declined slowly from a very high 25% in 1976 to about 7% in 1979, gradually renewing development interest (Fig. 5). Civic Reform remained in power until 1980 when the City Council reverted to Labor control, the State government changing from a Liberal to a Labor majority in 1984.

4.2. The implementation of the FSR Code

A new development control régime was in place, but the Chief Planning Officer of the period described the inconsistent implementation of the new FSR Code thus:

the developers, the City, everybody had quite a different attitude at a time when the prevalent idea was that the Council had no power to change what you wanted to put in. This Floor Space Code was really a learning process; it taught people that if you did a better job or did what the plans for the City wanted, then you would get more floor space and be rewarded for it. And it eventually got to the stage where people expected to have to provide those things even though there wasn’t a bonus in it. (e.g. colonnades) …I think that was a major benefit of the Floor Space Code…. One of the problems I find in going back is that some of the decisions that were made on DAs which do not comply with these codes don’t disclose the reasons for it now. But they were probably logical and obvious at the time due to the political climate or pressures put on or whatever. It was usually a compromise solution…. Nobody can understand now why some of these decisions were made, least of all me. (John Doran in Ashton, 1992: 93–94)

Clearly the City had a long way to go to create predictable and transparent control mechanisms that consistently delivered quality development.

In the revision of the Strategic Plan in 1974, monitoring of the performance of the FSR code noted that it was bringing improvements to the public realm and better controlling the scale of development. However, reductions in the FSR allocations were to be sought to protect the retail area in Midtown and the fringe areas of the ‘Central Spine’. A study of residential controls had been completed, review procedures were being proposed to measure environmental impacts, and work was nearly complete on a map of proposed
maximum building heights. These new initiatives were promising, but they were overshadowed as usual by jurisdictional problems. These difficulties were boldly stated in the revised plan:

…the Council, the Height of Buildings Advisory Committee, the Minister, and the Local Government Appeals Tribunal exercise a multitude of discretionary powers in arbitrary ways in individual cases. The environmental results are chaotic. (CoS, 1974: Policy 14)

If developers did not get what they wanted through one means they could always try another, and ‘forum shopping’ continued to be the norm.

4.3. The Pedestrian Network Plan—the public contribution

The 1971 plan set an objective “to create an integrated city-wide pedestrian movement system linking transport interchanges and parking stations to each part of each precinct” (CoS, 1971: Policy 8). Three Action Plans were prepared, the first to take forward small space and streetscape improvements (No. 2), the second to implement a series of underground connections to Wynyard Station (No. 3), and the third a plan for the whole network (No. 6). The latter saw Pitt Street as the new pedestrian axis, suggesting that it might be fully pedestrianised at four points, and link to more extensive pedestrianisation around Sydney Cove, and the Central Railway Station to the south. There were elaborate networks proposed across the retail core, into Town Hall Station, and into Chinatown and the NSWIT Campus. Otherwise the plan rather neglected east-west links (Fig. 7).

The City was clearly prepared to invest in this network. It undertook a series of low-cost streetscape improvement projects under Action Plan No. 2 in 1971, creating Richard Johnson Square out of a traffic island, pedestrianising Wynyard Street to create Regiment Square, creating Farrer Place on Bent Street and closing Macquarie Place to traffic (see Case Study 8). Martin Place was the most ambitious project (see Gazzard in Webber, 1988: 71–93). Its implementation began as a proposal for a square outside the 1891 GPO Building, subsequently rejected by the City Commissioners, but picked up by the CRA after their election. Subsequently Action Plan No. 24 was drafted to pedestrianise the whole street and Clarke Gazzard were employed to design the streetscape of the four remaining blocks. Different features were designed into each block—amphitheatre, fountain and café, quiet landscaped area and another fountain at the east end. One by one the objections of government agencies and adjacent property owners were removed with assurances, promises and compensation, and by 1977 the pedestrianisation was completed (Plate 5).

The Rural Bank, which had done most to subvert the improvements to Martin Place over the years, promptly demolished its Art Deco building on Martin Place, erecting a new 33-storey building in its place. This event indicated the necessity to define some urban design guidelines to protect the quality of the street against further redevelopments. These were worked up by consultants in 1983, combining FSRs, parapet heights and building sight lines. Such small area urban design studies became the norm, and although they were never adopted as policy, they did provide acceptable building envelopes to guide development negotiations. For Don Gazzard the lesson of Martin Place was that “all levels of government have to stop the Pavlovian reaction of opposing anything suggested by
Fig. 7. The Pedestrian Network Plan in the 1971 Strategic Plan. This was the eventual network proposed in the plan (Source: CoS, 1971).
the other party and learn to agree on the 80 per cent or more common ground” (Webber, 1988: 93). It was a long time before this began to happen in the City of Sydney.

After Martin Place there were more small but significant urban design successes like the new plaza in front of the Liverpool Street Court House (a State project) and the pedestrianisation of Dixon Street in the heart of Chinatown, but there were also disappointments (e.g. the failure to achieve Customs House Square behind Sydney Cove). The most notable success was Sydney Square (Case Study 6) and the Cathedral and Town Hall were further enhanced as historic city landmarks by the restoration of the Queen Victoria Building to the north, long threatened with demolition. Its restoration and re-use was a major 1970 election promise of the CRA, but was not completed until 1987 (Plate 6), providing a crucial link in the underground pedestrian plan. Extensive community uses were mooted for the building, but commercial considerations resulted in its becoming an

There are a number of lessons to be drawn from Sydney Square…: scale, convenience, shelter, identity, comprehension, address points, and the contrasts of light and shade, bustle and quiet. The cooperation of owners, architects and authorities is essential. Standard rules, control, formulas and self interest are antithetical…Sydney Square made the most of the opportunity presented…. (Woolley in Webber, 1988: 105)

It was the Cathedral’s development plans for a school and office space to the west which precipitated the realisation of Sydney Square, a longstanding civic aspiration. Their development intentions spurred the City to commission consultants to study the redevelopment potential of land fronting Kent Street to the rear of the Victorian Beaux Arts Town Hall. The Council’s consultant architect Ken Woolley preferred a tower solution for the Town Hall extension and was able to convince the Council and the State Government of its acceptability. This scheme encouraged the Cathedral to embark on its redevelopment, and to refine its building plans with a staggered and arcaded façade that opened up the space in front of the Cathedral entrance. Church and Council collaborated to create a double-sided underground shopping arcade to link the lower
4.4. The Pedestrian Network Plan: the developers’ contribution

The private sector’s contribution to the development of the pedestrian network was certainly impressive in quantitative terms, helping to create some 40 underground and skybridge links into railway stations, car parks and across the retail core, and certainly creating traffic-free and weather-protected routes for commuters and shoppers. There can be little dispute about the convenience this offered to rail commuters, and the freer movement of traffic it engendered, but many of the new spaces and routes provided were utilitarian at best and unpleasant and unsafe at their worst.

Plate 6. Queen Victoria Building and the Hilton Hotel. This view from the Centrepoint Tower shows the scale differential between the Victorian and the modern city and the visual impoverishment of much 1960–1975 development, including the Hilton Hotel (left) and the St Martins Tower (right). The new, non-glazed canopy over the pavement for the QVB was the only disappointment in the refurbishment, and the trio of Victorian buildings (with Town Hall and St Andrew’s Cathedral on the left) are still the real heart of the city.
One of the worst examples was provided by the Lanray Centre (Plate 6), now the Hilton Hotel, which demolished both the historic Royal Arcade and the Marble Bar (its interior was moved). The old Arcade had provided a direct, level and elegant link between Pitt and George Street, but the new scheme replaced it with a dark and dysfunctional multi-level shopping concourse, requiring escalator access at either end, and an indirect dog-leg route through to the nether regions of the podium-level car park. To add insult to injury, the criss-crossing parking ramps to the second floor forced the pedestrians into a black maw under the building, severely blighting Pitt Street. The two dark reflective glass towers of the Qantas Centre also attracted significant professional criticism (see Case Study 11), as did the T and G Centre, the AMP Centre, and the State Office Building’s plazas.

4.5. A verdict on pedestrian improvements

Brian Wilson’s overall conclusions on the results of the bonusing system, drawn in 1987, are positive, correctly identifying and praising the achievements of City actions, but significantly underplaying the failures of the bonus system.

Almost all of the proposed public pedestrian spaces (in the 1971 Plan) have been built or are about to be built. It is these spaces with their traffic free space and trees which have made the city so much more pleasant. The narrow streets with high-rise office buildings are punctuated with havens of greenery and pedestrian activity...the FSR has been an outstanding success in the retail core and in the vicinity of the railway stations. In other areas developers acquired a remarkable knack of not providing the links for which a bonus had been created. (Wilson in Webber, 1988: 66)

Peter Webber is equally effusive about the pedestrian achievements of the 1971 Strategic Plan, arguing that it heralded “…a decade of generally well co-ordinated and well considered urban design initiatives” (Webber, 1986: 24). The evidence presented in his book often suggests otherwise, and details a very mixed output of development. A large number of projects delivered uncomfortable, unsafe, and unattractive pedestrian spaces while simultaneously increasing building heights and bulk, blocking daylight and sunlight, and increasing wind tunnel effects at the ground level. Most developments of the period could easily gain the bonus provisions to attain the maximum floor space (which became the rule rather than the exception) but many of the bonused elements turned out to be pedestrian liabilities not assets.

4.6. Preserving heritage

Another major innovation of the 1971 Strategic Plan was sophisticated proposals for heritage preservation, recognising their importance to maintaining the city’s character and sense of place in the face of very strong pressures for high density redevelopment. There was little to prevent owners demolishing historic buildings at will through the 1960s, so the ambitious policies set out by the Strategic Plan were a potentially huge step forward for urban conservation in Sydney. The priorities were to establish a widely representative Preservation Advisory Committee, and establish selection criteria for a register of ‘places and structures’ for preservation (both achieved early, though the 178-item draft register
was not adopted); to press the State for demolition controls on listed structures (implemented in 1977); to develop practical measures to protect eight proposed historic areas (the CBD list included the Civic Precinct around the Town Hall, Martin Place, the government precinct on the east side of Macquarie Street, Macquarie Place and Bridge Street, and the east and west Rocks); and to develop a Transfer of Development Rights mechanism to compensate owners for loss of development rights, and thereby remove the economic incentive for demolition. Council did implement what has become known as the Heritage Floor Space (HFS) Scheme, but it was only used occasionally, although by 1982 some 43 000 m² had been transferred in this way on 15 projects. There were several problems with the HFS Code, but arguably the biggest constraint on its use was the fact that developers did not need the incentives for heritage schemes when the bonuses for pedestrian amenities were so easy to come by (Tuor quoted in CoCS, 1992: 81).

4.7. Opposition to redevelopment: the Builders Labourers Federation’s bans

Particular support for heritage conservation, and a more critical attitude towards commercial development, came from a most unlikely source in the form of industrial action by the building unions. They allied themselves with middle-class environment and residents’ groups and the National Trust, refusing to work on those projects which they considered to be environmentally damaging or destructive of heritage. Union intervention in Sydney’s development debates began in 1970 when the union was approached to try to preserve a Parramatta River waterfront site from development. The unions introduced what became known as a ‘Green Ban’ preventing members from working on such schemes. Over the next 3 years the unions, led by the Sydney Building Labourer’s Federation (BLF) and its secretary, Jack Munday, imposed 43 bans on developments in the city and its suburbs, stopping A$4 billion worth of development (Burnley and Forrest, 1985: 178). These included projects like the 1970 Sydney Cove Redevelopment Scheme (see Case Study 7) and numerous impending demolitions of heritage buildings in commercial and residential development projects (Roddewig, 1996: 5–32: Short, 1988).

The Green Bans had a major impact upon heritage conservation in the city, with the BLF refusing to demolish any building which the National Trust recommended for preservation, and any of the 1700 ‘classified’ buildings in the city. This was in stark contrast to the State Government who would not intervene to save any such buildings. Pitt Street Congregational Church, Martin Place’s Victorian buildings (ANZ, National Mutual and Colonial Mutual (Plate 7)), and the State Theatre were all saved as a result of Green Bans when planners’ preservation powers proved non-existent. But in addition to the ‘Green Bans’ there were the less palatable ‘Black Bans’ imposed where construction companies refused to grant extra payments to workers for work which required new skills, equipment or technology (e.g. the World Trade Centre) (see Case Study 11 and Plate 4a).

The Green Bans and the activities of the BLF were eventually subverted by the wider, more conservative union movement. The importance of the bans lies not only in the list of projects stopped, but also in the way its actions shamed local and State planning agencies, and more especially their political masters, changing public opinion on the ‘inevitability’ of unthinking change and the destruction of heritage, amenity and useful low rent accommodation in the city. Their lasting legacy lay in NSW Liberal legislation on
What of the future Rocks? Might it revert to private ownership and be converted to a kind of Paddington punctuated with towers? Might it be totally redeveloped under the guidance of a future federal department of Collective State Authorities?...perhaps the seemingly Machiavellian spirit which has pervaded all government dealings with the site will revive and allow the Rocks to slowly regenerate itself while at the same time adding yet another failed scheme to its long list. (Blackmore in Webber, 1988: 138)

In 1960 the State Labor government sought redevelopment proposals for the Rocks peninsula behind the Harbour Bridge, and a megalomaniac scheme of 13 towers above a six-storey podium was mooted. A change of government scuppered the scheme, but new proposals trebled the commercial floorspace, and extended the site south to Grosvenor Street. The State-controlled SCRA was established in 1968, and their first scheme trebled the retail content and substantially increased the office space.
Land acquisitions and evictions began, and this phase of resident intimidation is bitterly remembered by older Rocks’ residents. Resident and heritage groups organised against the proposals, (Nittin, 1980), but it was the BLF’s green ban that halted the project and created the opportunity for the whole scheme to be re-thought. A much more community and heritage oriented scheme emerged with major redevelopment confined to the area south of the Cahill Expressway. Subsequently the Regent (now Four Seasons) Hotel (1979), Grosvenor Place (1981), ANA (now Shangri-La) Hotel (1991) and Sydney Cove Apartments towers were built here while the Rocks itself received much more sensitive infill development (e.g. Rocks Square, Immigration House, Park Hyatt Hotel) and building conversions. Major investments were made in the waterfront public realm for the Australian Bicentennial in 1988, and again for the 2000 Olympics, and the monumental MSB Building was converted to house the Museum of Contemporary Art. So the Rocks was saved from State-sponsored modernist obliteration and much of its intricate, complex fabric and mixed uses were preserved, if only to be relentlessly gentrified by the international tourist trade. Since 1998 the Rocks have been managed by the Sydney Harbour Foreshore Authority, controlled by the State Minister for Planning, and the State has also controlled (through a master plan) the conservation and redevelopment of the Walsh Bay, and its five piers on the opposite site of the peninsula.

Environmental Protection, the establishment of the NSW Planning and Environment Commission, the Whitlam Federal Government’s Environmental Impact legislation (both in 1974), and subsequent Labor legislation under the Wran Government to protect historic buildings (1977) and ensure public participation in environmental decision making (1979 Environmental Planning and Assessment Act and associated acts: see Burgmann and Burgmann, 1998: 278–282; Short, 1988). This achievement was all the more remarkable given previous failures to reform city planning at all government levels.

4.8. Specific conservation successes

There were a number of examples of significant conservation successes. One undoubtedly was the retention of the Colonial Mutual Life Assurance Building on Martin Place, in the face of an early 1970s proposal for redevelopment of the entire block. Demolition and redevelopment was approved by both HoBAC and the Council, to emphasise their lack of commitment to heritage, but the ensuing public protest received the support of the Builders Labourers’ Federation. As a result the company changed their approach to the development, retaining three of the façades of the original building and erecting a 26-storey tower behind them (Plate 7). But by the time the Rural Bank sought to demolish its Art Deco headquarters in Martin Place, and replace it with a tower three times the height, there was no BLF to support the public outcry, and another key heritage building in Martin Place disappeared.

Elsewhere the successes came through the prevention of insensitive redevelopment, and the gradual adoption of more conservation-oriented solutions, as in the Rocks where by 1980 significant restoration work was underway in George and Argyle Streets
(Webber, 1988: 135–137: Case Study 7) and in Macquarie Place (Case Study 8). But the biggest conservation successes were recorded in the State Government precinct on the east side of Macquarie Street (Case Study 9). In 1977 the State had passed a Heritage Act giving the Minister the power to prevent the demolition of historic buildings, to acquire them, to ensure that they were properly restored and to give grants for this purpose (Webber, 1988: 27: Freestone, 1995). The introduction of this legislation also finally allowed application of Temporary Conservation Orders to historic city buildings, giving the Minister 40 days to decide whether such an order should become permanent, and providing for a different tax assessment régime if it was saved. The State Heritage Council operated State-wide so it could not repeatedly intervene in Sydney, although by 1983 there

Plate 7. Colonial Mutual Life (CML) Building, Martin Place. Considered to be one of the best examples of how a positive relationship can be created between new and old architecture (Jahn, 1997: 82), the CML building was also remarkable for the way it exceeded the maximum FSR, reaching 13.8:1 through generous bonuses for car parking (2:1) and heritage conservation (2.4:1). It used sandstone coloured cladding and bronze glazing to improve its relationship to the 1896 sandstone palazzo.
Case study 8: Macquarie Place and its setting (Source: both Webber 1988)

The chequered history of planning controls in the Quay area... demonstrates convincingly that for... controls to survive during an extended period of major redevelopment they must be based upon irrefutable arguments; they must have the support of all political persuasions; they must be explained clearly and exposed constantly to public scrutiny; and they must be consistently and fairly administered  (Anderson in Webber, 1998:189).

A succession of State and City plans were ignored to allow tall buildings to overshadow the historic Macquarie Place behind Circular Quay. Local landowners founded
were 19 Permanent Conservation Orders and 44 cases pending in the city. In the 1983 Strategic Plan the City identified seven ‘conservation precincts’ as having completed appraisals and design guidelines. In contrast to the pre 1973 era modest progress was being made with retention of the best of the city’s heritage.

4.9. Planning and urban design in the retail core

The 1971 Strategic Plan linked the objectives of retail revitalisation with the development of tourist, entertainment and convention facilities in the city, with the Midtown retail core as its first action priority. The 1974 Plan had argued for low FSRs to reduce the high rates and taxes which were perceived as driving away retailers, but the 1980 Plan took a different approach, arguing that low FSRs would discourage redevelopment and the retail intensification that the City desperately wanted. It considered that the FSR Code discriminated against retailing by giving larger floor space bonuses
outside Midtown, and making it difficult to maximise the 9:1 FSR within it. The City planners came to recognise that the notion of three floors of retailing, linked by the skybridges and underground concourses provided in many of the 1970s schemes, was not viable even in the city centre, and they argued for office or hotel development above two levels of retailing to maximise retail custom.

The retail core was strongly reinforced in floor space terms by the Centrepoint development, begun in 1972, which was the first attempt to create retailing on three levels, using pedestrian bridges and underpasses to connect into both the city’s main department stores. Its 325 m Sydney (observation/telecommunications) Tower was the tallest building in the southern hemisphere for many years and a Sydney landmark, though one shunned by the city’s architectural historians. In 1974 the second of the Victorian arcades, the Royal, was demolished to make way for the Hilton Hotel, and in 1982 the Mid City Centre was completed as a link from Pitt to George Street. In total some six other Victorian arcades disappeared between the 1960s and the 1980s leaving only the Strand Arcade as a reminder of the value of a covered, day-lit, elegant, direct and legible shopping link between two streets. The planners considered that they could improve the efficiency and attractiveness of the retail core through developing urban design controls, but protection of retail uses was hampered by the non-statutory status of the 1971 Planning Scheme and the City’s inability to discriminate between different land uses.

The pedestrianisation of a section of Pitt Street (between Market and King Streets) and further pedestrian improvements along the street were mooted in the early 1970s, but repeatedly delayed by the State because of potential traffic disruption. It was not until 1986 that State permission for the pedestrian mall was finally forthcoming. The decision probably had more to do with accommodating the State-sponsored Darling Harbour monorail (see on) on the blocks further south than the obvious amenity benefits of the mall. By the time the Pitt Street Mall was completed in 1987 the retail core had lost much of its attractiveness as the Victorian arcades were replaced with dark, anonymous, illegible multi-storey shopping centres. These included the Mid City Centre, the Glasshouse on the Mall, the Sky Garden and the Piccadilly. Rollin Schlicht has criticised the prevalent aesthetic thus:

It is within this secret zone that one also finds the extraordinary and acceptable, if often extremely vulgar, interior commercial-public spaces. It seems at times as if Sydney is entirely constructed from gold-anodised aluminium, polished mirror surface, multi-coloured marble, granite and plate glass…this modern baroque would be sanitised if architects, rather than developers, were to assume aesthetic control of the city. (Schlicht, 2001: 35)

He bemoaned how compressed the pedestrian city had become and how the multi-level malls had largely destroyed the pleasure of shopping in central Sydney by the late 1980s.

4.10. Revisions to policies and plans

In 1977 the City Council sought advice from the Minister as regards future policies on building height, and the extent of its powers to control building form, so that it could improve its FSR Code. As usual the Minister did not deign to respond, and the Chair of
HoBAC suggested there was no urgency on the matter, leaving aldermen and city planners to complain about the powerlessness of the Council, and the chaos caused by the multiple bodies controlling development in the city. The 1980 Strategic Plan was considered to be a major restatement of Council policy by Civic Reform. It argued that it was impossible to accurately predict the demand for development and the capacity of the transport system to deal with it, and proposed a ‘new’ planning approach to floor space controls based solely on environmental criteria and ‘broad spectrum zoning’ (to include all ‘suitable’ uses), a change that was eventually implemented, but not until 1993. There was a desire to give developers security and eliminate the rise of ad hoc policy changes, while simultaneously seeking to improve the quality of the public environment. The Plan noted that

Accessibility, aesthetics, streetscape, bulk and scale of development are the things that have the most impact on the City-user, and yet these are the areas which have little input into the construction of past floor space ratio codes. (CoS, 1980)

Such an approach was to be the essence of the 1988 Strategic Plan and subsequent control policies. But although planners started to prepare an Environmental Performance Manual for each of the different city precincts, specifying pedestrian amenities, retail/entertainment frontages, façade continuity and buildings to be conserved, such detailed control was never likely to be approved by the State. The only times that bad design was successfully resisted in the 1970s and early 1980s were when the BLF’s green bans forced developers to think again. Otherwise city planners continued to work in a vacuum without a statutory Strategic Plan, with its conservation controls unadopted, and with the State insisting on only the very broadest brush planning controls. In the meantime the developers used the FSR bonuses to create a series of over-large and mundane buildings, set in modernist public plazas that the city would have been better off without. Despite this, direct public investment in pedestrianising streets and improving public spaces did bring important improvements to Central Sydney, and showed its citizens what civility might be possible in the future, while some of the underground pedestrian routes improved access and egress from the railway stations. Otherwise laissez-faire traditions held sway and there was no consistent improvement in the quality of urban design of commercial development. Indeed there were signs of increasingly negative environmental and social impacts.
CHAPTER 5

Losing control: the city vs. the state 1980–1988

5.1. Introduction

Labor resumed control of Sydney City Council in 1981 but the re-amalgamation with South Sydney created enormous internal political pressures. As the Labor City Council neglected planning for the CBD, the State Labor Party, which returned to power in 1976, took a greater interest in the CBD as the State’s economic engine. The State took control of the redevelopment of Darling Harbour to provide an international convention and exhibition centre, and tourist attractions to launch Sydney as a global city. Simultaneously, development pressure intensified after a decade of office over-supply, and between 1988 and 1993 Sydney went through its third major post-war development boom, with office completions totalling some 200,000 m² in each year (Fig. 5). The early years of the property boom were characterised by City Council opposition to CBD development proposals, so the Labor State Government disbanded the Labor City Council in September 1987, and three commissioners presided over the onset of the boom, approving a new wave of post modern buildings that showed more sensitivity to the city’s character and heritage than the previous proposals, but still not enough.

5.2. City politics and the assumption of Labor control

The 1980 Strategic Plan was the planning swan song of Civic Reform. Labor resumed control of the City Council in 1981 with a majority of one, but with significant internal battles between the right of the party, keen to shed their anti-business image, and the Labor left, keen to protect working-class interests in the inner suburbs. The State Labor Party was reinventing itself and extending its power base beyond the trade unions and public sector workers into the worlds of property development and finance. Under the leadership of Neville Wran, a prominent Sydney barrister, the Labor Party courted property and banking interests creating what Spearritt (2000: 265) describes as ‘a Labor City-State’, with strong links to the Federal Treasury via Paul Keating. Neville Wran made no secret of his contempt for Sydney City Council. His famous 1977 remark that the Council ‘has no more power than a praying mantis’ had not stopped him trying to further reduce the City’s powers while it was under the control of Civic Reform. The State Labor Government moved to consolidate its control over the City by re-amalgamating it with South Sydney, a municipality controlled by the Labor right, in 1981. But the blatant gerrymandering failed, and in 1984 Labor lost control of the Council when an unprecedented 9 Independents were elected alongside 6 Civic Reform and 12 Labor aldermen. It was essentially a revolt of the middle-class action groups in the inner suburbs. Labor tried to build alliances with this disparate group, but the latter’s consultative style did not allow rapid decision making or fit Labor’s more authoritarian style. A coalition with Civic Reform in 1985 failed as the Council descended into ‘a shambles from the State’s view’ (Golder, 1992: 70), leading to the State sacking the City Council in March 1987.
The early 1980s was not a good decade for the city planning function in Sydney. Ashton (1995: 111) notes that Council’s political commitment to planning had flagged, not least because the State remained so firmly in control of the city’s growth. The revisions to the Strategic Plan became more driven by the electoral cycle than sound planning principles, and critics argued that the Council was more concerned with ‘political grandstanding’ than carefully managing commercial development (Alexander, 1978: 123). Council proceedings degenerated into a tragic-comedy as the various factions fought over resources and policy (Hanson in Ashton, 1992: 96–98). Staff morale and retention became a major problem as planners became disaffected with the lack of forward planning and poor control decision making by Council. Planning the CBD received very little mention in the Council’s Annual Reports (CoS, 1982–1986) other than the conservation/pedestrianisation projects for the Queen Victoria Building, Pitt Street and Martin Place, and proposals for new parks opposite the Town Hall and in Darling Harbour. Various LEPs were being prepared for Martin Place and the Kent/Sussex Street Precincts, but these were a long way from gaining approval.

5.3. The redevelopment of Darling Harbour

On May 1 1984 the State announced that it was taking over control of the Darling Harbour (in fact Cockle Bay) dock sides and goods yard and adjoining properties to create a major redevelopment project as their national Bicentennial project. The City Council had proposed a Bicentennial park, Chinese gardens and maritime museum on the site in the early 1970s, and major redevelopment had been undertaken at the southern end of the site in the early 1980s with the construction of the Sydney Entertainment Centre, the Institute of Technology and the conversion of the Power House into a Museum. A late 1970s proposal for a 1988 Expo on the site did not receive Federal backing, so the State undertook new feasibility and technical studies in 1982–1993 incorporating the original ideas, but adding major convention and exhibition centre facilities and extensive retailing. Given 4-year deadline for project completion, tight ministerial control of such a major project was essential. But the content of the scheme was an expression of how the State was determined to think globally about the city’s economy, while the City Council continued to concern itself with political in-fighting and the needs of residents rather than those of business.

5.4. The monorail controversy and the dismissal of the City Council

The redevelopment project itself did not attract significant public opposition, but the proposal to build a circular monorail to link the project to downtown and the retail core aroused major antagonism in the city. A combination of lack of consultation, the ‘high handed way in which residents (were) treated’ (SMH 31.7.86 quoted in Daly and Malone, 1996: 101), the way the scheme was exempted from any Council control or the provisions of the Environmental Planning and Assessment Act (1979), plus the potential environmental impact on narrow city streets, provoked major public protest (Plate 8). A Sydney Citizens Against the Proposed Monorail protest group was established and a major public rally brought some 10 000 people onto the streets. The State was eventually forced
to establish a Commission of Enquiry to hear public protest (although by then work on the monorail was already underway) (Ashton, 1993: 113).

Powerless to stop the monorail, the City Council dug its heels in over hotel developments overlooking the harbour, and at least four other major hotel projects were significantly delayed (Plate 8). A major battle ensued over the redevelopment of the Anthony Horden’s Department Store which the Heritage Council had wanted to save (Ashton, 1993: 115). The Minister of Planning (Bob Carr) demurred, deflecting criticism by announcing his intention to preserve an adjacent department store, the Mark Foy’s building, which was not under threat (it was subsequently used for the State law courts), a typical political ‘fudge’ to ensure that major private investments were facilitated (Chesterman in Ashton, 1992: 183).
Case study 9: Darling harbour 1984–1990

Unhappy with the scale of the project, and the speed with which...[it]...was being foisted upon them by a determined government, Sydneysiders did what they
The State was also losing patience with the Council’s planning application processing, purposely delayed by independent aldermen alienated by the State’s intervention. The ensuing conflicts, plus the very real threat of the election of an independent Lord Mayor in the upcoming elections, led the State Government to dismiss the Council on the grounds of the necessity to eliminate the dissention and delay that has been occasioned to development of our city particularly, and the delay to important tourist infrastructure such as the facilities of Darling Harbour.

(Turnbull, 1999: 317)

The Darling Harbour Authority had a State-appointed Board and a small public service executive allowing it to successfully ‘fast track’ development. Its master planning and project management functions were given to private firms, and five different design teams developed the building and space design, each being taken through to a Design Review and a Quality Review Committee and up to the Minister. A concept plan and development strategy was translated into a 1985 masterplan, subsequently revised and detailed with landscaping, lighting and signage plans in 1987.

The large-scale buildings—the five Exhibition Halls and the Convention Centre, and the Harbourside Marketplace (festival shopping) were placed on the west side forming a continuous edge to the project, hiding a very utilitarian service road and monorail. On the east side the Sega World buildings had smaller and more varied floor plates, essentially a group of big coloured boxes clustered around the boating lake, and an outdoor café area. Darling Harbour architecture is unified by the use of predominantly white cladding and maritime architectural influences are strong, particularly in the white masts and supporting cables of the Sulman prize-winning Exhibition Centre, and in the billowing sail or wave-like roofs of the Aquarium and the National Maritime Museum (all by Philip Cox Richardson Taylor and Partners), the latter completed in 1990. The adjacent Convention Centre is a more sombre and utilitarian building and the space in front of it lacks definition, but it is enlivened by an irresistible elliptical water feature. On Cockle Bay itself there were criticisms of the Baltimore-inspired Harbourside Marketplace, its barrel-vaulted banality, depressing interior, lack of cross-connections and its failure to enclose the quayside.

A remarkable feature of Darling Harbour is that the five freeway viaducts that cross it do not unduly impinge on the pedestrian experience. The viaduct pillars are treated as sculptural elements and the space below is landscaped with ‘tall cabbage-tree palms, creating a cathedral like quality’ (Morrison, 1997: 108) and lining the walkway and ‘urban stream’ that links the harbour. However, the major criticism that must be made of Darling Harbour is that, apart from the Pyrmont Bridge, there are very poor and awkward pedestrian connections into the Downtown core, and to Pyrmont to the west, so that the project is still not linked into the city in the way it should be.

The State was also losing patience with the Council’s planning application processing, purposely delayed by independent aldermen alienated by the State’s intervention. The ensuing conflicts, plus the very real threat of the election of an independent Lord Mayor in the upcoming elections, led the State Government to dismiss the Council on the grounds of the necessity to eliminate the dissention...
as additional hotel and other major developments associated with the growth of our city’s CBD. (NSW Legislative Council quoted in Ashton, 1993: 115)

Nobody was more shocked than the City’s Labor Lord Mayor as, for the fourth time in its history, the city was placed in the hands of State-appointed commissioners.

So, again, Commissioners presided over the City for nearly 2 years. Again their administration coincided with a property boom, helping to intensify speculative development activity and another over-supply of consents (Fig. 5).

5.5. The design of Darling Harbour

Despite the very tight deadlines for redeveloping 50 hectares of Darling Harbour the project was delivered on time, adhered to a well-conceived set of urban design principles, and was subjected to quality review mechanisms. These ensured that its design was of a high order (Case Study 9), its iconic maritime-influenced architecture capturing local and international acclaim.

Darling Harbour was a resounding success overall, despite continuing economic difficulties for its hotels, festival shopping and its Sega World complexes. It provided a large area of high quality public space on the western edge of downtown, differentiated into a Chinese landscaped garden (paid entry) on the edge of Chinatown, a semi-circular focal green space, a boating lake and themed pavilions (Sega World), and a green axis and walkway linking all these spaces through to the Cockle Bay wharves with Convention Centre and Harbourside Shopping Centre to the west. It was both ‘an audacious piece of electioneering’ (Farrelly, 1989: 63) by the State Labor Government, and an equally audacious bid to make Sydney a globally competitive convention and tourist venue. There was much less public opposition than might have been anticipated given the complete absence of any housing in the scheme, the level of public investment required, and the role of the Casino in underpinning the project’s viability (not completed until 1997). But the content of much of the scheme, including the Bicentennial park and lake, had been set out as long ago as the City’s 1971 Strategic Plan.

Daly and Malone (1996: 103) characterise Darling Harbour thus:

With its borrowed post modernist architecture, Darling Harbour may be seen as an icon of Australia’s spendthrift economic policies and political brinkmanship…a monument to the spurious economic policies of the 1980s…symbol[ising] reckless spending on property, failed entrepreneurs and foolhardy investment, or the vacant and half cleared sites, abandoned development and empty office space of Sydney’s commercial core in the early 1990s.

But from the outset its value to Sydney’s tourist offer was obvious, with one million visitors attracted annually from 1988 onwards, and its new park and waterfronts providing major public amenities. Elizabeth Farellly argues that Darling Harbour is less part of the city than a refuge from it, while others have seen it as ‘an open, expansive and egalitarian environment’ (Morrison, 1991:3–5). There are multiple readings of this iconic development, but Darling Harbour rarely feels like a piece of the city, more like a former Expo/World Fair (that it was once intended to be). On weekends it is heavily used by local
people as well as tourists who appreciate the public wharves and varied park space the west side of the CBD has long lacked. For late 1980s Sydney it was, for all its flaws, a very considerable achievement, even if it does, on close inspection, exhibit the results of ‘too many chefs hastily preparing an unfinished recipe’ (Morrison, 1997: 110).

5.6. State improvements to Circular Quay

Darling Harbour was not the only important State-driven Bicentennial project that made a major contribution to the city’s public realm. The East Circular Quay improvements and the boulevard of Macquarie Street jointly won an RAIA award to recognise their contribution to the city and their intrinsic urban design quality. The belated opening of the Opera House at the eastern end of Circular Quay in 1973 was not accompanied by any substantive improvement to its setting (‘abandoned to grey asphalt and the car’ (Maher, 1983: 37)) or to the pedestrian links from the ferry terminals. The City improved Alfred Street but the State did nothing within its jurisdiction until goaded into action by an RAIA convention on the future of Sydney Cove under the theme ‘Cities in Conflict’. A subsequent RAIA ideas competition for Circular Quay forced the State to develop some enhancement proposals and revealed the complex overlapping jurisdictions which hindered positive interventions in the area (Maher, 1983). Subsequently the State Premier Neville Wran endorsed the idea of a major programme of environmental work, and the Minister for Environment established a widely representative Advisory Committee.

Its recommendations were taken forward as a major Bicentennial public realm project extending around the Cove, from the Opera House to the Harbour Bridge. The evolution of the design of the improvement scheme is well described by one of the insiders in the process (Andersons in Webber, 1988). A wider pedestrian boulevard was created on the water’s edge on Circular Quay East and a sweeping new walkway was built out into the Cove below the wharf, and close to the high tide level, to provide a partly covered route to the Opera House, accommodating a café bar and shop. The forecourt to the Opera House and the upper level pedestrian boulevard were repaved, but a proposed fountain as a focal point was never completed.

The ground floor of the railway station was redesigned to accommodate retail and catering facilities, while the ferry wharves were given much more transparency. On the west side of the Cove the wide roadway was re-landscaped as gardens and a large new paved space created by the partial demolition and remodelling of the Overseas Passenger Terminal. Further north around Campbell’s Cove a new wharf was built, and a new boardwalk continued round in front of the new low-rise Hyatt Hotel to link up to Dawes Point Park (see plates in Case Study 7). Thus the State delivered a series of major design improvements right around Circular Quay creating a major tourist destination and itinerary, but also spaces that could be enjoyed by all Sydney residents.

Almost as important was the conservation of the government precinct on Macquarie Street, and a series of street improvements to create ‘Australia’s finest boulevard’ in time for the 1988 Bicentennial. This set the pattern for further conservation and sensitive redevelopment in the 1990s, and was an expression of the State Government Architect’s
increasingly positive influence over government-initiated development, and a more considered approach to the State’s heritage buildings (Case Study 10 (Plate 9)).

5.7. The rule of the commissioners 1986–1988

When the State government disbanded the City Council in 1986 it did at least appoint commissioners who were far more able to administer the city than their 1967–1968 predecessors (Hanson in Ashton: 100). Their 22 months in control saw some significant positive changes in the way that the Council was run at least in terms of overall efficiency. They set themselves a simple agenda to speed up DAs, upgrade roads and footpaths, improve the cleanliness of the city, raise staff morale and balance the municipal budget. They reduced the growth in Council expenditure by 75% down to 3.6% per annum and the number of outstanding DAs of over 40 days by nearly 25%, despite a major increase in the number and size of applications. In 1986 an astonishing 53 applications were at appeal, but 22 were withdrawn during the year, presumably in order to gain consents from the Commissioners. This was the start of a much greater emphasis upon the speed and efficiency of development control decision-making, and a much leaner City administration, that was to characterise the city through to the present.

5.8. The post modern buildings of the third boom

No detailed research has been conducted on the 1986–1993 boom, or on the projects approved by the commissioners, and only a process of deduction (complicated by the gap between approval and completion dates) can establish the key projects and their respective qualities. Fig. 8 provides a bird’s-eye view of Sydney CBD in 1988 and shows the results of three decades of modernist redevelopments and the new scale of redevelopment that resulted from the lifting of the 150 ft height limit and the discretion of HoBAC. A step change in the scale of development was imminent. Developers had assembled larger sites during the property recession and as demand intensified they proposed ever larger schemes. The World Square project was the largest proposal, over 250,000 m² of commercial space, an entire city block that had taken 7 years to assemble and where the Minister gave the largest ever development consent in 1987, a project that is still not completed. Perth entrepreneur Alan Bond made two spectacular attempts to build the tallest building in Sydney, successfully getting a permission for the 43-storey Chifley Tower in the CBD in 1988, but failing with a proposal for a 102-storey tower opposite the City Hall in 1987 (Spearritt & De Marco 1988). Chifley Tower was important because it brought the architects Kohn Pederson Fox (KPF) to Sydney and resulted in an iconic building that not only graced the city skyline but completed Chifley Square in the quarter circle of land at the junction of Hunter and Castlereagh Streets. This was a fine post modern collage of KPF precedents, with each elevation responding to the character of the adjacent street, and its curved upper floors and retro tower top floating above the miasma of its anonymous neighbours (Morrison, 1997: 78–81). It was certainly one of the most contextually responsive of the city’s major office towers (see Plate 10a) and the fact that it respected pre-existing floor space and height limits rather than setting new ones was an important victory for planning and urban design in the city at this time.
Macquarie Street, Sydney’s major boulevard is redolent with the city’s past. The eastern side of the street is lined with some of the city’s grandest public buildings, and the western side features office buildings for practically every decade since 1980. All this attention to context results in good building(s) with many visual...
Other tall towers tended to adopt much less modelled elevations, employing huge expanses of reflective glass and clip-on stylings to relieve their elevational monotony. The reflective glass Allianz tower and bright blue, steel-framed, wedge-top BT tower faced each other across the west end of Market Street with minimal plazas, and the Coopers and Lybrand Tower at Bathurst and George Street, a 31-storey, six-sided tower, also used blue reflective glass. Its stepped top with deep pink spires commanded all views up George Street from the north, but more importantly the project internalised all its ‘public’ space with its granite-clad, chevron motif ‘Pavilion’ containing a three-level retail and food complex. A similar architectural approach, also using polished pink granite but much less blue reflective glass, was Number One O’Connell Street (Plate 10b). At ground level it turns the sharp corner with its wedge-shaped three-storey, palm-filled ‘winter rewards, but after a trip along Macquarie Street one longs for something modern that not only relates but is also a dazzling design in its own right  (Morrison, 1999: 52, 62)

Macquarie Street had always been Sydney’s governmental heart, and the precinct on the east side of the street was the site of a succession of important government buildings built after 1810. In 1962 an ambitious redevelopment plan was prepared by Professor Gordon Stephenson to accommodate new Federal and State Court buildings. The State Planning Authority revised this plan into a combination of selective conservation and modernist infill. Two new slab blocks were built to define the Martin Place/Macquarie Street corners, and the new 17 storey Court buildings brutalised the southern end of the street. However, five of the key heritage buildings were retained, the proposed demolition of the Hospital provoking much opposition from health and conservation interests.

In 1970 a development brief was prepared, retaining many of the historic buildings but accommodating new offices on the Domain side of the precinct. The Supreme Court was conserved in 1978 (after protests at its proposed demolition), and the Mint and the Barracks repaired to house part of the Museum of Applied Arts and Sciences. Further restoration work was carried out to the Sydney Hospital and Parliament House, and the Government Architect’s office produced a report to make the street ‘Australia’s finest boulevard’ in time for the Bicentennial. Design controls, conservation, and street enhancement were proposed and a detailed programme of works was developed, including a much more modest version of Peter Webber’s winning design for Queen’s Square. The major extension to Parliament House fronting onto the Domain, begun in 1974, was not completed until 1985, almost half of it buried below ground, its strongly Corbusian large-scale concrete grid elevations softened by a sandstone finish (Morrison, 1999: 56)

The great civic buildings on the east side were progressively restored, cleaned and floodlit in the early 1990s (Johnson, 2000: 16) as the culmination of what is undoubtedly the biggest and most successful conservation project in the city, a testament to the work of successive State Government Architect’s offices (Johnson, 2000: 96–97).

Other tall towers tended to adopt much less modelled elevations, employing huge expanses of reflective glass and clip-on stylings to relieve their elevational monotony. The reflective glass Allianz tower and bright blue, steel-framed, wedge-top BT tower faced each other across the west end of Market Street with minimal plazas, and the Coopers and Lybrand Tower at Bathurst and George Street, a 31-storey, six-sided tower, also used blue reflective glass. Its stepped top with deep pink spires commanded all views up George Street from the north, but more importantly the project internalised all its ‘public’ space with its granite-clad, chevron motif ‘Pavilion’ containing a three-level retail and food complex. A similar architectural approach, also using polished pink granite but much less blue reflective glass, was Number One O’Connell Street (Plate 10b). At ground level it turns the sharp corner with its wedge-shaped three-storey, palm-filled ‘winter
garden’ food court. As with the Chifley Tower there was the evolution of both a much more careful contextual response in building massing and elevational treatment, but also an inexorable privatisation and commercialisation of public space as the amenities became enclosed, and only fully enjoyed by paying customers. Office developers were realising the retail/catering rental potential of their ground floors.

Similar post modern elevational touches and materials were employed in the Sheraton Hotel/Tattersall’s Club overlooking Hyde Park, a building distinguished by its adherence to the sunlight angles to prevent overshadowing of Hyde Park (but with no such concessions to the canyon-like Castlereagh Street to the east. On King at Kent Street the Mercantile Mutual (‘Cornerstone’) building inserted its post modern 14-storey square tower with a glazed curve on the corner behind an important group of five three-four storey heritage buildings in a ‘bold and playful’ façadist solution (Plate 10c) (Morrison, 1997: 42). Further down Kent Street the Ernst and Young Tower was integrated with a re-clad mid-seventies scheme, both utilising a more sophisticated deep blue reflective glass, and linked by an extensive 17 m atrium behind an open granite screen to retain some semblance of street enclosure (Plate 10d). The rather bare new internal space is ‘light airy…relaxed and refreshingly free of elaborations and contrivances’ (Morrison, 1997: 90). But on its western frontage the development emphasises the problems of inserting large-scale buildings (with abundant car parking) into the historic street, especially on steeply sloping sites.
Fig. 8. A bird’s-eye view of Sydney CBD, 1988. The buildings are as follows: A: BT Tower; B: Allianz Centre; C: King George V Tower (American Express); D: CBA Building; E: Qantas Centre; F: Australia Square Tower; G: AMP 2 Tower; H: State Office Building; I: MLC Centre; J: Centrepoint Tower; K: Westpac Building; L: Commonwealth State Law Courts (Source: CoS, 1988).
Both Harry Seidler’s buildings of the period are important architectural icons, and both are thoroughly modernist in their solutions. The 31-storey Capita Centre, completed in 1989, was an ingenious architectural solution to how to overdevelop the site (Plate 11a). Utilising a constricted site the architects circumvented the problem of dark, low value lower floors overlooking the street by hollowing out the building, removing the first ten floors and allowing a third of its volume to be an open atrium on each floor, then using public open space incentives to go twice the height that would otherwise be allowed and capture much higher rents. But it left the street impoverished despite the various attempts to create amenities—a small ‘rainforest’ garden, a ‘curved...platinum and blue porcelain mural’, a ‘shimmering 10 m high curtain of water’ (Morrison, 1997: 86–88) and an exclusive restaurant and mezzanine bar.

Grosvenor Place was much more in the mould of Australia Square, a 46-storey tower that owes its generous floor space allocation to its inclusion just inside the southern boundary of the SCRA. There is much to admire in the ingenious curved façades which...
reduce the building’s apparent bulk, its aluminium sun louvres and its tall lobby with imposing paintings by Frank Stella (Plate 11b). As with Australia Square, Seidler was determined to create another large well-used public space, providing a strongly enclosed, granite-paved forecourt on the north side. The major planning controversy revolved around the SCRA and Heritage Council’s insistence that Seidler keep two Edwardian buildings on the south-east corner, thereby compromising the architect’s desire for an open ground plane, and constricting views of the tower down George Street. It was a finely poised issue where both solutions had their merits.
5.9. Verdicts on the 1980s

The travel writer Jan Morris provides a fitting verdict on the Sydney townscape of the end of the 1980s:

...at the start of the 1960s, its centre was uncompelling indeed. Its principal streets were dingy, its older quarters were run down and its skyline...lacked either panache or romance....Things are not half so dull today. The Victorian balance has never been restored, and architecturally Sydney’s is certainly not one of the most distinguished of the New World’s city centres. Nevertheless the explosion of steel, glass and concrete in the past 70 years has given it a cohesive excitement, and the central clump of high rise is nothing if not energetic.  (Fig. 8; Morris, 1992: 34–35)

Damned with faint praise perhaps, but there was no doubt that the commercial developments approved in the late 1980s had become more responsive to their sites, more diverse in their mix of uses, and more aware of their responsibilities to the street and the city’s heritage buildings.
Through the 1980s there had been little opportunity for the city planners to upgrade their control mechanisms as the Council descended into factional chaos. Much analytical work continued to lay the basis for detailed development control plans, but planning continued to be a low profile activity. The State’s dismissal of the Council, its rapid redevelopment of Darling Harbour and its improvements to Sydney Cove emphasised its determination to drive forward a global city agenda and to use design quality to enhance its international competitiveness. How this might be translated into design policy per se was heralded in the State-driven 1988 Central Sydney Strategy.
CHAPTER 6

Setting development parameters: the evolution of new statutory plans 1988–1996

6.1. Introduction

When the State re-established a much reduced Sydney City Council in 1988, it retained the most important planning powers. It introduced a new Central Sydney Strategy Plan, jointly prepared with the Council, as an interim measure, creating a new State-Council Committee to supervise major DAs. The complexity of these changes and ensuing events requires a departure from the strictly chronological account adopted so far. In this section the focus is on the new Strategy and on the way the Central Sydney Planning Committee (CSPC) operated, drawing an important distinction between the initial operations under the chairmanship of Mayor Bingham until 1991, and subsequently under Mayor Sartor (the latter covered in Chapter 7). The focus in this section is on how the new statutory plans evolved (1991), were contested (1992), adopted (1993) and subsequently revised (1996) to create a new planning régime, and the substance of the debates about the types and levels of controls adopted.

6.2. A new City Council

In Sydney’s history 1988 was a watershed year. A new slim-line Council was constituted, dominated by business/development interests, and the boundaries of the city were narrowed back to their 1842–1948 boundaries—the CBD and the Pyrmont Peninsula. A new era of State control of Sydney’s planning was ushered in with the new Council under very close scrutiny for its fiscal prudence, and the attitude to development and efficiency of its planning decision making. The new Council was more or less bound to follow the pattern established by the 1987–1989 Commissioners. As Ashton (1995, 116) notes these changes “rendered the City Council more powerless in planning matters than any other local government in Australia”.

To replace the old City Council the outgoing State Labor Government had wanted a new form of city government to ensure that the ‘competing interests’ in the CBD were not impeded by the interests of inner-city residents, an extraordinarily clear statement of the neo-liberal political agenda. They set up a Commission of Inquiry to report on a new form of municipal government but, by the time it reported, Labor had been replaced at the State level by a Liberal coalition government led by Nick Greiner. The Inquiry Judge’s view was that Sydney had ‘outgrown municipal government’ and he recommended that ‘Sydney Central’ be detached from the surrounding suburbs and become an election-free zone, governed by a commission of “entrepreneurs who are specially skilled in their duties” (quoted in Golder, 1995: 73). The new State government largely took on board the recommendations, though balking at the abandonment of all local democracy in favour of a small elected council of seven aldermen elected city-wide (who would in turn elect the Lord Mayor). The electorate consisted of 3863 residents, 4746 property owners...
and rate-paying lessees, and 7286 non-residential occupiers, to give the business community control over who was elected.

Crucially, the 1988 City of Sydney Act deprived the new Council of the powers to make statutory plans or determine major planning applications (those developments over A$50 m in value), establishing a new Planning Committee (CSPC) where Council would have three members (the Lord Mayor in the chair and two councillors), but the State would appoint four ‘experts’ plus the ex-officio Director of Planning for the State. The Lord Mayor of South Sydney would take the remaining place. As Sydney’s municipal historian has remarked, the removal of planning powers marked perhaps the most profound example during this century of shift of decision making out of the sphere of local government, and out of the democratic arena. (Fitzgerald, 1999: 239)

In the 1988 election, Civic Reform took three seats, and Labor and the Independents two each. The Civic Reform candidate Jeremy Bingham was elected Mayor.

6.3. The 1988 city strategy

The State and City began to work together on a new city planning strategy at officer level in 1987 with an agreement to review the 1971 planning provisions (Searle, 1998: 809), but a State Committee oversaw the final version of the strategy which was published under the auspices of the CSPC. The 1988 Strategy (CoS, 1988) was a much slimmer document with far less data and description of trends and initiatives than its predecessors. Gone were the elaborate objectives, policy statements and action plans, to be replaced by three themes of central place, special place, and place for people. The document was rather long on dubious platitudes and short on specifics. The most important policy statement was the retention of base FSR allowances, but the key change was the removal of the pedestrian improvement bonuses, acknowledging their failure to achieve acceptable building forms and public amenities. There were some contradictions between the adoption of a blanket 10:1 FSR and the pursuit of more heritage and character-sensitive development, but these were ignored on the basis that a FSR lower than 12.5:1 would not accommodate projected growth, even though 10-year projections showed employment only increasing back to its 1971 level! The reality was that anything less than this would have constituted a down-zoning and, as Farrelly has noted, this was never an option (Farrelly, 1997: 182, 412).

The most striking feature of the 1988 Strategy was the priority it devoted to urban design issues, evident in virtually every element of the concept for future Sydney (pp. 10–11) and in the implementation section of the strategy. This criticised existing policies for relying too much on FSR controls and having no urban design controls, and sought to establish “simple and clear”...“standards and guidelines”...“to create a climate of certainty for both developers and the community and emphasise urban design” (p. 77) (see Fig. 9). Added to this were ideas from an Architects Advisory Panel as to the fundamentals of good building design (e.g. contextual height, plan form, base/shaft/top, public space and enclosure) that were to loom large in debates about appropriate plan policies as the CSPC moved to create statutory plans to manage development control in the 1990s. (Case study 11)
Streetscapes

1. The lower levels of new buildings should be built to street alignments to define streetscapes and to maintain the existing street pattern, unless inconsistent with guidelines applying to specific blocks or streets. Ensure that corners at intersections are reinforced. (2.1)

2. Buildings should be designed to reinforce the parapet height where this is a strong element in a street block. (2.2 minimum height :1:1 street enclosure : 2.4 special height areas)

3. New development should take into account the details and proportions of existing development within a street, especially if those buildings have heritage value. Unsympathetic contrast of proportions, scale and materials should be avoided. (2.11 guidelines for significant sites)

4. Ensure that the design and location of vehicular access points to a site do not disrupt the continuity of the street wall through the multiplicity of crossovers or the divergence of the footpath. (3.3 vehicle access points)

5. Encourage the provision of parking below ground. Require above ground parking structures to be designed to relate to the scale, massing, proportions and materials of adjacent buildings. Require the ground level to maintain continuity of frontage activity and/or visual interest by means of design detail. (2.7 building exteriors; 5.1 parking)

6. Additional private squares or places may be provided in locations where the continuity of the street wall is not eroded.

7. The enclosure of poorly designed and sited open spaces and setbacks will be encouraged. The site where this is desirable will be identified in the Development Control Plan. (2.11 Opportunity sites)

8. Landscaping and street furniture should act as functional, visually unifying and enhancing elements in the city. A co-ordinated approach by relevant public authorities to their design and implementation is required. (3.6 Art; 3.7 Paving; 3.8 Access)

9. Ensure that buildings are designed to create pedestrian interest at ground floor level by incorporating activities which generate vitality and/or design details which create visual interest. (2.5 street frontage activities; prescribed retail/pedestrian streets; 2.7 building exteriors)

Vistas and Views

10. Maintain vistas along streets to buildings and places of architectural, landscape, or cultural significance, and to the harbour. Avoid blocking of vistas by pedestrian overpasses. (2.8 views/vistas defined and protected)

11. Encourage the siting of towers to maximise view corridors to and from Port Jackson and Botany Bay especially views enjoyed by existing development.

Skyline

12. Ensure that buildings are designed to create a visually interesting skyline. (2.8 silhouette)

Building Form

13. Building bulk created by large unbroken expanses of wall should be reduced by varying height and setback. (2.3 setbacks policy: front, side, rear; 2.6 height/floor plate)

Parks and Squares

14. Where public squares or parks are enclosed by surrounding development their definition should be maintained by building to the street alignment and maintaining a generally uniform parapet height.

15. Ensure that parks are not overshadowed by excessively high perimeter development. New development should step back from the prevailing parapet height. (2.3 setbacks above 45 feet to protect light to all streets)

Pedestrian Protection

16. Protect pedestrians from rain, wind and summer sun along pedestrian routes to be designated in the Development Control Plan and maintain visual and functional continuity of awnings and colonnades within a street block. (3.5 awnings and colonnades)

Fig. 9. Design principles in the 1988 City Strategy and their persistence. (Source: LEP).
George Clarke saw the new strategy as a necessary 'confidence-building exercise' given the dismissal of the Council, but he criticised its failure to develop integrated land use and transport planning, or to develop a set of statutory, detailed development controls ("which even Sydney's capitalist role model, Manhattan, has in extraordinary detail": Clarke, in Ashton, 1992: 62–63). However, the Strategic Plan set some clearer directions, and began to simplify the city's planning policies, but it needed to be translated into a statutory LEP, a Heritage LEP, and a Development Control Plan (as prescribed by the State Environmental Planning Act 1979). It was not anticipated that this would take another 5 years.


Under Mayor Bingham the CSPC worked relatively smoothly as a development control committee, 95% of the decisions being made by consensus, and the few votes that were taken were never split along State appointee versus Council lines. The Committee became heavily involved in design negotiations, and there were frequent modifications made to schemes. But there were no appeals to the Land and Environment Court, so development interests were clearly satisfied with proceedings. Mayor Bingham acknowledged the legitimate interests of the State in planning decisions, and got on with the business of making decisions. But in retrospect Bingham considered that the Committee should not have been reliant upon the City’s planners for advice but should have had its own staff and premises, and an independent chairman (Commission of Inquiry 1994: A32).

Signs

17. Signs should act as a unifying element within a streetscape. Well designed signs contribute to and enhance the quality and character of a streetscape. The size and design details of signs should complement the scale and architectural detail of the buildings to which they are to be attached and reflect the character, activity and amenity of a locality. The location of signs should be incorporated in the design of new buildings. Priority should be given to the clear visibility of those signs that are directional or relate to human safety. (8.1.8.6 comprehensive policy)

Sunshine

18. Retain the amenity of the city's parks by ensuring that sunshine is maintained during winter lunch hours and that sunshine penetration is adequate for health plant growth. (4.1 sunlight to public spaces)

19. Encourage building forms which maximise sunshine along major pedestrian routes. (see 4.1)

20. Ensure that buildings with a glazed roof, façade or awning be designed to minimise hazardous or uncomfortable glare arising from reflected sunlight by requiring a reflectivity analysis of building proposals. The excessive use of highly reflective glass should be discouraged. (4.5 reflectivity)

Wind

21. Maintain a city form which steps up from the edges to form a north-south ridge. Avoid the creation of 'walls' of high buildings around the edges of the Central Business District which would obstruct sea breezes and would concentrate high winds in the parklands and Darling Harbour.

22. Ensure that buildings are designed to minimise uncomfortable wind speeds at street level and satisfy standard wind criteria for public safety. Wind tunnel tests would be required to demonstrate satisfactory compliance with the policy. (4.2 wind standards)

(Sources: CoS 1988: 2002)
Numbers and text in brackets indicate policies in amended 2000 Development Control Plan, to indicate the continuity since 1988

Fig. 9 (continued)
Case study 11: The Qantas Centre (currently the AAP Centre and NAB House) 1970–1982 (Source: CoS, 1988)

Each tower has been given a symmetrical, geometric plan form leaving a series of irregular open spaces at ground level. The previously clearly defined public street space is extended into an accidental and amorphous sequence of spaces...the plan has changed from space positive where the predominant experience is of the street spaces to ‘space negative’ where the visible spaces of the city flow endlessly around unrelated ‘object buildings’... (Paul Reid in CoS, 1988: 103)
The Qantas Centre, also previously known as the World Trade Centre, is one of the most reviled of Sydney’s commercial developments, occupying an odd-shaped city block on the west side of the George/Bridge Street intersection. The development had a protracted development history, being designed in 1970 but falling foul of a ‘black ban’ imposed by the building unions, the result of their failure to win special payments for the experimental construction process.

The first tower was placed on the George Street/Grosvenor Street corner, its 40 storeys of dark curtain wall glass relieved only by pairs of vertical, granite-clad columns on each façade. The second stage 50-storey tower was an elongated hexagon in plan and drew on some of Harry Seidler’s ideas about integrating building structure and services; its main elevations were oriented north-south and did not address the plaza.

Both towers created awkward spaces and relationships with the street, and failed to resolve the significant difficulties posed by the steeply sloping site, choosing to create a flat plaza on George Street that could not relate successfully to the other streets. A pedestrian overpass linked through the CBA complex to Wynyard Station, but it required six flights of steps to make this connection. The project’s maximisation of pedestrian bonuses was an indictment of the 1971–1988 floorspace system and a very unintelligent interpretation of its pedestrian network ideas. It was singled out for strong criticism in the 1988 City of Sydney Strategic Plan and the 1992 LEP Consultants’ Studies, and thus, ironically, positively influenced the City’s post-1988 design principles.

With four State appointees alongside the State Director/Assistant Director of Planning on the CSCP the State was clearly in a majority and able to dictate the pattern of decisions. The four Ministerial appointees were supposed to have ‘special knowledge or experience’ in planning, design, conservation or tourism, but this was not always evident to observers who saw development interests dominate and conservation interests downplayed.

It is difficult to tease out the key issues and debates of the period. In the first three years the major controversies included the deletion of 300 entries from the City’s proposed list of heritage buildings (dubbed ‘the satanic verses’ by one State appointee!) under pressure from the Building Owners and Managers Association, and tensions over the perceived slow speed of application processing. There were constant debates over the articulation of urban design controls and their incorporation into the drafts of the LEP and DCP. There were significant rejections of consents on design grounds on East Circular Quay, 359–363 George Street, and the re-cladding of the AMP 2 tower. Numerous applications were deferred, but virtually all were eventually approved. Many of these were resolutions of the detailed design of modernist hangovers like the 24 storey Allianz tower, the reflective glass KPMG building, and more post modern contextual buildings like the Mercantile Mutual/ING building (Plate 10c), the Sheraton Hotel, and the Mid City Centre and Skygarden retail complexes.

The CSPC’s most significant decision was the approval of the 50-storey Governor Philip Tower (Case Study 12). This was a State-sponsored development on a very sensitive site. The maximum FSR for the site was set at 12.5:1, but under the Code’s provisions
The architects have successfully resolved many issues including the provision of public links from Philip Street to Farrer Place, the structural resolution of the tower
relative to the historic terraces, the experience of the public foyer and the urban approach which divides the building into different experiential categories...this project is exemplary and demonstrates a benchmark in high-rise design which contributes benefits at street level, at the scale of the city and for uses and visitors to the building. (Sulman Jury citation 1994; Metcalf, 1997: 128)

An early test for the new CSPC was the State’s plans for a major new office building on an historic site at Bridge and Philip Streets. A design competition was held and the Melbourne architects, Denton Corker Marshall, were retained to design the scheme, which was allowed a 12.5:1 maximum FSR because of the public benefits it would deliver.

The project included a ‘total makeover’ instead of demolition of the 1960s Legal Assurance Building to the south, the retention of two sets of sandstone terraces, and the creation of a small museum fronting onto a public plaza on Bridge Street. It was a massive design challenge and the key issue was how to successfully relate a 60-plus storey office tower to the heritage buildings. The architects chose to do this by raising the first office floor to the tenth storey level, creating a hollow void behind the three-storey terraces in Philip Street, and providing opportunities for massive, stone-lined office foyers (‘monumental and impeccably detailed’ (Sulman Jury)). The Council’s consultant architect recommended reduction in the height of the building and the use of “façade materials of a tone and colour more compatible with the sandstone of the historic buildings in the area”.

The re-cladding of the older office building to the south did not disguise its rather lumpen qualities, but the new tower was beautifully detailed with a crown of stainless steel, and polished black granite cladding and dark glass. Despite the tower’s seven storeys of zinc-covered concrete slab looming above the Museum of Sydney and its plaza, both are great design successes. The sandstone wall of the museum, rusticated at the base where it contains the plaza café, but increasingly dressed and smooth as it ascends to the tower columns, gives the plaza a strong Sydney feel. The plan of First Government House is picked out in contrasting materials on the granite floor of the plaza. The rear of the four sandstone terraces are exposed to the plaza but partly screened by one of Sydney’s finest pieces of public art. Edge of the Trees (by Janet Laurence and Fiona Foley, 2001) is an installation of 29 pillars of wood, steel and sandstone (one for each Aboriginal clan in the area), supported with a sound installation that intones in Koori voices the Aboriginal place names of Sydney, capturing ‘a sadness of people passing and people displaced’ (Nimmo, 2001: 99–103). Here is an intriguing space that acts as an outdoor room for the tiny, condensed and multi-vocal Museum of Sydney. As for the tower, Morrison (1997: 76) concludes that

No matter what symbolism may have been attributed to the enormous vacant spaces between tower and base (on the northern Governor Philip Tower), they stem from a commercial rather than an intellectual or design imperative, and their thrusting, compressive strength symbolises, more than anything else, the supremacy of pragmatic commercial considerations over other factors in the design of the city.
the total FSR could only reach 10.7:1, the State arguing that the project met a variety of planning objectives within the 1988 Strategy (CSPC, 14-12-89: Item 14). The highly contested application was eventually approved with a long list of conditions confirming the maximum FSR, and requiring more locally responsive façade materials, reduced car parking, and delegating the approval of the design of the plaza to the Director of Planning.

From the perspective of the State’s Deputy Head of Planning, the CSPC provided a mechanism for genuine partnership in planning the city, and was a far better arrangement than the previous situation where the State could exercise ‘101 directions’ over the use of land in the city, and contribute to a whole series of haphazard decisions. Sue Holliday expressed disappointment that the CSPC had made so little progress in developing a satisfactory LEP and DCP. This view was echoed by the State appointees, but directed at the City’s planners and more particularly their political masters, especially Frank Sartor who succeeded Jeremy Bingham as Mayor in 1991 (Holliday in Ashton, 1992).

6.5. The Draft LEP and DCP 1991

The City Planning Department had done an immense amount of detailed work on different precincts in the city over the 1980s, but this had never been completed or drawn together into a coherent whole, save in the often rather empty rhetoric in the revised Strategic Plans. Those who had written the 1988 Strategic Plan had, under the State’s strong direction, tried to keep policy “very simple and to introduce urban design principles that will ensure quality developments in the future” (Holliday, in Ashton, 1992: 120). To advance the DCP in the second half of 1990, the City commissioned eight consultancies to prepare some 11 precinct plans, in close consultation with planning staff. They used the 22 design principles in the 1988 Strategy to guide their work, extending the list of design considerations as the analysis of the precincts dictated. New ideas included the notion of incentivising redevelopment of unattractive pedestrian environments and reinstatements of the street wall. The consultant reviewing the plans made two prescient comments, noting how little codification had taken place of these elementary rules of ‘good manners of infill development’ and how this was urgently necessary, simultaneously noting that too many plans were preoccupied with architectural design rather than urban design problems (Neustein, 1990: 12–20).

The Draft LEP, the statutory document prepared under the State’s 1979 Environmental Planning and Assessment Act, was a very slim document which set out seven very vague motherhood objectives to create an efficient, diverse, prosperous city, a government centre with a high level of amenity for business, residents, tourists and pedestrians. Each of these objectives was broken down into 36 more specific objectives. Urban form objectives were listed first and pedestrian amenity and public open space objectives affirmed the new importance to be attached to urban design. General objectives were also set for each zone in the city, but in a dozen pages the LEP could not have been more generalised. However, the FSR mechanism was included in the LEP to give it statutory force. Six precinct-based FSRs were specified rising from 2:1 in Millers Point to 6:1 in Railway Square with no bonuses, but otherwise the base FSR was 10:1 with an additional 2.5:1 for heritage conservation or for significant public benefits.
By contrast, the Development Control Plan ran to two large volumes. In Volume 1 it elaborated the 22 general design principles that the 1988 Strategy document had advocated as a set of policies (Fig. 9) alongside heritage and public benefit provisions. These same principles were then expanded to a series of specific objectives and controls for each of 16 precincts, sometimes defining views and vistas, height controls, parapets and setbacks, and even architectural qualities, as well as potential pedestrian facilities and weather protection. But how the principles were to be collectively applied was very vague. A Heritage Plan was gazetted by the Minister in March 1992 requiring a consent to alter or demolish a heritage building, and heritage impact statements were required (1 month later the Minister was removing heritage items from the Schedule to permit demolitions to proceed (Ashton 1993: 118)). Overall, there could scarcely have been a greater contrast with the previous statutory framework of simplistic FSR controls, parking codes and floor space bonuses for various land uses and pedestrian amenities which had served the City so poorly since 1971. For the first time there appeared to be an opportunity to introduce much more sophisticated development control policies and consistent planning practices.

The exhibiting of the plan took place in July–September 1991 and provoked a great deal of adverse comment, not surprisingly perhaps given the sharp increase in regulations proposed. Some 94 written submissions were received, 40% coming from developers and funding institutions, and a similar proportion from a combination of the State, its agencies, special interest groups and individuals. But the new Mayor (Frank Sartor) and his Independent colleagues had serious reservations. Councillor Elizabeth Farrelly pressed for a public hearing to examine the plan. She reflected on the long established Sydney planning practice

...to have no rules—to write in vague, discretionary escape clauses so everything in the end may be judged ‘according to merit’, according, that is, to criteria which remain safely locked inside the personal black box of the decision maker(s).

The effect of this is to obviate accountability and concentrate power in the hands of a few - in most cases, ultimately, the Minister, with each case decided ad hoc and no mechanism for ensuring consistency. (Farrelly, 1992, quoted in Ashton 1993: 118)

The CSPC decided to undertake a major review of these proposed controls. Consultants were engaged to provide a critique of the plan and a barrister was appointed to head an independent panel and conduct a public hearing.

6.6. The consultants’ critique of existing policy and controls

The multi-disciplinary consultants’ study was remarkable for the clarity of its analysis and its very strong criticisms of past planning practices and proposed future controls. Their conclusions were clear. The projections of employment growth made in 1971 were not being realised, and although office space had increased by 75% between 1971 and 1991, office employment had only increased by about 40%. Retailing was continuing to decline and the retail core was shrinking, but there had been a dramatic increase in the provision of tourist facilities since 1986. The economic base of the central city was diversifying significantly.

The utility of FSR controls was questioned, both their past performance and their future utility, given declining demand for office floor space. The argument was that FSR was no
longer relevant as a mechanism for ensuring that the city’s growth did not outstrip its infrastructure capacity because office employment in the CBD was essentially static. The consultants argued that FSRs had failed to achieve urban design goals and that urban design policies, and environmental considerations, would have to be introduced to ensure a quality urban environment.

The consultants criticised the 1991 Development Control Plan, its preoccupations with matters like the city’s silhouette and skyline and the use of the streetscape controls, arguing that they were futile attempts to recreate Victorian townscapes, vague and imprecise, unacceptable to many interests, and requiring far too much staff time to implement. They advocated a focus on those qualities that were most necessary to ensure an attractive, safe and vital public realm, and which would ensure environmental quality, particularly in terms of microclimate (CoS, 1992: vol. 2: 64–73). These recommendations were integrated with those in the six other consultants’ papers, and the thrust of the argument was to retain FSR as an urban design control alongside a set of urban design policies, with HFS allocations to incentivise conservation.

6.7. The panel report

The Panel’s report on the Public Enquiry ran to over 200 pages and echoed the conclusions of the consultants’ study. Its essence was expressed thus:

10 The draft DCP contains a bewildering array of detail, is inconsistent in the application of controls, wordy and repetitive, over-emphasises the character of existing buildings in establishing a basis for controls, and fails to address the wider issues of environment, traffic, diversity of land use, and tourism…

11 The draft LEP and…DCP would not serve as an adequate basis for future planning and development control within the CBD and should be withdrawn.

12 The Panel does not support the system proposed by the Consultants… which involves establishing environmental envelopes…which…would be too complicated to operate…

13 The Panel recommends a system of development control which contains mandatory controls and discretionary urban design guidelines. The mandatory controls, incorporated in the LEP, would relate to the height and bulk of buildings and FSR. The discretionary guidelines, incorporated into the DCP, would include matters such as parapet heights, setbacks, building alignments, colours and materials, and measures to protect pedestrian amenity. The system proposed combines the conventional FSR control method with urban design and environmental controls. The current bonus system should be abandoned except in relation to heritage conservation. (Central Sydney Planning Inquiry, 1992: x–xi)

The last recommendation was one of the most significant, sounding the death knell for the pedestrian amenity bonuses that had been such a feature of the previous two decades. The Panel recommended simpler controls on podia dimensions, maximum height (228 m) and maximum floor plate dimensions (1225 sm) and a base FSR of 7:1 with a maximum up to 14:1. It explicitly sought to strike a better balance between investment opportunities and developer certainty, conservation and quality of the public realm objectives (CSPI, 1992).
Following the consultants’ and Panel’s reports the CSPC formed a subcommittee chaired by the new Lord Mayor to oversee the re-drafting of the LEP. John McInerney, the chief planner recently arrived from Melbourne assisted (McInerney on Ashton, 1992: 128–129). The Panel concentrated upon defining a set of statutory planning controls within the LEP for the city, refining much of the detailed design policies and precinct-by-precinct material to be adopted as Interim Planning Guidelines and Policy Code. A set of 23 planning and design principles were defined, essentially minor re-writes of the principles set out at the end of the 1988 Central Strategy (Fig. 9). Most of the general and specific plan objectives survived, but the references to the planning precincts were deleted. The objectives and development regimes for the different land-use zones were however retained and conservation policies were added to the plan. When gazetted in 1993, the plan was given an explicit 2-year life to test its utility, though this was subsequently extended to May 1996 (CoS, 1996).

Otherwise the interim policies set the maximum FSR at 10:1 but allowed 2.5 as a bonus for compliance with urban design and heritage controls, provided the extra floor space was purchased as transferred HFS. An extra 1.0 FSR was to be allowed for hotel and serviced apartment developments approved before December 1997 and started by the end of 1998 (as part of the incentives to encourage provision in time for the Olympic Games).

6.8. Redrafting the 1993 LEP and DCP

With the 1993 LEP gazetted as only an interim plan for the City the CSPC had to quickly revisit the content of both the LEP and DCP and resolve the issues that had been left unresolved, and which continued to preoccupy critics like the RAIA and Building Owners and Managers’ Association (BOMA), and the State’s development interests on the CSPC. In 1994 the CSPC decided to incorporate all the major determinants of urban form and building volume—FSR, height, sun access planes and car parking standards—within the LEP, leaving the remaining design principles as guidance within the DCP. In the first 1995 redrafting of the Plan, new aims and objectives were defined incorporating a more explicit multiple use, residential, conservationist, high-quality design and quality public realm agenda, all key aspirations of Mayor Sartor. A more complex zoning map was introduced effectively down-zoning 13 specific localities where conservation or city edge issues were important. Special provisions were introduced to control building height to prevent further overshadowing of specific parks and community places and protect street and skyline amenity and microclimate. A map of maximum building heights was produced with a schedule of sun access planes to ensure sunshine on key urban spaces.

The 1995 Plan was exhibited but not adopted. As the Assistant Director of State Planning argued in a classic restatement of longstanding State views:

…The (new draft City) Plan is still too prescriptive, Lord Mayor. Perhaps I should make it clear that it is a priority principle of the Department to encourage flexibility, allowing merit based decision making and maximising the potential for negotiation (Assistant Director of State Department of Planning at CSPC, 23-2-95, quoted in Farrelly, 1997: 354).

It was not until May 1996 that the further revised LEP was adopted by the CSPC (CoS, 1996).
6.9. The 1996 LEP, DCP and heritage plan

The 1996 Plan had essentially the same aims and objectives as the 1995 Plans, although there was a stronger economic competitiveness/world city objective injected to emphasise its pro-development attitude. The zoning objectives and constraints were essentially the same but the building height map had changed significantly with developer lobbying creating two areas where tall buildings up to 236 m could be accommodated, at George and Liverpool Streets (around the World Square site), and between Bridge and Hunter Streets at the heart of the CBD (Fig. 10). The only exceptions to an absolute maximum FSR of 12.5:1 were hotel and residential development. Specific overshadowing principles were retained and car parking standards were significantly reduced for commercial developments. Hotel and serviced apartment bonuses were retained, but the maximum on the former was reduced from 16.5:1 to 14.0:1 (without HFS) with the proviso of completion in time for the 2000 Olympics. Convenience retailing below ground was also exempted from FSR calculations (to encourage the provision of supermarkets to serve the increasing resident population).

The final new incentive in the Plan was arguably the most interesting. The plan identified 28 opportunity sites “where existing buildings…do not contribute adequately to the amenity of pedestrians, the street or the public domain”, a roll-call of the city’s most pedestrian unfriendly commercial buildings, all creations of the pedestrian amenities bonus (CoS, 1996, Schedule 7). Here the City would entertain DAs that would improve the quality of the public realm on their merits.

The 1996 DCP remained broadly the same though it refined the design principles originally outlined in the 1988 City of Sydney Strategy (Fig. 9). It sought to ensure new development was built to the street alignment, respected predominant building heights in the street, with set backs for towers and minimal distances between adjacent building frontages (only 12 m residential to residential up to a height of 45 m; 24 m above this (see Fig. 11) with more generous set backs required and less height allowed in the six special areas. Active street frontages were required on all retail and/or pedestrian priority streets, and there were floor plate restrictions placed on buildings to reduce their bulk. Five sites were identified where specific design guidelines were imposed, including East Circular Quay (Case Study 13), the GPO (Plate 12; Fig. 12), the Sydney Eye Hospital, and 248–252 George Street. Pedestrian amenity clauses sought a quality public realm while environmental management provisions made reference to ecologically sustainable development principles, especially energy efficiency.


The LEP signalled that a new accommodation had been reached between State and Council representatives on the CSPC, but the State still wanted to ensure that the new plan did not impact negatively on investment and development in the city. So the Minister imposed an annual independent monitoring report on its operation to assess its effects on the economic well being of the CBD. The first review published in 1998 (CoS, 1998) concluded that during its first 20 months of operation the plan did not negatively impact on the economic well-being of the city, and might have acted as ‘a positive stimulus for
development activity’. There was evidence of an increase in demand for office floor space because of increases in employment (12% growth 1991–1997), increasing demand for hotels and serviced apartments for the 2000 Olympics, and a strong demand for residential accommodation.
Fig. 11. GPO Site Building Envelope: LEP 1996 (Source: CoS (LEP) 2000).
There were only six responses from the development industry as part of the review. Four were site specific, but the two from Multiplex Constructions (Australia’s largest developer) and the Property Council for Australia (the developers’ lobby group) were of interest as the only published critiques of the new LEP. Multiplex considered the new controls were ‘overly prescriptive’, limited ‘innovative design’ and were likely to create ‘commercially unviable space’. They objected to additional (0.3 m) ceiling heights in residential schemes and the inclusion of residential car parking above ground in FSR calculations, and they wanted height control exemptions widened beyond the ‘architectural details’ allowed on the top of the towers. They also sought a widened range of floor space incentives to embrace other cultural and public facilities. The Property Council of Australia said its members had ‘experienced difficulties in complying with prescriptive controls’ on height, sun access and building envelope, and sought more performance-based controls. But they merely reiterated their concerns to protect the commercial growth of the CBD and to be able to meet international standards for office accommodation. Clearly, neither the 1996 LEP nor the DCP were causing the development industry very much difficulty (Michael Collins and Assoc. 1998).

6.11. The achievement of a statutory plan

The city’s complex and detailed planning policies had been simplified and elaborated in a statutory planning instrument and a supporting volume of guidance. It had taken 8 years to develop these policies into adopted/gazetted plans to the satisfaction of Council, State and development interests, but in the context of Sydney’s planning history this was a major (and relatively rapid) achievement. Important trade-offs had been made between the State’s desire for non-prescriptive, flexible controls and generous floor space allocations, and the City Council’s and planners’ preference for more detailed, precinct-based and environmental envelope controls. The substantive design principles enshrined in the State’s 1988 strategy had become the basis of the design guidance enshrined in the 1996 DCP and operated city-wide (Fig. 9). While streetscape issues were strongly represented, much more emphasis was placed upon achieving a quality public realm and better environmental conditions on city streets than on elevations or townscape matters. Most importantly the new statutory LEP incorporated FSR controls up to a maximum of 10:1, but using an additional 2.5:1 to incentivise conformity to all design guidelines and heritage controls, and requiring the purchase of HFS to further incentivise conservation approaches. It abolished all bonuses for pedestrian amenities, though it incentivised hotel, serviced apartment and residential development in the run-up to the Olympics. If the tradition of unlimited political discretion in the city’s planning had not been eliminated, at least it had been contained by the Independents on the Council. The stage was set for major improvements in the design of Central Sydney’s public realm, and the pursuit of higher levels of design quality in development in the second half of the 1990s.
CHAPTER 7


7.1. Introduction

Frank Sartor was elected Mayor in 1991, and was from the outset a civic leader with a planning mission. Unlike his predecessor he was uncomfortable with high levels of State control over City budgets and planning, and he had the long term goal of achieving full independence for the Council, and recovering control of the inner suburbs lost in the boundary changes in 1988. Frank Sartor was the City’s first independent Mayor. He had been a councillor twice before either side of the 1987–1988 rule of the commissioners. He was a political outsider, not just by virtue of his Italian-Australian roots, but because he was not part of either the CRAs business/property/old money interests, nor was he part of the Labor Party’s political machine. His impact upon all aspects of City governance was immediate. He tackled the city’s budget to establish its solvency and rid it of years of financial mismanagement, in the process creating a large capital budget for investment in the city’s infrastructure. Then he constructed a distinctive planning agenda, establishing visions of the Living City (CoS, 1994) and the Accessible City (CoS, 1995). At the same time he tackled the operation of the CSPC seeking, initially unsuccessfully, to gain more City control of its decision making. Finally, he sought to construct a much more effective and rigorous planning function, predicated upon a new LEP and DCP. He was the city’s first champion of urban design (Roberts quoted in Searle, 1998: 809).

The key issue for the City was reducing administration costs and creating a much leaner bureaucracy. This was achieved through value-for-money reviews of all departments in order to eliminate budget deficits and to demonstrate fiscal prudence, and these were implemented against a background of very close State government scrutiny of the Council’s competence. By 1993 the city’s deficit had been eliminated through a 12% reduction in staff. By 1994 a $15 m City budget surplus had been achieved and the elimination of all debt was projected for 2003. A further 23% reduction in Council staff was achieved over the next 18 months. This had obvious consequences for the planning function, putting intense pressure on all staff and undermining morale. A greater commitment to positive planning did not include more resources for the planning department, and the mayor was sceptical of the skills of planning professionals.

7.2. The planning vision

Responding to a major increase in applications for high-rise residential development and conversions of commercial buildings to residential, the Mayor was able to launch his ‘Living City’ strategy. Allegedly written by the Mayor himself over a weekend, Living City: A Blueprint for Sydney was explicit about the Council’s global city aspirations, setting out a vision to create “a vibrant city of world standing that will be prosperous in the long term”. No longer was office development seen as the main economic driver, but rather the focus was on creating a 24 hour city with stronger retail, entertainment, cultural and arts provision,
set alongside a higher quality public realm and a stronger commitment to heritage for both residents and tourists alike. The ‘Living City’ encouraged more residential development and ‘a critical mass of permanent residents’, strongly reinforced by the 1993 LEP’s range of new floorspace incentives for residential, hotel/serviced apartment, cinemas/theatres, and conventional retail in the run up to the Olympics. In 1994, in an amendment to the new LEP, the CSPC substantially increased the housing bonuses by 4.0 FSR to 16:5 to give a huge boost to the apartment developers. But it did so without considering whether the City had the planning controls to effectively control much larger apartment buildings.

To take the public realm and access elements of the Living City agenda forward, in 1995 the City developed a similarly slim and focused vision document. The Accessible City’s message was largely about developing an ‘environment that enhances the comfort and amenity of pedestrians’, emphasising that 93% of all internal trips within the city on a weekday were made on foot, and that pedestrians had been long neglected in the city (SCC, 1995: 30). A series of specific improvements were detailed for the retail core, and a package of reduced speed limits (40 kph), public safety, CCTV, better lighting, improved disabled access, bus priority zones and tree-planting were included. Rather innocuously buried in the strategy were proposals for an east-west road tunnel, then at the feasibility analysis stage. This was justified on the basis that 33 per cent of all traffic entering the city had no destination there (although only half of this was east-west), and that a shoppers’ car park could be built underneath Castlereagh Street directly connected to the tunnel (abundant, cheap car parking was still seen as essential to allow the city’s retail core to compete with suburban centres). But the only costed improvements in the strategy were the improvement of Chifley Square and the upgrading of Martin Place. They consumed a significant part of the city’s budget for capital works which in 1995 was only five per cent of its operating costs, but it was an important start to improving the public realm of the city.

Certainly Mayor Sartor’s planning agenda fitted George Clarke’s longstanding clarion call for…

someone to rise to the challenge to act to improve Australian institutional capacities to manage urban change and development in a more co-ordinated, professional and open, but hard-headed manner. (Clarke in Ashton, 1992: 67)

But it was also the perfect embodiment of a neo-liberal programme with its emphasis upon business efficiency, fiscal prudence, fast development approvals (second fastest in the state), reductions in crime and creation of a ‘safe city’, and increases in cleanliness. Characteristic too was the emphasis on civic beautification, and the employment of urban design to increase the city’s appeal to shoppers, tourists, high-income residents and international investment. However, the cost-cutting budgets and pro-development attitudes were forced on the Mayor by an unsympathetic State government, and on three occasions the Council came within a whisker of being disbanded as budgetary crises and development controversies became major State-City flashpoints.

7.3. The CSPC 1991–1994

Frank Sartor’s assumption to the Chair at CSPC meetings brought the City-State tensions within the CSPC to a head, and shattered the modus operandi that had been
Fig. 12. Dimensional controls on commercial buildings: LEP 2000 (Source: CoS (LEP) 2000).
previously developed. In 1992 he wrote to the Premier expressing his concern at both the structure and workings of the CSPC, requesting the return of both Sydney Cove and Darling Harbour to the City as planning jurisdictions. To no-one’s surprise the Liberal Government indicated that it had no intention of changing the Act or the role of the CSPC (Holliday in Ashton, 1992: 116). The Mayor was particularly concerned that city residents could have little or no impact on planning decisions, and that the State representatives on the CSPC represented development rather than the wider interest groups that they were supposed to (see Holliday and McInerney in Ashton, 1992: 115, 130). The antipathy between State and Council interests intensified. East Circular Quay was an immediate issue for the Mayor and he met the Minister to discuss ways in which the development proposals might be improved (see Case Study 13). With a lull in major DAs, the result of very high vacancies in commercial office space, the CSPC focused on the content of the LEP and DCP, and ways of speeding up planning decisions. The Mayor had addressed the latter from the outset by achieving a target of an average of 33 days processing each application.


A wall of exclusive apartment blocks of uninspired design impinge on the curtilage of the revered Sydney Opera House. This development brings together a darker range of influences: the hegemony of private capital and the profit motive, communication breakdowns, lack of effective public input and grander vision, and extensive design modifications and compromises through the labyrinthine negotiations of planning committees. (Freestone in Connell, 2000: 140)

Redevelopment rumours began as early as 1967, but it was not until a decade later that the State set new height maxima (68.4 m) and took control of any new consents. An RAIA Ideas Competition was held in 1983, and Colonial Mutual Life (CML) began assembling properties at greatly inflated values. Three consents for different developments were issued in 1985–1986, but CML was still testing radical architectural ideas that ignored all planning rules. One of the newly formed CSPC’s first acts was to
commission an urban design assessment and guidelines, initially reducing the height limits radically, but then settling on 57–71.7 m north to south. Again CML commissioned more schemes that exceeded these guidelines, and again public reaction was strongly negative. The Council came to realise that they would have to sell the roadway to the developers if they wanted to lower existing building heights.

In 1991 the newly elected Mayor Sartor sought to resolve the situation, launching another Ideas Quest, and establishing an expert panel to vet over 200 submissions and develop some key design principles, setting lower maximum building heights rising from 45 to 68 m north to south. Another architectural competition was held and a single concept scheme emerged. A Deed of Agreement was then signed by developers with the City as the owner of the additional land needed to make the project viable. The new building line crept 15 m closer to the Opera House and about 10 m closer to the quayside, utilising the road space owned by the city, but a colonnade lined with active uses was proposed underneath the hotel/residential buildings.

Still the developers sought to change the content of the scheme and more public protests led to a sale of the site (at a major loss) to Chinese interests (Colonial Peninsula), who in turn lobbied to increase the building heights, provoking heated public debates. In 1997, with the frame of Unilever House stripped ready for conversion to hotel use, the Mayor asked the new developers to review the elevations of the scheme, establishing a committee of architects to assist the process. In August 1997 the CSPC finally approved a scheme to alter the elevations of the northernmost building and increase the number of apartments, its design provoking the nickname of ‘the Toaster’ in the local press. The demolition of the office buildings revealed views of the Opera House lost in the mid 1960s and 45 000 people signed a petition to stop any further development but to no avail (Searle, 1998: 810, Fitzgerald, 1998).

The double height colonnade opening on to the quay included a mix of catering and retail uses, complemented by an art-house cinema complex and orchestral rehearsal space. In elevational terms the apparent bulk of the hotel was improved through the use of balconies and setbacks. Even then negotiations on design details continued with the CSPC setting up a design review committee to progress the design of the northernmost buildings, and final elevations were not agreed until May 1998, just in time for completion for the 2000 Olympics. The final solution delivers a 12–14 storey apartment block/hotel, with a crisp white concrete frame and fully glazed façades recessed behind stainless steel balustraded balconies.

The City, and more particularly Mayor Sartor, played an important role in wresting back a measure of control over the development using the City’s land ownership powers to achieve significant planning gains. The negotiated refinements to the elevations remain a subject of professional debate, but the colonnaded walkway and the commercial land uses greatly enliven the quayside. The glass canopy to link the colonnade to the station, the new granite paving with its patterns and plaques to explain the changing pattern of the shoreline, and the three rows of palm trees gave East Circular Quay a new elegance and sophistication. A major urban design improvement had been secured even if the architectural backdrop was uninspiring and, to the disappointment of many, the views of the Opera House from East Circular Quay had been blocked.
There were debates about demolition control and the reinstatement of items on the Heritage List, the Council’s residential strategy and how to resolve the high-rise apartment design problems on small sites on the west side of the city (e.g. 222–228 Sussex; Astoria: 289 Sussex; Millennium Tower). Particularly important were a spate of major retail developments that were taking shape through repeated discussions with the CSPC like the Galleries Victoria/Park Plaza hotel on Pitt Street, the 400 George Street retail/office scheme, and the Grace Brothers store redevelopment and new hotel at 450 George Street.

The issue of the structure of the CSPC festered on, the Minister receiving a number of representations about reforms additional to those of the Mayor. In May 1993 the Minister directed that an enquiry should be held with respect to strategic planning and development consent arrangements within the Greater Sydney area, and it duly reported in January 1994. The report of the Enquiry revealed the lack of support for Mayor Sartor’s independence campaign from Labor Councillors like Doug Sutherland, or from the Mayor’s Liberal predecessor Jeremy Bingham (significantly, representing the Chamber of Commerce) who both considered that the power sharing could work. Lyn Shaddock, the key development appointee on the committee noted that the main area of disagreement was amount of discretion accorded to the CSPC. He revealed that it

… is the three elected members’ rigid view that controls should be set down as rules…and not varied. Whereas the four appointed members consider it is not the intention of the EP&A (Environmental Planning and Assessment 1979) Act. They (the appointees) agree there should be basic controls and standards but they should be able to be varied according to merit. They consider the viability of the city will be jeopardised if rules are non negotiable. (Commission of Inquiry 1994: A35)

However, the RAIA emphasised that they supported clear, consistent and unambiguous rules on height, floor space and the like. But they argued intelligently that these should be split between statutory controls (in the LEP) and design guidelines (in the DCP), and varied according to the nature of the area under consideration. They considered that an expert design panel needed to be established to advise the CSPC and Council where there was a dispute. So there was a re-assertion of long-held views by both development and architectural interests, both at the expense of city planners’ controls.

The Commission of Inquiry’s recommendations included a regional planning body for Sydney at large; the reversion to the Council of planning and development control powers in Darling Harbour, the Rocks and Sydney Cove; and the establishment of an alternative dispute resolution mechanism to the Land and Environment Court (Simpson, 1994). It was a vindication of the City’s position, but with a Liberal State government in power the Commission’s proposals were not implemented, and the CSPC continued to try to seek its own equilibrium. However, when the Labor party resumed control of the State in 1995, with Bob Carr as Premier, a new City of Sydney Act was passed.

7.4. The change in composition of the CSPC

The new legislation slimmed the CSPC from nine to seven members, removed one State appointee and the Mayor of South Sydney, and created more of a balance between Council and State interests, though State appointees and the State Director of Planning...
could still constitute a majority. The new appointees to the Committee were as important as their affiliations, particularly the appointment of the Government Architect, Chris Johnson. He had a close relationship to both the Mayor and the Premier, would strongly represent conservation and design quality interests (which had been frequently frustrated by State appointees in the past), and bring influential design expertise to the Committee’s deliberations/negotiations. The political reality was that the Lord Mayor and the Premier had become political allies through the chemistry of the Premier’s new Labor agenda and the Lord Mayor’s pro-Sydney vision, and any major planning difficulties could be much more easily resolved on a one to one basis. All the other pressures remained from investment, development and architectural interests, but the Mayor could operate without threat of Council dismissal, and a much more positive attitude was taken by the State towards the development of statutory plans and a set of effective planning controls.

In the meantime the CSPC continued to deal with the boom in residential development with more projects on constrained sites on Kent and Sussex Streets, but also some much bigger schemes on larger sites north of Belmore Park. In addition a hotel boom was getting underway utilising the ‘Olympic’ incentives provided under the 1993 LEP. The most significant of these was the Westin Hotel immediately south of the GPO tower, where a 27 storey hotel and 25 storey office block utilised the interior of James Barnet’s 1864–1891 GPO tower (Sydney’s nineteenth century Opera House) as a prestigious lobby, and a food and high class fashion shopping centre (Plate 12; Fig. 12). This scheme marked the culmination of years of work to establish appropriate building envelopes around the federally owned heritage building, but was also a perfect example of the appropriation of a civic symbol by commercial interests for the use of the affluent (the ‘golden wing club’: Barratt and Butler-Bowdon 2001: 76, 195–9212).

7.5. The City spaces programme

The City Council’s cost-cutting exercises reduced its employees from 1250 to 750, and created a significant capital budget that could finance a city improvements programme in the run-up to the Olympics. Capital works expenditure on public space increased tenfold in 1995/6, trebled in 1996/1997 and again in 1998/1999 to reach $115 million. In all some A$315 million were spent on public space and amenity/recreation works in the run-up to the Olympics, and a significant annual budget allowed the completion of a range of public realm projects. It was supplemented by major State contributions, by a City Partners scheme that provided corporate funds to provide public art, and by developer contributions estimated at some $15 million over the period. After several false starts, in 1997 the city was able to introduce the Central Sydney Contributions Plan and require payments towards the ‘provision, extension or augmentation of public facilities’ (section 61 of City of Sydney Act 1988), but this raised only some $4 million per annum, not enough to make a significant impact on the public realm.

A City Spaces Team and Programme was established with 45 urban designers and landscape architects to manage some 30 major projects. The Harvard studio approach was used to bring different teams into contact with one another as they briefed, selected, commissioned, reviewed and juried different submissions. A Sydney Spaces programme invited 30 architects, landscape architects and artists to develop propositions for various
streets and spaces in the city to help develop “an inventory of practical realisable projects… to build on the essential character of Sydney… to integrate urban design, art, and landscape with amenity and utility” (Sartor in SCC, 1995b: 7). Only four of the submitting practices actually got to deliver their projects, but some 30 projects in all were subsequently commissioned from architects, landscape architects and artists (Table 3: Fig. 11). As Lawrence Nield (2001), one of the city’s key landscape designers, expressed it here was Mayor Sartor as the ‘charismatic urban dictator’ focusing on ‘the fabric of the in-between, the space of the city’, and ending the ‘reign of terror’ of the traffic engineers and the planners (quoted in Schlicht, 2001, 34).

Plate 12. GPO Building, Macquarie Bank and Westin Hotel. The exterior of the GPO has been carefully conserved, but the interior has been converted into an upmarket boutique shopping centre, bars and food court, and an atrium to the Westin Hotel and Macquarie Bank. The symbolic capital of the public building has been appropriated for private use by affluent office workers and tourists. The fine central staircase has been reconstructed, but otherwise the interior has been largely gutted aside from the frame of the old postal hall. But it is undeniably a very attractive and spacious internal space.
The projects began modestly in 1995–1996 with the refurbishment, replanting and animation of Chifley Square (Plate 13a) and the simplification and upgrading of Martin Place, with new grey granite paving, landscaping and public art (Plate 13b). Then some $70 million went into a major upgrading of George Street and the streets in the retail core that embraced new paving, lighting, tree planting and furnishings. Railway Square (Plate 14c) at the south end of the city was transformed by improving the pedestrian underpass and the bus interchange, both part-sheltered by great sweeping canopies of glass and steel and lit by four sculpted steel towers, with a new square on the east side. Cook and Philip Park (Plate 13d), south of St Mary’s Cathedral, saw its bowling green replaced by a large underground public swimming pool and recreational centre, topped with a bluestone plaza that links across a pedestrianised Cathedral Street to provide a piazza for the Cathedral (whose spires were finally completed as a church project). Two major new public facilities were the City Recital Hall, within the Angel Place office development, and the restoration and conversion of the Customs House on Circular Quay to create a new exhibition space. Circular Quay wharves and Alfred Street received fine new paving incorporating shoreline demarcation devices and artwork, improved street furniture and comprehensive mature tree planting (See Case Study 13), and Hyde Park North, Wynyard Park and Macquarie Place were refurbished.

The State made a major financial and design contribution to the George Street, Railway Square, and the Circular Quay projects, but it had its own public realm projects, including the largely underground extensions to the Conservatorium of Music (a Sulman prize winner), within the Royal Botanic Gardens, and the conservation/conversion of the Woolloomooloo and Walsh Bay Wharves to a mix of residential and commercial uses, the latter still in progress. In addition, the Overseas Passenger Terminal on Sydney Cove was further revamped to house new restaurants and public uses (Johnson & Bingham Hall, 2000).

The most striking feature of all the public space projects were

- the quality and consistency of paving materials, particularly the widespread use of Austral Black granite, and the occasional use of the smooth Bluestone, giving the new surfaces a superb finish, a continuity and longevity;
- the conservativism/simplicity of most of the interventions, deferring to the context, emphasising existing assets like the Archibald Fountain in Hyde Park, simplifying spaces as in Martin Place, opening up the views of the Cove at the Ferry Terminals. The ethos was “back to the simple street with strong rules so that when you deviate you acknowledge the specificity of place” (Director of City Spaces interview);
- the engineered precision of the street furniture and the use of smart poles to carry traffic indicators, lighting, signage and banners, thereby un-cluttering the street and its vistas;
- the animation of spaces with new cafes, outdoor eating kiosks, stalls, and seating to watch the pedestrian throng;
- the physical and visual accessibility of all these truly public facilities, so that even the interiors of sports halls and the swimming pools are visible from the public realm.

Only a few projects provoked significant controversy, most notably the use of Cook and Philip Park to accommodate the Aquatic Centre, even though the public space was replaced with hard landscaping, walkways and water features (Plate 13d), and the semi-underground
Table 3
Public Space Improvements: 1996–2001: project designers and costs

<table>
<thead>
<tr>
<th>Type of space</th>
<th>Cost A$</th>
<th>Date</th>
<th>Designers</th>
<th>Project description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>City projects</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Streets</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. George Street North</td>
<td>30 m</td>
<td>1997–1999</td>
<td>DPWS and CP</td>
<td>Trees, smart poles, widened and granite-paved footpaths, outdoor eating and cameras</td>
</tr>
<tr>
<td>2. George Street South</td>
<td>40 m</td>
<td>1997–1999</td>
<td>DPWS and CP</td>
<td>Trees, smart poles, widened and granite-paved footpaths, outdoor eating and cameras</td>
</tr>
<tr>
<td>3. Market/Castle-reagh/Pitt (Retail core)</td>
<td>24 m</td>
<td>1998–1999</td>
<td>Conybeare Morrison and CP</td>
<td>Trees, smart poles, widened and granite-paved footpaths, outdoor eating and cameras</td>
</tr>
<tr>
<td>4. Park</td>
<td>4 m</td>
<td>1999</td>
<td>Tract consultants</td>
<td>Trees, smart poles, widened and granite-paved footpaths, outdoor eating and cameras</td>
</tr>
<tr>
<td>5. Spanish Quarter</td>
<td>2 m</td>
<td>1999</td>
<td>Stanisic Turner</td>
<td>New Street treatments, awnings, lighting, widened footpaths</td>
</tr>
<tr>
<td>6. Dixon Street</td>
<td>2 m</td>
<td>1999</td>
<td>Hassell</td>
<td>Artistic lighting</td>
</tr>
<tr>
<td><strong>Street furniture, etc.</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Furniture</td>
<td>30 m</td>
<td>1998–1999</td>
<td>JC Decaux and Cox Richardson</td>
<td>New catalogue of furniture, kiosks, booths, stalls, toilets, phones, artistic lighting, bins, poles, lights supplied/maintained by JC Decaux and graffiti removed</td>
</tr>
<tr>
<td>Lighting</td>
<td>15 m</td>
<td>1998–1999</td>
<td>Webb and Assoc; Tzannes, Taylor and Assoc; CP</td>
<td></td>
</tr>
<tr>
<td>Paving</td>
<td>6 m</td>
<td>1990–2000</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Smart signs</td>
<td>1 m</td>
<td>1998–1999</td>
<td>Sydney RTA</td>
<td></td>
</tr>
<tr>
<td>Safety cameras</td>
<td>1 m</td>
<td>1998–1999</td>
<td>City of Sydney</td>
<td></td>
</tr>
<tr>
<td>Trees</td>
<td>0.7 m</td>
<td>1998–1999</td>
<td>CP</td>
<td></td>
</tr>
<tr>
<td>Banner poles</td>
<td>0.5 m</td>
<td>1000–2000</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td><strong>Spaces</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Martin Place</td>
<td>15 m</td>
<td>1998–1999</td>
<td>Armitage Johannsen, Spackman Mossop and CP</td>
<td>Simplified space repaved, public art, new paving, landscaping, furniture</td>
</tr>
<tr>
<td>9. Railway Square</td>
<td>Incl. in George Street</td>
<td>1997–1999</td>
<td>DPWS, and CP</td>
<td>Dramatic bus shelter/interchange and repaving</td>
</tr>
<tr>
<td>11. Chifley Square</td>
<td>n/a</td>
<td>1996–1997</td>
<td>City and Hassell</td>
<td>Palm trees, granite paving, floor lighting, café and art</td>
</tr>
<tr>
<td>12. Lower Town Hall</td>
<td>2 m</td>
<td>1999–2000</td>
<td>Unknown</td>
<td>Improved access and paving</td>
</tr>
<tr>
<td>13. Macquarie Place</td>
<td>1 m</td>
<td>1997</td>
<td>Gordon and Valich, Terragon and Oculus</td>
<td>Bluestone repaving, restoration,, new trees</td>
</tr>
<tr>
<td>14. Circular Quay Wharves</td>
<td>n/a</td>
<td>1997–1998</td>
<td>PPWS and Noel Bell Ridley Smith</td>
<td>Opening up views, glazing terminals, etc.</td>
</tr>
</tbody>
</table>

(continued on next page)
<table>
<thead>
<tr>
<th>Type of space</th>
<th>Cost A$</th>
<th>Date</th>
<th>Designers</th>
<th>Project description</th>
</tr>
</thead>
<tbody>
<tr>
<td>15. King Street Bridge</td>
<td>n/a</td>
<td>1999</td>
<td></td>
<td>New bridge to wharf over expressway</td>
</tr>
<tr>
<td>Parks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17. Sculpture walk</td>
<td>4 m</td>
<td>1999–2000</td>
<td>Sally Conacomd, CP and Sydney Museum</td>
<td>Five major pieces in Domain/Botanic Gardens</td>
</tr>
<tr>
<td>18. Wynyard Park</td>
<td>3 m</td>
<td>1997–1998</td>
<td>Tract Consultants</td>
<td>Refurbishment and new station access</td>
</tr>
<tr>
<td>Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19. Cook and Philip Park</td>
<td>35 m</td>
<td>1998–1999</td>
<td>Spackman and Mossop</td>
<td>Swimming pool and sports centre, Bluestone plaza</td>
</tr>
<tr>
<td>20. Customs House</td>
<td>30 m</td>
<td>1996–1999</td>
<td>Tonkin Zulaikha/Jackson Teece, Chesterman Willis</td>
<td>Refurbished building and exhibition space</td>
</tr>
<tr>
<td>21. Recital Hall</td>
<td>30 m</td>
<td></td>
<td>Peddle Thorp Walker</td>
<td>Hall in new office complex</td>
</tr>
<tr>
<td>22. Cathedral Street Car Park</td>
<td>14 m</td>
<td>1998–1999</td>
<td>Spackman and Mossop</td>
<td>Underground car park</td>
</tr>
<tr>
<td>23. King George V Recreation Centre</td>
<td>4 m</td>
<td>1997–1999</td>
<td>Lippman Assoc</td>
<td>Sports Hall</td>
</tr>
<tr>
<td>24. Imax Arena</td>
<td>2 m</td>
<td>1998–1999</td>
<td>n/a</td>
<td>Imax</td>
</tr>
<tr>
<td>27. St Mary’s Cathedral</td>
<td></td>
<td>2000–2001</td>
<td>DPWS, Lawrence Nield</td>
<td>Restored spires</td>
</tr>
<tr>
<td>Private projects with substantial public realm</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28. Woollomoloo Wharf</td>
<td></td>
<td></td>
<td></td>
<td>Conservation; Wharf and restaurant complex</td>
</tr>
<tr>
<td>29. Walsh Bay</td>
<td></td>
<td></td>
<td></td>
<td>Conservation; Wharves and walkway, theatre etc.</td>
</tr>
<tr>
<td>30. GPO</td>
<td></td>
<td></td>
<td></td>
<td>Conservation; Hotel lobby, bars, food court, shops</td>
</tr>
<tr>
<td>31. King Street Wharf</td>
<td></td>
<td></td>
<td></td>
<td>Harbour promenade and restaurant</td>
</tr>
<tr>
<td>32. Cockle Bay Wharf</td>
<td></td>
<td></td>
<td></td>
<td>Harbour promenade and restaurant cafés</td>
</tr>
<tr>
<td>33. Galleries Victoria</td>
<td></td>
<td></td>
<td></td>
<td>Arcades</td>
</tr>
<tr>
<td>34. City Arcade</td>
<td></td>
<td></td>
<td></td>
<td>Arcade</td>
</tr>
</tbody>
</table>

CP: City Projects; DPWS: State Department of Public Works; Numbered projects are shown on Fig. 13. (Sources: CoS 1995, 1998; Johnson, 2000).
pool and gym provided much needed recreational facilities for residents and downtown workers. There was plenty of public, academic and professional debate as to what extent these new public spaces countered the creeping privatisation and commercialisation of space epitomised by the post modern office atria, arcades, malls and wintergardens of
Plate 13. Four ‘City Spaces’ of the late 1990s. These four spaces indicate the variety of different projects undertaken within the programme of public realm improvements 1996–2000. Chifley Square (a) was a redesign of the original developer design animated by a crisp pavilion café, rows of palms and a giant steel cut-out of former Prime Minister Ben Chifley. Martin Place (b) was a refurbishment of the 1977 pedestrianisation with the addition of Anne Graham’s ‘Passage’, which periodically discharges the mists of time across the street. Railway Square (c) dramatically improves bus interchange conditions and provides a southern gateway to the city centre. Cook and Philip Park (d) creates a bluestone plaza, fountains and reflecting pools over the top of a new swimming pool and recreational complex.
the late 1980s and early 1990s (Hoskins, 2001; Mossop and Walton, 2001). But the evidence was that most interventions simply improved the lot of the average pedestrian, CBD worker, or bus passenger, as well as visitors to the city.

There are places where the commercialisation of public space through café tables does intrude into public space (e.g. East Circular Quay: Case Study 13). But by and large a positive accommodation is reached through careful demarcation of the public realm, whether it be the low wall containing the pavilion café on Chifley Square (Plate 13a), or the sitting steps and restaurant terrace at Cockle Bay Wharf (see Case Study 14). Even on private land there were signs of greater sensitivity to public accessibility, most notably in the newest retail arcades like Galleries Victoria and City Arcade on Pitt Street, where the ‘post modern baroquery’ and introversion of the 1980s have been replaced by tall elegant daylight spaces with clear sight lines and a truly public ambience (Lochhead, 2001: 72–74; Schlicht, 2001: 35) (Plate 14).

The explosion of café/restaurant culture and al fresco dining became a Sydney hallmark and the quality of its cuisine was given international recognition. City restaurants and cafés increased by a third during the 1990s, and catering employment by twice that amount, as the city’s ‘foodscape’ became a major feature of its public realm, most notably in a wide range of restaurant complexes with an emphasis on outdoor eating—at least six projects animate the waterfront from Cockle Bay Wharf to the converted Woolloomooloo Wharf
Certainly the whole programme of city spaces was a classic example of the city being reconstructed as a centre for post-modern consumption, a process begun most clearly in Darling Harbour in the mid 1980s, but strongly driven forward in the run up to the 2000 Olympics (Wiatt, 1999: 1056–1057).

7.6. Implementation of the ‘opportunity sites’ programme

Commercialisation of the public realm was a major consequence of another important city planning/public space initiative embedded in the 1996 LEP. This was the programme of ‘opportunity sites’ introduced to get rid of the worst of the bare plazas and forecourts provided under the 1971 FSR bonuses. The 1996 plan identified 24 such sites and offered to waive any maximum floor space considerations if the owners would redevelop them to
Case study 14: Darling Harbour: 1990–2002

Darling Harbour might be considered a failure in terms of some of its economic, political and social consequences... The controversies that surrounded its development will fade from the collective memory as the completed project is increasingly perceived as a functional element of Sydney and a useful addition to the tourist attractions... (a million visitors a month)... images of an insensitive development process driven by self-serving politicians have given way to images of an open and democratic society... However, the reinterpretation of a completed development project does not invalidate negative interpretations of the development process... (Daly and Malone, 1996: 106)

The later buildings of Darling Harbour were approved by the State-appointed Darling Harbour Authority, and they set important design challenges for CSPC/City regulated development on its margins. The impending 2000 Olympics resulted in at least seven major projects. To the west a long wall of hotels/apartments was approved on the cliff above the Exhibition/Convention Centre service road, blocking off the residential area behind, and creating major scale differentials in the adjacent Pyrmont streets. The Ibis Hotel adopts scenographic Disneyland architecture, with an undulating skyline while the Novotel Hotel adopts a ziggurat form, conforming naively to the original design guidelines. But they do create an interesting visual relationship with the massive Goldsbrough Mort Warehouse (converted to apartments) to the south. On the east side of the Bay the Hotel Nikko (now Four Points Sydney) (Rice Daubney Group) provided another long wall of white slab buildings above the Western Distributor, but this time...
provide “a higher level of amenity for pedestrians and the public environment”. This proved a popular bonus, and served to further animate city streets, extend retailing and create pavement cafés, but such conversions were not without their critics.

Some of these ground floor redevelopments destroyed the integrity of the best modern commercial buildings in the city. For example, the former American Express Tower with its bare triangular plaza on the north-east corner of George and King Streets is now severed by an illuminated blade wall that expresses a new entrance to the tower and basement supermarket, and contains a pavement café. The refurbishment of the building also created an entirely new aesthetic, removing the clip-on sun shades that had distinguished John Andrew’s Sulman Prize-winning design in favour of green solar glass, but retaining his fourth floor ‘sky gardens’ (Johnson, 2000: 31). The commercial viability of these minor redevelopments was boosted by the rise of café culture, but also the 40% increase in fashion retailing in the city in the 1990s, providing new opportunities on King Street and Martin Place in particular (Plate 15; see also Plate 5).

Collectively the new and refurbished city spaces have provided refuges from Sydney’s oppressive traffic and created many more opportunities for street-life to flourish. The major improvements made to George Street and most of the retail streets often go unnoticed because the traffic conditions remain so hostile to the pedestrian. The difficulty of crossing roads, by virtue of the very short pedestrian phases (eight seconds of green) and the persistence of traffic filters left and right, detract from many of the public realm

What was to have been the Hotel/Casino site went through various gestations until it became a trio of clean, white but wide, view-blocking office towers grouped around a circular planted garden over the freeway. Harry Seidler did the first designs of the scheme, but his typically bold scheme came to grief in 1991 in disputes with Lend Lease (see Frampton and Drew, 1992: 425). The two completed towers (a third is planned) bear the unmistakeable stamp of the original design, but the public routeway to Cockle Bay is internalised, utilitarian and convoluted, and the ornamental, geometrically planted garden created above the freeway feels private rather than public. Below, Cockle Bay Wharf (Eric Kuhne) “mixes people-friendly post modern, deconstructivist and maritime imagery” (Jahn, 2000: 63) to create an important new venue in Sydney’s ‘foodescape’ (Pritchard & Medhurst, 2001), completing the ‘passeggiata’ circuit around Cockle Bay. At the southern end of the wharf an Imax Cinema built in between the viaducts of the Western Approach freeway reduces their impact on the area. The final piece of the original Darling Harbour jigsaw, and originally one of its most controversial components—the Casino—was not opened until 1997, dogged by allegations of ‘undesirable dealings’ against its original developers. ‘Star City’ is a rather remote venue in Pyrmont, as befits its aspirations to be ‘a place where you escape from everyday life into a new realm of fantasy and fun’ (quoted in Spearsritt, 2000: 266). Since 1998 Darling Harbour has been managed by the Sydney Foreshore Harbour Authority.
improvements. But collectively the public realm improvements and the café culture have significantly civilised and repopulated city streets, and have transformed Central Sydney from a city that was dark and deserted at night and the weekends at the end of the 1980s into a place which is developing at least a 15 hour vitality. Meanwhile, the new City Spaces team and programme continue to develop ideas for the future, taking forward schemes mooted in the first City Spaces competition (SCC, 2000). The ambition of the programme is widening, to create a continuous waterfront promenade to connect Darling Harbour to Walsh Bay through a proposed urban village on the western docklands, to extending Observatory Park over the Bradfield Highway, and removing the Cahill Expressway and placing the railway underground at Circular Quay. The city was already looking to improve the parks on its edges before its boundaries were extended in 2003, but this may mean less focus on the spaces in the CBD in the future.

7.7. The Mayor’s achievements

Mayor Sartor was the first modern political leader of the city of Sydney to believe passionately in urban design and architectural quality. His ‘vision for the city’ was a personal one, but it resonated with residents and businesses alike. His clear desire for the Council to resume all its development control powers was often couched as a democratic imperative, and he certainly listened closely to different constituencies. His initial room for manoeuvre was extremely limited with the State scrutinising every budgetary move and development/planning decision, and he was forced to cut Council
jobs to create the funds to invest in the public realm. His neo-liberal programme emphasised fiscal prudence, efficiency, speed, safety, and cleanliness for the city alongside design quality and environmental improvement. While he was willing to dispense with the services of many planners he was quite prepared to invest in the talents of urban designers and architects to implement his ‘City Spaces’ aspirations.

With the increasing assistance of the State, the Mayor was able to achieve a dramatic transformation in the quality of Central Sydney’s public realm, while the diversification of the city’s economy helped to intensify and extend public use, in the process transforming the whole ambience and culture of the city. Sydney avoided many of the traps of such a transformation, learning from Barcelona and Melbourne the values of simplicity, quality and continuity of design in reclaiming pedestrian space. The next challenge was how to routinely achieve design excellence in private development.
CHAPTER 8

The Sartor regime II: the pursuit of design excellence: 1998–2002

8.1. Introduction

The period 1996–2002 saw the Council benefit from a much more positive relationship with the State, as a result of the changes made to the composition of the CSPC, and the close relationship that developed between Premier and Mayor. Market conditions ensured a significant throughput in applications and, with the Olympics approaching, hotel and serviced apartment development was buoyant and there was a very strong residential

Plate 16. Key Commercial Buildings of the late 1990s. Here are two iconic buildings by internationally acclaimed architects, both of which push the building envelope beyond the maximum allowed in order to squeeze every drop of value from their commissions. The ABN/AMRO tower (a) by Renzo Piano, and the BT Tower by Norman Foster (b) (unbuilt) signalled the entry of international ‘trophy’ architects into the City. 363 George Street (c) echoes many features of the Governor Philip Tower—sandstone podium, spectacular hobbies, cantilever tower over heritage buildings, elegant elevations. Angel Place (d) is multi-faceted, a collage of different elevational treatments that reads as several buildings, with a distinctive wedge-shaped tower emerging from a cluster of tall buildings. Its sandstone façade signals a civic building—the Recital Hall that occupies the lower floors of the complex.
demand. But office developers knew they had to have a very special product, a distinctive building with fine internal spaces and excellent views, to attract the necessary pre-let to get a new development off the ground. They also reasoned that the use of nationally and internationally acclaimed architects to deliver distinctive ‘signature buildings’ would ease their planning consents and allow them to maximise their FSRs, arguing for additional floor space or relaxations of controls on architectural aesthetics grounds (see McNeill, 1994). The ensuing quality of development provided the Mayor with ideas as to how to improve design standards in the city.

8.2. CSPC deliberations and major developments

The new CSPC saw three State representatives (the State Director of Planning, Government Architect and development representative) working with two Sydney Councillors with the Lord Mayor Frank Sartor in the Chair and the Lord Mayor of South Sydney the seventh member. The architect Graham Jahn joined the Council Team, another Sartor political recruitment, to provide additional expertise, and both he and Chris Johnson, the Government Architect, were deployed to deal with complex applications where design was at a premium (e.g. the refurbishment of the American Express tower (Plate 4d) and the Establishment Hotel project (244–60 George Street)).

The office market had seen virtually no office space completed for 3 years (1994–1996: Fig. 5). Nonetheless, there was an opportunity to catch an upturn in rents if the product was top quality. Four iconic commercial projects were given consents in 1996–1997. Landmark Place (363 George Street) designed by Denton Corker Marshall of Melbourne used ideas developed at Governor Philip and Macquarie towers to start the office floors at
level 10, creating a spectacular high lobby enclosing a modern sculpture/fountain, and a walkway through to Barrack Street (Plate 16a). A second project was Lend Lease’s replacement of the State Office Building on a key site at Macquarie and Bent Street. Here the Italian architect Renzo Piano broke many of the 1996 LEP rules by not maintaining the street wall in Bent Street, or reinforcing adjacent parapet heights, and arguably not providing sustained pedestrian interest on all street level frontages. However, because of the innovative nature and quality of the design the CSPC, encouraged by the Mayor, was prepared to approve it (see Case Study 15; Plate 16b). Angel Place, by Peddle Thorp and Walker, was an old consent dating back to 1989 with an FSR of 12.5:1 for two towers, one of 46 storeys. The new proposal incorporated a Recital Hall in the podium, which would be leased to the City Council. The developers were able to claim exemption from

The ABN AMRO Tower replaced the much-lauded State Office Building (Plate 3), sold by the State on a 99-year lease to Lend Lease Corporation in 1996. Lend Lease retained Renzo Piano Building Workshop as their architects (collaborating with the local firm Innovation) in order to maximise the potential and prestige of the site and smooth the planning process. The CSPC granted consent for its demolition “mindful that a replacement… must be of comparable quality…to justify demolition”.

A luxury apartment building was designed on Macquarie Street, creating some 62 units in a 16-storey building that addressed the busy junction. The rest of the space was disposed in a slim but wide tower aligned north-south on Philip Street, but with its entrance on the corner of Bent Street adjacent to a triangular glass-canopied pedestrian plaza. Both buildings use Piano’s trademark terracotta tiles for their thermal qualities and their expressive reflective relationship with glass. Both buildings have enclosed balconies as ‘winter gardens’ and sail-like roofs.

The development stretched the building envelope beyond that allowed by the 1996 LEP, requiring the CSPC to take a view on the additional floorspace (14.06:1 vs. 12.99:1: 5894 m² extra); the additional height of the curved glass roofs and the communication needle, the failure of the buildings to align with, and define, the three streets in question; and the lack of setback on the commercial tower. They were the first significant departures from the 1996 LEP, so they were important precedents, but mayor “shepherded… the non conforming… development” and the CSPC gave consent to the scheme (Searle, 1998: 809). And so Sydney got another international architect designed trophy building, a new icon to grace its skyline, and a new standard by which to judge its major commercial buildings.

Renzo Piano uses shapely, organic forms in his architecture…. At Aurora Place…the high rise office building has curved facades of glass that fan out towards the sky…valuable commercial floor area was created by allowing each floor plate to increase progressively through the height of the building…[he]…aimed to create a dialogue between the curved form of his building and the curved shells of the Opera House, even though the buildings are some 800 m apart. (City Exhibition Notes: Renzo Piano in Sydney, March–April 2002)
the purchase of HFS under the 1993 policy through this provision, and get rid of the low value lower floor offices in the project into the bargain (Plate 16c).

In 1998 it was the turn of the BT Tower at 128 Philip Street to push the building envelope beyond that set out in the 1996 LEP. Again an international ‘signature’ architect, this time Norman Foster and Partners, had been retained to maximise the allotted floor space and the market appeal. The development consisted of 55 000 m$^2$ of glass tower with external steel framing, with the core on the west side connected to the office space by a full height atrium. A glass box on the roof worked with the atrium to provide natural ventilation and a low energy sustainable solution, but it cast shadows that impinged on Martin Place and the Domain sun access planes. The CSPC accepted the infringement under the rubric of ‘architectural roof features’, though it put the scheme through the LEP amendment process to ensure that the process was transparent (Plate 16b). The CSPC also approved a new masterplan for World Square. The three towers were redefined, as well as the uses within the podium (Case Study 18). LEP amendments were made for a new medium-rise office precinct at Railway Square, using terra cotta tiles like Piano’s in the ABN Tower, and for a new residential and retail/catering complex at King Street Wharf, both on State owned land.

It was residential development that was continuing to prove most problematic from a design perspective, because of over-generous floor space bonuses introduced in January
1994. There was a deferral on Meriton’s Regis Towers project on Castlereagh Street, arguably one of the most environmentally damaging schemes, where three 100 m-plus slab blocks were planned (Plate 17a), approval of a 26 storey tower behind heritage buildings on Kent Street, and approval of a 20 storey tower at 252 Sussex Street with an FSR of 15.5 on a single property. A group of residential towers was approved on the south side of Goulburn Street. There was also a spate of major hotel schemes within the retail core and in the south of the city, three within heritage buildings including the flat-iron Wales House (Radisson), the Art Deco Grace Building (Grace Hotel) and George Paterson House (the Establishment Hotel).

8.3. Other important planning issues

The CSPC had a range of other issues to deal with like Section 61 contributions, the Heritage LEP and an LEP Amendment 3 (1997) to redevelop ‘dormant’ (long-derelict) sites that blighted the CBD. The first actions were taken to address the shortcomings of residential design, despite the opposition of most of the major apartment developers. LEP Amendment 5 1998 introduced a mix of qualitative and quantitative provisions to enhance the amenity of both residential buildings and serviced apartments in terms of daylight, solar access, natural ventilation, visual and acoustic privacy, exterior private space, ceiling heights and storage. Provisions were also introduced to provide a mix of studio to three-plus bedroom units, and minimum sizes were prescribed for each, significantly improving higher standards at the bottom end of the market. But these amendments did not resolve the problems of the impact of slab buildings upon the street or adjacent hotels/apartment complexes. The 1996 DCP provisions on the spacing between buildings provided only minimal window to window distances between adjacent properties (Fig. 13), and this allowed significant view blockage and the apparent coalescence of towers/slabs into walls of development when viewed obliquely. The maximum frontage dimension of 40 m for buildings parallel to the street was also too long and created very oppressive street conditions and wide view blockage. Tower floor plates were too generous at 1200 m² (1400 for commercial), leading to fat towers that tended to block views.

8.4. Key appeal cases

Neither the Council nor the CSPC could have confidence that the projects that they refused would not receive a consent from the Land and Environment Court. The Court had wide discretion and was expected (legislatively) to act in the place of the local council (Farrier et al., 2000, 53–54). Two particularly poor residential schemes won appeals in 2000, the first, a 41 storey residential/serviced apartment tower on Cunningham Street, had been refused and appealed (unsuccessfully) in 1999; the second, on the Kens site at 260 Kent Street, the appeal decision contravened a wide range of city design policies and a specific DCP for the site that had been approved earlier in the year (see Case Study 16). While the number of appeals to the Land and Environment Court had dropped from some 50 per annum in the late 1980s to an average of only nine per annum in the late 1990s, the city felt particularly aggrieved that it was losing appeals on major developments even though it was following the provisions of a new statutory plan. Five similar appeals were
Case study 16: The Kens Site: 260 Kent Street (CoS: 1999)

This significant and highly visible site... required a well considered urban design... Accordingly the City adopted a special Development Control Plan... The (Land and Environment) court ignored the City’s planning policies for the site and approved a development of extremely low standards in terms of urban and architectural design which set an appalling precedent in the northern end of the city (CoS, 1999: 34)

The Kens Site has fine views over Darling Harbour but is significantly blighted by the elevated ramps of the Western Distributor leading up to the Harbour Bridge. The original owners, Multistar, were refused a consent for three 19-storey residential towers
on a six-storey podium on the site, but they appealed and in 1999 the Land and Environment Court granted a consent, noting that the project was “satisfactory in urban design...of a height and bulk that is to be expected in this part of the city”, a design judgment based upon the standards of the early 1970s rather than the late 1990s.

Meanwhile the City undertook a series of urban design analyses to consider the site and its context, with the Mayor heavily involved in these discussions. A preferred solution of two towers emerged, with the potential for a large public space between, and with Sussex Lane and its adjacent heritage-protected terraces retained. It was translated into a Development Control Plan Amendment in June 1999. New developers took over the project with the intention of seeking a commercial rather than a residential consent, but with the same floorspace allocation it would create much larger buildings than those prescribed in the DCP. By now the Design Excellence Programme was in place and this project provided an early opportunity to test the full competition process. The unanimous choice of the jury was the Denton Corker Marshall (now Johnson Pilton Walker) scheme, but it was a very different solution of two slab blocks connected by the core to constitute a single tower, creating the possibility of a large public space to the north. The LEP amendment process that followed allowed the building height to exceed the previous 80-metre limit but imposed a new maximum of 145 m to Kent Street, a maximum floorspace figure and eight other basic parameters.

The architects describe the merits of their final scheme thus

The proposed design...is predicated on a strong urban design initiative to provide a sun-drenched north facing urban park for active and passive recreation, and twin towers that respond to the site’s orientation and unique position within the Sydney CBD....The lower whiter Sussex Street Tower responds to the low rise buildings facing Darling Harbour, and the Kent Street Tower blends into the CBD skyline and beyond. (Johnson Pilton Walker Ltd Design Statement, CSPC 271, 18.07.02)

The final design negates many of the parameters that emerged from the urban design analyses and were enshrined in the development brief, but the beauty of the competition process is that it can deliver imaginative, innovative and equally sensitive design solutions that are not obvious from contextually driven design thinking (especially in terms of massing).

Pending at the end of 2000, and the Mayor produced a booklet entitled Unwanted Legacies (CoS, 2001), documenting 36 examples of poor Court decisions across metropolitan Sydney. It argued that the Court ought to respect Council policy and not review cases anew, nor allow entirely new development proposals to be placed in front of it, have more expertise at its disposal for major applications, and establish an appeal panel for each council that could make quicker decisions. The document specifically argued that higher quality urban design was impaired by the current situation because the Court continually overruled Councils that sought to raise design standards.
8.5. LEP amendment no. 8: urban form and amenity

The Council planners put together an amendment to urban form and amenity controls which was considered three times by the CSPC in 1998. The proposals were to reduce the disparity between residential and commercial FSRs by requiring all uses to conform to a base 8:1 FSR, with HFS purchase allowing higher densities. A report addressed four issues: height and FSR controls had to be more specific and area character-related; planning staff were spending too much trying to improve design quality; tower separation had to be re-thought to improve amenity; and controls on heights in relation to building frontage and site size had to be reconsidered. The report also hinted at other necessary changes to encourage design excellence for tall towers and high FSR allocations, and to require master-planning of major sites. Seventy-three submissions from various interests were received early in 1999, and special meetings were held with experts (the City’s recently established Development Advisory Committee and the RAIA). Significant research was undertaken on the potential nature and impacts of these reforms on development, and on other world cities’ design control mechanisms (CSPC, 1999) to refine the proposed reforms.

By June 1999 the pursuit of ‘design excellence’ was taking root as a policy idea, and being defined as “the requirement that the building is designed as the result of either an open or limited architectural competition, or by an architect of a recently implemented building that demonstrates design excellence” (CoS, 2001). Applicants had to demonstrate how this design excellence could be achieved. Council received various submissions from development and architectural interests on the matter, and a workshop was held to develop the idea. Support was expressed for the Council initiative, though some of the RAIA participants stuck to their long-held views that a peer review committee was the preferred option.

The proposed LEP amendments were tested for their impact on land values and development capacity and adopted in March 2000. A Development Control Plan spelling out all the processes was amended following comments from both the PCA and the RAIA as well as the Director of City Projects.

8.6. The design excellence initiative

The whole idea of the design excellence process emanated from the Mayor as he pondered a range of interconnected design and development issues. He was not convinced that new regulations would deliver improvements in design quality, and even less convinced that planners had the skills to negotiate effectively on design grounds. He was concerned about appeal decisions and State Environmental Planning Policy No. 1 (SEPP) exceptions, which routinely allowed ‘minor’ variances from planning controls. The Mayor had closely observed the changing nature of architectural production on the new iconic projects like ABN/AMRO and the BT towers, and had compared it with what he saw as very mediocre design quality elsewhere in the city. He felt strongly that half a dozen local architectural practices had established a near monopoly of major projects in the city, and that their clients were no longer striving for real quality, but simply delivering a standard
product with little innovation and imagination. He decided to inject an element of competition into the design process.

The design excellence provisions that were introduced in 2000 applied to any development exceeding 55 m in height, or with a site area in excess of 1500 m², and there were two key provisions. Firstly a detailed development plan would be required for these sites before a consent would be granted. Alternatively, the applicant could submit a Stage 1 DA, formalising the non-mandatory pre-application process that most major developments followed. Both mechanisms were designed to establish the building envelope, FSR and height in relation to the site and context, and to address the full range of land use, massing, modulation, streetscape, heritage and environment impact issues set out elsewhere in the LEP. The key point was that developers could establish the basic parameters of the scheme, and the fundamental determinants of value, before engaging in detailed design, so they could enjoy near certainty of a consent without a major outlay on design fees. Each development plan had to include alternative design solutions and justification of the preferred design and the design alternatives had to be generated by a ‘competitive process’ (see on). The application had to demonstrate why the preferred solution provided the highest quality design, and how it would achieve design excellence, and design criteria were defined for this assessment (CoS/UDAP, 2001). Whichever process was used, the CSPC could adopt, approve, amend or refine the plan or the application.

Second, all applications were required to demonstrate design excellence. In the words of the LEP

the consent authority will assess whether a...building...exhibits ‘design excellence’.

In most situations, this can be achieved by a well-mannered building that responds sensitively to its context. Only in some cases will it be achieved by an iconic or landmark building. Design excellence is particularly important for development plan sites, which due to their size, height and massing can have a significant impact on the city, both at street level and from a distance.

Business exists in an increasingly competitive environment. As the design of buildings can also be generated from competitive processes, the City Plan facilitates a competitive design environment that can generate alternatives for the improved design of the city. (CoS, 2000: 280)

These were highly unusual, probably unique, provisions in any statutory plan. But the new processes offered considerable benefits both to developers in resolving their floor space entitlement at an early stage, and to the public in ensuring that schemes that exceeded plan limits went through a formal plan amendment process. Theoretically the new processes would increase the number of rapid development refusals, and significantly reduce the length of control negotiations, placing the responsibility for design quality back on clients and their architects where it belonged. The Mayor was convinced that while regulation could stop the worst designed development it could not create the best, a view that accorded with most design control experience across the world (see Scheer and Preiser, 1994).

So developers now had to select at least three teams of architects to prepare designs, or hold an open design competition. A brief had to be prepared with clear design objectives
and assessment criteria, and a jury of three developer and three City-appointed members established to select a winning scheme and write a report. The RAIA scrutinised the open competitions. The jury’s decision did not fetter the discretion of the consent authority on any subsequent DA, although the strong expectation was that the winning architect would be retained to design the scheme. To defray the additional costs incurred by commissioning concept designs from four sets of architects, the Council could reduce the required HFS that needed to be purchased to develop the final scheme by up to half (effectively covering the extra design costs).

8.7. Progress with design competitions

So far the competition process seems to have worked smoothly, and the first 16 or so competitions undertaken by mid-2002 had raised no serious concerns (Table 4). A Property Council of Australia survey in 2002 found no substantive objections to report. Proponents of the system included the RAIA and the majority of architects, planners and Planning Committee members who argued that more innovative and high quality design was being delivered, new architectural talent was emerging, and the net was being cast wider for architectural ideas. There were those who considered that the process was reducing political influence on design outcomes, while others argued that the Mayor could still attempt to negotiate design details after the competition. Critics objected to the wastefulness of two to four unused designs and up to A$100,000 wasted in architects’ fees; they resented the disruption of favoured client-architect relationships, the extra time required to undertake a competition, and the lack of guarantee of a permit for the winning scheme. They argued that the market had already responded to the drive for better design and that the new processes were unnecessary, but this argument certainly could not be extended to residential schemes.

8.8. Major developers’ criticisms

Subsequently attempts were made by the major property developers to abort the design excellence provisions through the mechanism of the consultations for the 2001 LEP Review. They argued that

there is no compelling evidence that design competitions are delivering better private development results for the City or for developers...the Taskforce suggest that the City introduce a design review panel process similar to the State Government’s models or more specifically, emulating the Sydney Harbour Foreshore Authority’s very successful design review process. (NSW Urban Taskforce, 2002: 1; CSPC Meeting 271: 18-7-02: 571)

They suggested the Government Architect chair such a Panel composed of the Director General of State Planning, the Director of City Development and a group of practising architects. No evidence was presented for the developers’ assertions about the ineffectiveness of the design excellence process. Although the nub of their argument was that the process was “expensive, time consuming and very risky” (p. 573), in reality it
<table>
<thead>
<tr>
<th>No.</th>
<th>Address and Building Name</th>
<th>Architect</th>
<th>Site area (m²)</th>
<th>FSR</th>
<th>Height</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>137–139 Bathurst Street</td>
<td></td>
<td>378</td>
<td>13.75:1</td>
<td>RL65</td>
<td>Further separate full DA lodged</td>
</tr>
<tr>
<td>2</td>
<td>27–29 Commonwealth Street</td>
<td></td>
<td>305</td>
<td>13.39:1</td>
<td>80 m</td>
<td>Stage 1 DA approved. Competitive process and Stage 2 yet to occur.</td>
</tr>
<tr>
<td>3</td>
<td>261–293 Kent Street KENS site</td>
<td></td>
<td>11 024</td>
<td>10.10:1</td>
<td>RL145</td>
<td>Stage 2 DA lodged. Stage 2 DA approved.</td>
</tr>
<tr>
<td>4</td>
<td>545–551 George Street Village Cinema</td>
<td>Harry Seidler and Associates</td>
<td>3500</td>
<td>12.44:1</td>
<td>RL166.0</td>
<td>Stage 1 approved.</td>
</tr>
<tr>
<td>5</td>
<td>487–503 George Street Tower 101</td>
<td>Tonkin Zulaikha Greer/ TCW/ Chadda Siembieda</td>
<td>4227</td>
<td>12.8:1</td>
<td>RL171.5</td>
<td>Stage 1 DA approved.</td>
</tr>
<tr>
<td>6</td>
<td>42–44 Margaret Street Scots Church</td>
<td></td>
<td></td>
<td></td>
<td>66.8 m</td>
<td>Stage 1 DA and Stage 2 DA approved.</td>
</tr>
<tr>
<td>7</td>
<td>124–126 Phillip Street BT Tower</td>
<td>Foster and Partners</td>
<td>3935</td>
<td>12.5:1</td>
<td>RL206.8</td>
<td>Development Plan approved. Stage 2 DA approved.</td>
</tr>
<tr>
<td>8</td>
<td>20–26 O’Connell Street Kindersley House</td>
<td></td>
<td>2038</td>
<td>12.5:1</td>
<td>RL206.8</td>
<td>Stage 1 DA approved</td>
</tr>
<tr>
<td>9</td>
<td>107–121 Quay Street Her Majesty’s Empire Talkies Theatre</td>
<td>Marchese &amp; Partners</td>
<td>2517</td>
<td>7.92:1</td>
<td></td>
<td>Stage 1 DA approved. Stage 2 DA approved. Section 96 lodged to amend consent.</td>
</tr>
<tr>
<td>10</td>
<td>30–38 Hickson Road</td>
<td>Howard Tanner Peddle Thorp and Walker</td>
<td>7093</td>
<td>4.25:1</td>
<td>42 m</td>
<td>Stage 1 DA approved. Separate full DA lodged (ie: no Stage 2).</td>
</tr>
<tr>
<td>11</td>
<td>31 Ultimo Road</td>
<td></td>
<td>2396</td>
<td>10.83:1</td>
<td>RL56.50 m</td>
<td>Stage 1 DA approved. Stage 2 DA lodged.</td>
</tr>
<tr>
<td>12</td>
<td>644–662 George Street/385–401 Pitt Street World Square</td>
<td>Crone Associates</td>
<td>8276</td>
<td>12.01:1</td>
<td>RL200.5</td>
<td>Stage 1 DA approved. Stage 2 DA approved. Section 96 lodged to amend the master plan consent and retain the intention for a commercial tower.</td>
</tr>
<tr>
<td>13</td>
<td>644–662 George Street/385–401 Pitt Street World Square</td>
<td>Crone Nation</td>
<td>19 290.6</td>
<td>13.4:1</td>
<td>Varies</td>
<td></td>
</tr>
</tbody>
</table>

(continued on next page)
Table 4 (continued)

<table>
<thead>
<tr>
<th>No.</th>
<th>Address and Building Name</th>
<th>Architect</th>
<th>Site area (m²)</th>
<th>FSR</th>
<th>Height</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>139.2 m</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>644–662 George Street World Tower</td>
<td>Nation Fender Katsalidis</td>
<td>6905</td>
<td>11.33:1 RL248.4</td>
<td>Under construction.</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>98–104 Goulburn Street</td>
<td>Marchese and Partners</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>279–285 Castlereagh Street Masonic Centre</td>
<td></td>
<td>2744</td>
<td>0.16:1</td>
<td></td>
<td>Single DA approved.</td>
</tr>
<tr>
<td>18</td>
<td>279–285 Castlereagh Street/ 66–68 Goulburn Street Masonic Centre</td>
<td></td>
<td>2744</td>
<td>11.01:1</td>
<td>130 m</td>
<td>Single DA approved.</td>
</tr>
<tr>
<td>19</td>
<td>151–241 Goulburn Street Campbell St. sub-station</td>
<td></td>
<td>2771</td>
<td>1.25:1</td>
<td>16.5 m</td>
<td>Single DA approved.</td>
</tr>
<tr>
<td>20</td>
<td>2 Market Street Allianz Centre</td>
<td></td>
<td>4396</td>
<td>11.32:1 RL54.1</td>
<td>Stage 1 DA approved.</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>61 Kippax Street</td>
<td></td>
<td>5958</td>
<td>5.04:1</td>
<td></td>
<td>s96 Application lodged</td>
</tr>
</tbody>
</table>

A, development application; RL, registered level (basement included); (Source: CoS Annual Development Monitoring Report 2002).
was the developers’ lessened control over the product and their concern that innovative
design would impair financial returns that were crucial:

- ...essentially the design is submitted without close consultation with the
developer. This can result in costly problems as the developer finds it difficult to
maximise the commercial position in terms of design quality. The final result from
a competition restricts the developer’s flexibility to proceed with a viable project.
- There are also development industry concerns that competitions do not
facilitate the development process, and just become the basis for further
negotiation.
- Whilst the design competition Jury at the City of Sydney is split between the
developer and council, there is a perception held by the development industry that
the City of Sydney has a broad agenda to widen participation of designers in the
city. As such the City may tend to prefer designers for private projects who can
achieve new design styles in the city. This may not always be the best commercial
result for the developer who must proceed with a designer who may lack
experience or technical expertise in the local conditions. (NSW Urban Task
Force: 3; CSPC meeting 271: 18-7-02: 573)

The CSPC did not respond to these concerns.

Of the first dozen projects that went through the design excellence process, four went
through the full competition route and eight through a competitive process. Many
residential developers preferred to use the competitive process route and the results of
these limited competitions were more predictable, with established Sydney firms often
winning the commissions. But these firms were taking on board other established
architects with reputations for design flair, so the competitive process was impacting
significantly on architectural practice. In one case two schemes were merged (30–38
Hickson Road), in another two practices were asked to reconsider and improve their
schemes which resulted in a new winner (see Case Study 17), and in a third an additional
practice was taken on board to detail the design of the original DA. Each competition has
its own interesting twists and turns, and demands an individual assessment as to the design
excellence achieved, and the value-added in terms of design, whether it be public space
and pedestrian amenities (Case Study 16), commercial viability and the quality of
the internal public realm (Case Study 17), or refinement of elevations (e.g. World Square:
Case Study 18).

Following the introduction of the design excellence provisions, changes were made to
FSRs to obviate some of the difficulties that had arisen since the introduction of the 1994
residential bonuses. LEP amendments in 2000 and 2001 reduced the as-of-right FSR to a
maximum of 8:1 across the commercial core, with lower ratios for all the other zones on its
margins. But the Council created bonuses of up to 4.5:1 FSR for commercial and 6:1 for
residential/serviced apartment/hotel/mixed-use schemes. On the western edge of the CBD
these bonuses were set at 3:1 and 4:1, respectively. But these bonuses could only be
granted if the proposed development complied with all the design provisions of the plan,
and if HFS was used. So the scale of the bonus, at Council discretion, was significantly
expanded from the 2.5:1 FSR maximum that was set in 1996.
The strength of the MGT proposal is very much related to the mid block connection being a straight line from Pitt to Castlereagh, focused on the heritage buildings on the opposite side of the street at each end. The further development of the proposal will be important with regard to
– the relationship of the core to the roof feature
– the use and configuration of the open space
– the resolution of the podium elements
– the grading of the tower and/or the piloti configuration.

(Jury observations: CSPC 16-5-02: 186)

This design competition provides an interesting example of the design excellence process at work, both in terms of the changes in patronage and the refinement of design that it can bring.

The owners of the site retained Bovis Lend Lease to progress a project management concept and structural design. A major office building was seen as the principal objective of the scheme, but a through block retail arcade was always a major component. A Stage One DA was approved for a 40-storey commercial tower, and the developers and project managers opted for a full design competition to select a practice and scheme to work up the Stage Two application. Five architectural practices were selected, and a jury of six people was selected with three from the project management team, plus a planning consultant, an academic, and a State urban designer.

An exemplary, detailed brief set out a preferred tower envelope, respecting all the statutory heights, setbacks and sun access planes, and set seven objectives architectural. The competition grading scheme gave 40% for the creation of a resolved design, 40% for commercial considerations and 20% for an innovative, added value solution. Unusually the jury selected two schemes as noteworthy. The American architect-designed scheme had more commercial appeal, and an arcade-like ground floor; the Sydney architect-designed scheme having a much more exciting ground plan, but a tower floor plan that was commercially problematic. Both practices were given the opportunity to re-work their schemes over a weekend, and the Sydney practice’s (Mitchell Giurgula Thorp) scheme was subsequently selected. They were able to reconfigure the office core to deliver a much more efficient and commercial floor plan, while retaining the qualities of the pedestrian arcade and a circular daylit civic space to the north-west of the office tower.

The jury’s observations (quoted above) included two issues that might prove problematic at the consent stage, with the roof feature slightly exceeding the approved building envelope, and the tower floorspace exceeding the 1400 m² maximum specified. But they recommended neither controls be enforced. The scheme awaits a pre-let before development proceeds.
The matter of the integrity of the external architecture (of the 69 storey Meriton Tower) has been addressed through negotiations with the applicants during (sic) the Design Review Panel. The developed design of the Tower relative to the competition-winning proposal is still considered to be less successful in bulk, however, (the designs)… have been driven by structural, height and unit mix considerations and are therefore considered to be unavoidable… (CSPC 19-10-2000)

The World Square development, occupying the largest block in the city, bounded by George, Liverpool, Pitt, and Goulburn Streets, was approved by the Minister for Planning in April 1987 while planning controls were in the hands of the State-appointed commissioners. The site had taken Asian investors 7 years to assemble, and they received a consent for more than 250 000 m² of mainly commercial floorspace, disposed in four 22–50 storey towers on a five-storey podium, with a major retail/leisure component to boost the southern end of George Street. Construction was suspended in July 1990 after continual industrial disputes, leaving the podium as an ugly concrete skeleton for more than a decade.

In 1996 a new masterplan altering the massing of the four towers was approved. This specified a five-stage development, and the second phase, a ‘podium’ hotel and a residential tower adjacent to the monorail station, was given approval in 1995 and a 55-storey residential tower added to the south. Further consents followed for a 13-storey hotel/serviced apartment block (1996), a 53-storey office tower on Liverpool Street (1996), and a similar commercial tower on George Street (1999).
A revised Heritage LEP was also gazetted stating that consent would not be granted for any development that materially affected the ‘heritage significance or landmark value’ of the scheduled item, unless the proposed item ‘exhibits design excellence and is superior in quality to the heritage item’ and would ‘make a superior contribution to the quality of the public domain’ (CoS, 2000 s11 a–e). Here was an interesting avenue for the less risk-averse developers to explore. There were reserve powers to have an appointed committee examine major modifications to a heritage building, and a requirement that public views be considered on all consent applications. 443 buildings were now on the protected schedule along with an additional 48 building facades and 64 townscape/landscape items, and Heritage Streetscape designations provided entire protection to key streets (Fig. 14).

8.9. Proposed revisions to the LEP: 2002

In July 2002 the City presented its revisions to the LEP 1996 pursuant to its 5 year review. The revised plan now included the 2000 Heritage LEP, and at the request of the State planners was extended to embrace Ultimo-Pyrmont previously covered by the State Environmental Policy 26 (which gives the state control over all master plans and the first development thereafter). SEPP 1 was suspended in favour of a 10% variance clause in the plan itself to provide the required flexibility at Council, not State, discretion. Both of
these changes were further expressions of prevailing State-Council harmony on planning matters.

Attention was again given to the question of whether small sites could accommodate residential towers, reflecting on the validity of the 800 square metre minimum size and

Fig. 14. Heritage Designations: LEP 2000. These are the designated structures and spaces in the Heritage Local Plan. (Source: CoS) (LEP) 2002).
the minimum 6 m setbacks for all buildings above the street frontage height (CSPC, 2000: 401). Further DCP amendments were required to reinforce this. Most of the changes were merely refinements of existing policies, extended designations, or consolidations of previous amendments (mostly heritage and design excellence) into the body of the plan.

There was evident satisfaction with the way the plan was operating. The 2001 Monitoring Report had reaffirmed the conclusions of previous reports that the LEP was having no adverse impacts upon development or investment activity. Arguably, it had stimulated lower grade office conversions to residential and reduced commercial vacancy rates, while more residential and improved public space had helped to increase retail and restaurant/café growth. Furthermore, there was no real evidence that either residential development or strata titling (subdivision of ownership floor by floor) were seriously reducing future commercial development capacity or larger site assembly (COS PDTC 26-6-02: 67–68), a longstanding preoccupation of city business leaders. While there was an economic downturn after the Olympics, exacerbated by the terrorist attacks on the USA, the collapse of the airline Ansett, and global ‘dot com’ failures, Sydney continued to experience a 4 per cent growth rate, significantly more than the national average (2.4%).

8.10. Design excellence institutionalised

By 2002 a more sophisticated, design-sensitised LEP was an established and largely uncontested part of the city’s planning system. The State and City had reached a new accommodation in their planning attitudes, and there was an acceptance of the neo-liberal

Plate 18. Air View of Central Sydney (looking west): 1999. The end of the twentieth century sees Central Sydney transformed, with the ABN/AMRO Tower nearing completion, the Conservatorium of Music being extended largely underground (bottom middle), and Darling Harbour (top) complete on the eve of the Olympic Games.
planning agenda and the role of urban design within it. The evidence provided by the major projects approved by the CSPC, and those going through the design excellence process, suggested that much more care was being taken to develop design quality and to carefully respond to the streetscape, public realm and microclimate of Central Sydney. The basic economic parameters of the scheme could be resolved much earlier, leaving design issues to be explored more creatively and competitively, and not by a process of attrition. But though the process obviated the need for design skills within the planning department to manage the biggest applications, it did not resolve the dearth of such skills in day-to-day control. It is much harder to draw a verdict on the smaller scale developments approved by the Council over the period and these would justify a study of their own. Certainly the problem of the design of high-rise apartment blocks remains, and much of the residential development approved since 1996 demonstrates that the minimal setbacks provided by the 1996, and even the 2002, LEP protect neither private nor public amenities. The design excellence process obviates only some of these problems. What is needed is a rethinking of the dimensional controls to ensure slimmer towers on larger sites with greater set backs that respect both public and private views, street quality and microclimate, and allow a more creative approach to outdoor amenity space for residents. Plate 18
CHAPTER 9

Conclusions

9.1. Introduction

The design excellence process was the last planning reform of the Lord Mayor who, after a decade in the post, was elected to the State government and a future perhaps (to deepen the irony) as a Minister of Planning. After having been stalled for a year by a legal challenge the City was allowed to reclaim a number of its inner suburbs in May 2003, and double its geographical jurisdiction, and to increase its population base from 30,000 to 72,500. It was the end of a 15-year era during which the Council had re-established its independence through proving to the State its capacity for efficient financial management and maintenance of a pro-growth planning régime. The Mayor’s political shift from Independent Councillor to State Labor government front bench spokesman, and the reduction in the tensions between State and City over planning and development objectives, say a great deal about the politics of planning in Sydney and the shared values of Premier and Mayor 1995–2003. But it also says a great deal about an emerging consensus on the City of Sydney’s planning agenda, the joint public-private pursuit of global city status, the city as a national growth machine, and the accommodation of developer/investor interests. But any historian of the City of Sydney knows better than to predict the long-term stability of this accommodation, or the progressive emergence of a more democratic, better resourced and more sophisticated system of development regulation and design review, as recent events (2004) have proved.

9.2. The themes in the history of Sydney’s design regulation

The history of Sydney’s design regulation is remarkable for the transparency of the conflicts between state and local politics, between laissez faire instincts and regulatory visions, rule-bound and discretionary decision-making, business and resident aspirations, and property versus planning interests. The key urban design and development control themes that emerge from this history may be summarised as follows:

- The debate about an appropriate scale and intensity of development that began as an anti- (post-1912) and then switched to a pro-Manhattanisation (post-1957) in reaction in part to the rather claustrophobic city of the mid-1950s, and created the much more variegated but equally sun-less post-1957 high-rise city. Neither control mentalities concerned themselves with a quality public realm away from the parks and waterfront.
- The flirtation with, but failure to adopt, comprehensive zoning controls in the transition to the high-rise city, with a naïve reliance on FSRs, no land-use controls and only elementary dimensional controls (principally height) on building form, a failure compounded by uncritically applied pedestrian amenity bonuses between 1971 and 1988.
- The corresponding reliance on ‘discretion’ and the retention of flexibility that created what Jonathan Barnett (1982) describes as the ‘negotiation syndrome’ in development

J. Punter / Progress in Planning 63 (2005) 11–160

139
control post-1957. In addition an uncontested reliance on ‘expert decisions’, often ignoring planning expertise, and rarely contested by a small and dispersed resident population or environmental/civic groups.

- The constant State subversion of the city’s development plans until recently, beginning with the City Planning Scheme 1958–1971, and then the Strategic Plans 1971–1983, retaining a very vague land-use plan with near universal development entitlements as the statutory plan through from 1971 to 1988. Then, the State’s resistance to anything but the most elementary, outline plan after 1988, and the long struggle through the 1990s to establish a more sophisticated planning and design instrument, finally perhaps achieved in 2000.

- The marginalisation of planning and planners, with much more weight being attached to the views of architects and the architectural professions on technical planning matters, and the BOMA and PCA development interests on issues of development rights and sites. This has been deepened by the perpetual under-funding and under-resourcing of the planning function, the failure to clearly delegate development control powers, and the continual high level political interference in development and design negotiations. Wider planning initiatives have been undermined by the general lack of development levies to deliver a wider range of planning benefits, including affordable housing and community provision, save for a low levy for public space improvements (introduced 1997) and the HFS levy which incentivises heritage conservation, though often of the facadist variety.

- The ability of developers to go ‘forum shopping’ so that they could simultaneously negotiate with the Council, go to HoBAC, lobby the Minister and, failing all these, appeal to the tribunal/Court to get their scheme approved, with all but the first forum largely ignoring City policies;

- The constant State promotion of growth and investment in central Sydney through disbanding the Council (1967, 1986 and 2004); Ministerial and court reversals of City development control decisions; the establishment of State-controlled development authorities (for the harbour areas), creating ‘grands projets’ like The Rocks and Darling Harbour, and, most importantly, the State insistence on controlling municipal expenditure, major development and planning policy, the latter two through the CSPC. This evolved into a less contested power sharing from 1996 until 2003 allowing the City to develop more effective planning controls;

- The ambiguous role of the State government in design matters opposing design interventions in development control until its own design-led regeneration of Darling Harbour. It subsequently allowed its Government Architect’s Office to play a more positive role in heritage conservation, public realm improvements and the decision making of the CSPC.

- The creation of a delicate blend of minimal statutory planning, design and heritage controls through the LEP and the HLP, and more elaborate design guidelines in the DCP since 1993. This planning regime has not impacted negatively on the investment and development markets, while providing basic protection of public amenity.

- The evolution of architectural/urban design responses driven by international influences through modernist, post modernist and neo modernist phases, but each
with local modifications and responses, and some attempts to define Sydney styles (climate responsive and sandstone coloured cladding in the 1960s), or distinctive Sydney approaches (voiding lower floors and maximising Harbour-view upper floors). This evolution has been marked, at least since the late 1980s, by a greater responsiveness to the locality in terms of townscape, public realm and environmental characteristics.

- The post 2000 emergence of design excellence as a clever means of accommodating political constraints, but still ‘adding value’ to major developments through competitive processes. This process learns from design practices on the most prestigious projects and encourages the architectural profession to think more creatively about how best to inject quality architecture and urban design into highly constrained city sites. Significantly the process largely by-passes planning inputs, save for the detailed planning brief and required compliance with regulations.
- The direct interventions in the creation of a quality public realm, heralded in the State’s Bicentenary projects in Darling Harbour and Sydney Cove, but driven by the Mayor’s pre-Olympic programme of street improvements and the creation of ‘city spaces’, a programme remarkable for its sustained quality and democratic nature of its interventions.

The net result of this planning and design history is a deeply shadowed, canyon-like, claustrophobic city, a city with Georgian and Victorian highlights embedded in the dross of speculative modernism, more recently relieved with civilised public spaces, sporadic traffic oases and occasional architectural jewels, but its amenities still contrasting sharply with the dazzling prospects of the Harbour and the Domain.

9.3. From design agnosticism to design commitment

Despite all these legacies, since the early 1990s design quality has moved from the bottom to the top of the planning agenda in the city, from being an unreasonable imposition upon investors and developers in the view of the State government, as well as many business and property interests, to being a priority for the planning process and for investors and developers seeking blue chip tenants. Even the Property Council of Australia has advocated a stronger emphasis upon design quality, in the interests of long-term financial returns (Property Council of Australia, 2000), while developers with prime development sites were the first to exploit the ‘design dividend’, bringing the best of international architectural practices into the city (McNeil, 2004). Commercial developers needed high quality design to give them a competitive advantage in a static market where pre-lets were essential for attracting investors (and also to maximise development potential on complex sites). Different conditions prevailed in the buoyant housing market, and the apartment developers were not as easily persuaded of the value of good design, except on sites where there was the potential to attract the most affluent residents (e.g. Cove Apartments designed by Seidler). They have grudgingly accepted the competitive process idea, although the recent submission of the review of the 2001 LEP reveals their continued concerns, and it will be interesting to watch these play out in the future. Such
debates have a broader relevance to international debates about whether better urban
design can deliver better economic returns to developers as well as the city at large
(CABE, 2001), and the importance of environmental quality to urban economic
competitiveness (Gospodini, 2002).

9.4. Design excellence and the drive for a global city

For the Mayor and the Council the institution of the design excellence mechanism for
the city’s biggest developments was part of the drive for global city design standards, for
high architectural quality with an exciting mix of heritage and modern buildings, for a
vitality delivered by a mix of uses that would generate activity throughout the evening and
at weekends (driven especially by a rapidly increasing residential population), and a
quality public realm to encourage and accommodate it. The design excellence programme
also resolved other issues that had long posed major challenges for design/development
control, internationally, but particularly in Sydney. It retained architectural freedom, and
captured the support of much of the architectural profession, while if not exactly breaking
the cartel of major commercial practices at least making them work harder to achieve
design quality. It ensured that each site got a much deeper site and context analysis, and
that each development proposal got a higher level of design critique and a genuine
exploration of design alternatives. It obviated some of the need for in-house design skills
in the planning function and placed the full responsibility for good design back on the
designer/client where it belonged. It separated development entitlements, floor space and
land-use issues, and broad building envelope considerations (which set the key economic
parameters) from time-consuming issues of detailed design in terms of architectural
expression, response to context, quality of public space and amenities. It reduced the
number of inefficient, attritional negotiation processes which had allowed so many banal
and street-destructive major buildings. It delivered efficiency gains as well as better design
outcomes, creating a potential win-win situation for applicants and development
controllers, even allowing additional design costs to be compensated by reductions in
the HFS that needed to be purchased.

Critically, however, it only did this for the biggest developments, so it did not
revolutionise the design dimension through development control as a whole. The vast
majority of developments, all the medium and small schemes, continued to be processed
by Council planners using the well-established design principles in the DCP, but where
speed of decision was of the essence, and where quality outcomes remained elusive.
However, Heritage concerns (now 555 items in total) were now taken seriously (if rarely in
‘purist’ terms), and the revised statutory LEP has emphasised “the quality of architectural
design, materials and detailing...[and]...improving the quality and amenity of the public
domain”.

The shift of design to centre stage in Sydney’s planning practices was part of a much
deeper re-positioning of the city as a global location capable of competing effectively for
international tourists, the convention trade, trans-national corporate headquarters, research
and development functions, top-end retailing and leisure investments, and other
international real estate investment (McGuirk & O’Neill, 2002). The State’s perspective
on this was the need to maintain the city’s competitive attraction in terms of the “lower
costs of Sydney’s skilled labour, land and services when compared to many major cities of Asia”, and ensuring that ‘planning for Sydney supports a competitive and efficient economy’ (Egan in Searle, 1996: Daly & Pritchard, 2000). Its preoccupations were the maximisation of inward investment and the maintenance of the city’s large supply of office consents so that rents did not inflate significantly, the latter an important and frequently under-valued goal amongst design cognoscenti everywhere. The State sought to establish a light regulatory touch and generous development entitlements to maintain the dynamism of the downtown economy as the driver of State economic prosperity.

But, conversely, it could even be argued that it was the State which initiated the pursuit of global standards of design quality and urban amenity. The Sydney Opera House (1957–1973), the Darling Harbour project (1984–1988) and other Bicentennial improvement projects on Circular Quay and Macquarie Street brought a new sophistication to architecture, public realm design and conservation respectively, and new and expanded cultural facilities to enhance the city’s international appeal (dating back to the original competition for the Sydney Opera House launched in 1956). It was State-controlled authorities that eventually implemented a conservation agenda in The Rocks, and which has carefully regenerated Walsh Bay and Woolloomooloo Wharf, and insisted on higher quality design through the Sydney Harbour Foreshore Authority. Its achievements in Pyrmont require a more detailed evaluation, and the abovementioned projects have their critics (see Fromonot and Thompson, 2000: 138).

But in reality it was Mayor Sartor who converted City Council and then the State to the cause of design-led planning, and who had the overall vision of a much more diverse, lively, attractive and comfortable city where heritage was respected and architectural and urban design quality were primary objectives. The Mayor used his newly created revenue surpluses to launch a major City Spaces Programme to which the State also contributed, and this has transformed the quality of many city streets and public places, and improved parks and the range of public facilities. Then, after 7 years’ mixed experience with statutory plans and supporting development controls, and some setbacks with the quality of high-rise residential development, the Mayor invented the design excellence process as a way of obviating the problems of design regulation and negotiation, and ensuring that all major developments went through a competitive design process. It is proving a valuable experiment, and one likely to be copied in other western cities in years to come, provided the CSPC holds its nerve. The Mayor’s planning achievements have been prodigious, but he has not built a planning department where there is consistent leadership, a repository of design and planning skills, high morale and levels of job satisfaction, and appropriate workloads and levels of professional independence and development. It would seem that Sydney’s planning department has always been a site of under-investment and political neglect if not an object of political contempt, and this urgently needs addressing.

9.5. Central Sydney and the design fetish

So does Central Sydney’s recent planning exemplify the design fetish identified by Gleeson and Low (2000: 190–191) in the introduction to this paper? The emphasis on urban design is clearly seen as essential to the city’s economic competitiveness, creating ‘nice places’ particularly for ‘wealthy people’, especially international tourists. There is,
on one level at least, a preoccupation with iconic buildings, with the city image and skyline, with the city as spectacle in terms of architectural set pieces, festivals and events, and spaces for café society, all of which are essentially part of the ‘city of surfaces’ (Murphy and Watson, 1997) and the aestheticisation of everyday life (Boyer, 1988).

But any Sydney ‘design fetish’ is not purely an expression of the politics of surfaces. The City Spaces Program delivered an important democratisation of space, a reclamation of pedestrian space from traffic, the provision of fully accessible public amenities that include sports halls, swimming pools, and cultural venues that respond more to the needs of residents and workers than to international tourists (see the debates in Lochhead, 2001). Certainly the 24 opportunity sites programme delivered a substantial privatisation/commercialisation of previously public space, converting much of it into cafés and up-market retailing and, it could be argued, robbed the city of a distinctive part of its modernist heritage. However, only the architectural purists would argue for the retention of more than one or two minimalist plazas in a city littered with charmless examples of the genre.

Generally the regulation of urban form in Sydney has been much weaker than in most other western cities, and even the current design excellence policy leaves the initiative with the developer/designer. It is a distinctively Sydney approach to the dilemmas of design review. The new process offers substantial benefits to the development industry in terms of clearer development entitlements, more focused negotiation processes, and deferral of detailed design costs until a planning consent is largely guaranteed. Certainly the development industry itself has become very aware of the value of iconic, signature buildings and good urban design to potential investors and occupiers and, unusually for Sydney, has not yet strongly resisted these new processes.

To what extent is development control purely concerned with design matters? Sydney’s plans and policies have only recently defined land uses, and never specified minimum quantities of affordable housing or public space, provision of amenities and facilities. They do not exert much influence on building form beyond height, floor space, setback and parking in terms of regulations. However, the design principles (Fig. 9), now largely translated into the Development Control Plan, do seek to address issues of context, public realm, views, microclimate and impacts on public space. Nonetheless, they depend ultimately on basic dimensional controls (height, floor space, setbacks, parking) that would normally be contained in a zoning ordinance: only the first two remain mandatory in the LEP.

9.6. Assessing the sophistication of Sydney’s design régime

Sydney was not selected as an object of study because it was an urban design exemplar. Rather it was selected as a city with a particular genius loci, a contradictory urban character and a very distinctive planning history. While it has developed some elements of best practice (and a number of development projects) that stand global comparison as policy and practice innovations, it was acknowledged at the outset that it would be unlikely to pass muster as an exemplar for urban design as public policy. Nonetheless, it is useful in these conclusions to briefly assess Sydney’s system against internationally derived principles for best practice design review (Scheer, 1994; Lai, 1988; Punter, 2002,
Table 5
Evaluative criteria for design review and Sydney’s achievements

<table>
<thead>
<tr>
<th>Principles</th>
<th>Achievements</th>
<th>Future challenges</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Community vision</strong></td>
<td>Design quality accepted as civic objective since 1994. Mayor created Neighbourhoods Office to listen to public views. Investors/Developers accept design excellence programme.</td>
<td>Difficult to get real, extensive participation. New boundaries re-create an inner city constituency once again. Continuing challenges to design excellence agenda.</td>
</tr>
<tr>
<td>Building a comprehensive, coordinated, community commitment to environmental beauty and design (Brennan’s Law).</td>
<td>LEP/DCP in place since 1993. Annual monitoring to ensure no negative economic impacts.</td>
<td>Lingering developer scepticism and problems of engaging dispersed communities</td>
</tr>
<tr>
<td>Developing and monitoring an urban design plan with community and development industry support and periodic review. Design, Planning and Zoning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harnessing the broadest range of actors and instruments to promote better design (tax, subsidy, acquisition, etc).</td>
<td>Must conform to design controls to maximise floor space. Introduced (low) levy for public realm. HFS mechanism supports conservation.</td>
<td>Affordable housing levy required. Need to deliver higher amenity apartment design. Protection of commercial sites limits residential expansion. Minimal volumetric controls need refining. More attention required to achieving land use mix in sub areas.</td>
</tr>
<tr>
<td>Mitigating the exclusionary effects of control strategies and urban design regulation.</td>
<td>Significant repopulation of the CBD since 1990. Affordable housing levy in Pyrmont.</td>
<td></td>
</tr>
<tr>
<td>Integrating zoning into planning and addressing the limitations of zoning.</td>
<td>Never adopted full zoning, only FSR control.</td>
<td></td>
</tr>
<tr>
<td><strong>Broad Substantive Design Principles</strong></td>
<td>Strong public realm programme (City Spaces). Successful heritage conservation controls.</td>
<td>Sustainable building principles need development. Liveability concerns in residential areas.</td>
</tr>
<tr>
<td>Maintaining a commitment to urban design that goes well beyond elevations and aesthetics to embrace amenity, accessibility, community, vitality, and sustainability. Basing guidelines on generic design principles and contextual analysis and articulating desired and mandatory outcomes. Accommodating organic spontaneity, vitality, innovation, and pluralism and not attempting to control all aspects of community design.</td>
<td>Established design principles (1988) underpin policy and guidance. Site specific volumetric controls protect amenity. Unprescriptive controls except in key contexts. Design innovation and excellence strategy. Heritage emphasised through HFS controls</td>
<td>Need to reinforce sustainability dimension. Scope to refine controls to fit principles. Maintain design excellence programme. Consider initiative to improve all smaller projects.</td>
</tr>
<tr>
<td>(continued on next page)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
to highlight Sydney’s achievements and shortcomings (Table 5). These principles emerge from detailed empirical work on North American cities, and from the evaluations of international experience of design regulation, and they focus on issues of whose vision interventions are based upon, the scope of intervention, and the design principles and due processes that provide the basis for action.

As regards existence of a shared community vision of design quality, there has always been a difficulty in Central Sydney, given the small size and scattered nature of its population, in developing a community view. In the days when Sydney incorporated the inner suburbs it was clear that local neighbourhood concerns tended to eclipse the attention that the CBD needed. It is obvious in the present that it is still very difficult for longstanding (e.g. Miller’s Point Residents Association) and newer residents’ groups alike to contribute to city-wide visioning, plan making or even development control decision making schemes on a consistent basis, although RESNET, the network of residents associations, does meet monthly with the City to air a wide range of issues. As for producing a community vision to guide Sydney’s future, the Mayor essentially wrote the living and accessible city visions, responding directly to personal and Council ambitions, but both were widely popular ideas that convinced a spectrum of informed opinion within and without the city. The Mayor also created an office of neighbourhoods within the city administration that listens to residents’ needs and ensures that their concerns are properly articulated and responded to. But such was the nature of Sydney’s electorate 1988–2003 that half the ‘community’ was the property and business owning voters whose interests were primarily in growth, investment, and visitor spending, and in environmental or design quality or heritage only insofar as these could enhance economic performance.

### Table 5 (continued)

<table>
<thead>
<tr>
<th>Principles</th>
<th>Achievements</th>
<th>Future challenges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Due Process</td>
<td>Identifying clear a priori roles for urban design intervention.</td>
<td>LEP contains minimal mandatory controls. DCP sets out discretionary guidelines.</td>
</tr>
<tr>
<td>Administering procedures with written opinions to manage administrative discretion, and with appropriate appeal mechanisms.</td>
<td>Public reports assess adherence to each policy etc. Appeal mechanisms widely used.</td>
<td></td>
</tr>
<tr>
<td>Implementing an effective, constructive, and effective permitting process</td>
<td>New staged DA for major schemes. Speedy permitting possible where developers follow the rules. Competitions and design panels provide skilled inputs on major schemes.</td>
<td>Shortage of skilled controllers for majority of smaller schemes. Design and heritage skills in short supply. Loss of planning influence?</td>
</tr>
<tr>
<td>Providing appropriate design skills and expertise to support the process</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2003)
The Mayor did a great deal to co-ordinate city planning, traffic engineering and parks departments to deliver enhancement to the public realm, and the positive benefits are there for all to see, just as he convinced the State that tighter design controls and higher design standards were fundamental to Sydney’s global future. But there was no truly democratic visioning, or even a community design plan, though clearly the post-1996 LEPs have won community confidence, including that of the business community.

As regards the **integration of planning and zoning and other instruments** and harnessing them to the design agenda, the Council were frustrated back in 1984 when they attempted to establish a development levy for social housing provision, though a levy was adopted in Pyrmont from 1992 onwards. Similarly, section 61 contributions took some time to materialise and are set quite low to make a major contribution to the city’s public realm and social/recreational facilities. It is not clear what land holdings the Council has that might be used to create exemplar projects that demonstrate higher quality design: certainly the roadway on East Circular Quay was used effectively to improve the public realm and reduce building bulk.

The City has failed to secure any low-cost housing in Central Sydney, although the market has tended to provide plenty of studio and one-bedroom accommodation which has attracted many students to the southern part of the CBD, where the views of the Harbour from the apartments are less dramatic. More recently the City has insisted upon a greater mix of unit sizes in a bid to provide wider housing choice. Beyond housing provision, the public space that has been created and enhanced in Sydney has been fully accessible and inclusive, whether it be sports or cultural facilities, parks or public spaces. There is a clear intention to create a more generous, safe and comfortable public realm for the pedestrian, and most parts of Central Sydney now attract a wide range of Sydneysiders alongside the international tourists and CBD workers.

As regards the relationships between zoning and planning, Sydney has used FSRs and bonuses as its key planning control, but it has never adopted zoning as a comprehensive set of detailed dimensional and land-use controls. From the beginning the State has resisted detailed land-use and dimensional controls, leaving it to the market to make its choices largely unconstrained. Now a very loose form of zoning has been adopted, but Sydney needs more controls on building envelope, site size, building footprint, setbacks and separation between towers to protect residential amenity and, arguably, longer term commercial returns. When all is said and done, Sydney’s controls are of the ‘light touch’ variety, leaving the market to decide what it considers to be viable where, and assuming that marketing considerations will take care of private if not public amenity. Even now the former cannot be guaranteed, and any purchaser of an apartment in Central Sydney would be well advised to have a specialist assess the likelihood of them retaining the current view from their prospective property.

As regards **broad substantive design principles**, since 1988 the city has had a set of basic design principles to guide DAs, and these were enshrined in the DCP from 1993. There has been little need to change them since. They are not primarily elevational or aesthetic concerns, and the City has eschewed previous preoccupations with the skyline and townscape in favour of concern with the quality of the public realm. Contextual analysis is strongly emphasised, traditionally in the precinct guidelines that have been included in the DCP, and now as character area objectives in the LEP. More recently,
context analysis has reached new levels of sophistication in the use of stage 1 development plans to set the parameters for major developments and design competitions. Sydney’s design guidance has never been prescriptive in the pejorative sense, though there was evidence that the early versions of the DCP (1989–1992) went into too much detail. The design excellence competitions have provided a way of ensuring that design innovation and originality can be fostered on all the major development projects, and that architectural freedom is not constrained, though developers are starting to complain that their choices as clients, and their commercial imperatives, are compromised.

Finally, as regards due process, there are now clear a priori rules for design intervention, and officers’ reports systematically evaluate each project against the stated design principles and criteria. The Committee proceedings are open to the public, but participation in all aspects of control is still minimal. As to whether the process is effective and efficient, certainly there has been great emphasis placed upon rapid decisions. How much design value is added in the process has not been comprehensively analysed, though the case studies do illustrate a number of examples of how the design excellence process works to advantage, and how more recently development proposals have been improved through the control process—East Circular Quay and Governor Philip Tower being prime examples. Finally, the issue of the skills and expertise available to support the process is a concern, and the design excellence process has in part by-passed development control as a design-enhancing process. But planners are still left to deal with the mass of smaller applications against the clock, and with little internal design support to draw on.

Over the last decade design review in Sydney has become a great deal more regularised, consistent, sophisticated and effective. Higher design standards have been set, the benchmarks provided by some of the most ambitious developments and skilful architects in the city and internationally. There is further progress to be made in developing genuine community visions, encouraging more public participation in control, refining volumetric controls and giving planners the time and skills to add more value to the mass of applications. Despite the very late start, real progress has been made in the last decade, and State and City have proved that through the CSPC they can improve design while ensuring vitality and economic growth.

9.7. Sydney’s neo liberal design régime

So Central Sydney is a unique, but nonetheless illuminating, example of the return of aesthetics to city planning, and the role of urban design in facilitating the shift to a city of consumption, promoting international competitiveness and attracting international tourists. It is remarkable for the sharpness and lateness of its transition from design agnostic to design committed, even if this transition is not necessarily wholehearted (viz. housing design). Central Sydney’s experience is remarkable too for the transparency of the State’s motives and mechanisms for imposing its neo-liberal planning régime, and for the power-sharing which has become a feature of the control of major development proposals. The current development control régime can be seen as a ‘triumph of government by the market’ in Gleeson and Low’s words, not least in the way that it incorporates competitive processes. But the planning of any CBD is inevitably led by market economics, and in Sydney’s case by its role as a growth machine for the regional, indeed
the national, economy. As the prime Australian city, those growth pressures are irresistible, and the pursuit of planning and design objectives requires great political skill and commitment, something which Sydney’s previous mayor displayed for a decade. There is much more to be done in terms of socio-economic (particularly affordable housing) and environmental (there is an energy-efficient building policy applied to the largest projects) goals, but the enhancement of the city’s public realm, in its broadest cultural sense, has been significant and an important part of its increasing global attraction. It has also been democratic rather than élitist.
CHAPTER 10

Endnote

As this article was refined for publication in April 2004 elections were held for the newly merged City of Sydney and South Sydney Councils. The result was absolutely the reverse of what the State Labor Government had intended. Instead of delivering into Labor control an enlarged City of Sydney, with the space for major commercial, industrial and residential intensification capable of sustaining investment in ‘the global city’, the election was won by an Independent mayor and her team. Clover Moore was elected on a ticket that was deeply suspicious of State motives in reforming Sydney’s government, and sceptical of plans for major redevelopment. Moore and her team sought to place the interests of inner city residents, particularly the 70,000 largely working class residents of South Sydney, ahead of those investors and developers like the Macquarie Bank (who own Sydney Airport), Meriton (redeveloping Green Square) and others queuing up for the ‘soft sites’ between the airport and the CBD (SMH 31-03-04). To add historical piquancy to the result the new lady Mayor, an Independent MP for part of the inner city area in question (Bligh constituency) had been the favourite to become Mayor of the City of Sydney in 1987, a state of affairs which had led the Unsworth State government to sack the Council and replace it with the Commissioners! Such are the twists and turns of the tribal politics of Sydney (SMH 29-03-04, 7).

The reorganisation of Sydney’s municipal government had been mooted since 2000 when the Government commissioned a report on local government boundary reform in Greater Sydney. Professor Sproat had proposed four Councils for Sydney south of the harbour, recommending the City of Sydney expand eastwards to incorporate the four mature inner suburbs of Woolloomooloo, Potts Point, Elizabeth Bay and Kings Cross. He was “convinced that…. to be a dynamic, liveable, global city…. (the City of Sydney)…. needed a sizeable residential component” (Local Government Boundaries Commission 2004: 9). The State Government immediately proposed a further extension south and westwards to add Leichhardt and most of the rest of South Sydney to create new boundaries for the city broadly similar to those that existed between 1949 and 1968.

This was a more rational reorganisation from the perspective of a global city, and it was driven by the need to secure space for future investment and development beyond 2020 when Sydney planners consider that the old city will be ‘full up’ (a city of 300,000 workers and 50,000 residents compared with 250,000 and 32,000 in 2003). But it was also a blatant piece of gerrymandering by the State Labor government adding 70,000 mainly working class voters to the electoral roll, ostensibly ‘guaranteeing’, as in 1982, Labor control of the new Greater Sydney. It also served to bury the longstanding financial problems of Labor controlled South Sydney.

There were eight legal challenges to these proposals to the Land and Environment, Supreme, and Appeal Courts but the proposals survived and the areas were transferred to the City of Sydney in May 2003. Professor Sproat and his Local Government Boundaries Commission were asked to look again at the new city and its boundaries and he reported in
December 2003 recommending that the amalgamation proceed. The Commission noted the strategic planning advantages of the enlarged city so that the new Council could

- … deal with regional issues and take a broader focus
- … encourage a whole-of-government approach to the future evolution of the inner Sydney area, particularly in relation to infrastructure… and environmental considerations
- … ensure Sydney’s position as a global as well as a liveable city (Local Government Boundaries Commission (2004: 45).

The political complications intensified when Sydney Mayor Lucy Turnbull, attacked the Labor Party’s attempt to ‘grab control’ of the City (SMH 17-01-04: 27). Her political future looked doomed because Labor would no longer need to work with the Independents (as they had done with Frank Sartor since 1995), and because Turnbull’s Independent credentials were very much in question given her husband’s prominent position in the Liberal Party. It was clear that the Labor Party was banking on winning the new Council with a strong mayoral candidate in former Federal Arts Minister, Michael Lee (Sun Herald, 08-02-04: 4).

Lucy Turnbull resigned as mayor in January 2004 and withdrew from the impending election battle, but the City of Sydney pursued its objections to the merger by threatening an injunction. Frank Sartor, attempted to head off the injunction through a phone call to his former protégé (Sartor had placed Turnbull on his Independent ticket in 1998 and groomed her as his successor as City of Sydney Mayor) and their frank exchange of views found its way into the papers, further embarrassing both State Government and City Council (SMH).

Their exchange underlined the power and determination of the State government to decide the fate of the new Council. The row appeared to strengthen the position of Culver Moore and her team of Independents contesting the election and so it proved when in March Moore took 41% of the votes for the Mayoralty, nearly double the Labor challenge (22%) with the Green Party candidate (10%) a third place. The Sun Herald (28-03-04: 10) described the result as a ‘people power landslide’ with the Independents holding five and Labor three of the nine aldermanic seats with one Green alderman.

Clover Moore campaigned on issues like overdevelopment and the observation of due processes in planning decisions. Two City of Sydney planning decisions became issues in the election. The redevelopment of Centrepoint, owned by the shopping centre company Westfield, adding two residential towers above the retail complex of Pitt Street, had been given permission in principle but remained to be negotiated in detail. A second, a design competition to be held on the Carlton and United Breweries site, has raised questions about the adequacy of public consultation and whether there should be an LEP amendment for the site to alter the entire basis for the development. Several major developments in south Sydney are also likely to be reviewed, notably Meriton’s redevelopment of Green Square described as “indicative of a lack of planning and imagination by the south Sydney development Corporation” by John McInerney, a former Sydney City Planning Director and now on Clover Moore’s team (SMH 31-03-04).
Among the new administration’s priorities are a review of planning controls, a transport plan and an audit of public open space (SMH 29-03-04: 7), with an extension of the more prescriptive CoS planning controls to the whole of the new municipality, the latter an acknowledgement of the failures of planning in South Sydney. The Australian Financial Review sees “Australia’s most important CBD in the hands of anti-development and green zealots” as a result of the State’s shambolic process of local government reform. It is very concerned that events have set back the imperative for reform of local government which it regards as ‘moribund, inefficient and financially stressed’. It recalled with approval Jeff Kennet’s council mergers and expenditure cuts in the State of Victoria in the 1990s, but also acknowledged the way that over the last decade State governments have shifted massive costs to local government to make their management task impossible (AFR 26-03-04: 82).

Central Sydney is probably gone forever as an administration. However the planning and design processes that it has developed will now be played out on a much larger stage, and through a wider range of development projects that are necessary to deliver employment growth and diversification, residential intensification, institutional expansion and new infrastructure provision. The power-sharing processes developed by the CSPC will be put under new strains as the State’s growth aspirations come up against the development scepticism and community protection aspirations of the new Council. The more prescriptive, design sensitised planning regime invented by the City, with the sometimes grudging support of the State, will be severely tested by a much more participative style of planning that will be necessary in a city with a very much larger (100 000) residential population. The new City of Sydney will provide a much stiffer test of the planning policies and processes developed in the City over the last decade in a very different social and political environment, one where the economic, social and environmental impacts on lower income residents are of great importance which they never ever were in Central Sydney.
Table A1
A Chronology of City-State Politics, Planning and Development 1945–2004

<table>
<thead>
<tr>
<th>Year</th>
<th>Category</th>
<th>Development</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945</td>
<td>City and state politics</td>
<td>Local Government (Town and County Planning) Amendment Act</td>
<td>1945</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Harding (Labor) elected Mayor</td>
<td></td>
</tr>
<tr>
<td>1946</td>
<td>City and state politics</td>
<td>Bartley (Labor) Mayor</td>
<td>1946</td>
</tr>
<tr>
<td>1947</td>
<td>Planning</td>
<td>Council resolution to prepare Planning Scheme</td>
<td>1947</td>
</tr>
<tr>
<td>1948</td>
<td>Planning</td>
<td>City Planning Branch established</td>
<td>1948</td>
</tr>
<tr>
<td></td>
<td>Developments</td>
<td>City of Sydney boundaries extended to include 8 inner suburbs Cumberland County Council masterplan submitted to Minister</td>
<td></td>
</tr>
<tr>
<td>1949</td>
<td>City and state politics</td>
<td>O’Dea (Labour) Mayor</td>
<td>1949</td>
</tr>
<tr>
<td>1950</td>
<td>Planning</td>
<td>Rent controls decreased</td>
<td>1950</td>
</tr>
<tr>
<td>1951</td>
<td>Planning</td>
<td>City of Sydney Planning Scheme submitted to Minister</td>
<td>1951</td>
</tr>
<tr>
<td></td>
<td>Developments</td>
<td>Cumberland County Council Planning Scheme approved</td>
<td></td>
</tr>
<tr>
<td>1952</td>
<td>Planning</td>
<td>City of Sydney Planning Scheme exhibited Heights of Buildings Amendment Act</td>
<td>1952</td>
</tr>
<tr>
<td></td>
<td>Developments</td>
<td>Council adopts Planning Scheme</td>
<td></td>
</tr>
<tr>
<td>1953</td>
<td>City and state politics</td>
<td>Hills (Labor) Mayor</td>
<td>1953</td>
</tr>
<tr>
<td>1954</td>
<td>City and state politics</td>
<td>Anzac House, Commonwealh Bank</td>
<td>1954</td>
</tr>
<tr>
<td>1955</td>
<td>City and state politics</td>
<td>Kent Parking Station Circular Quay Overhead Opera House</td>
<td>1955</td>
</tr>
<tr>
<td>1956</td>
<td>City and state politics</td>
<td>Anzac House, House Qantas House</td>
<td>1956</td>
</tr>
<tr>
<td></td>
<td>Planning</td>
<td>ICI House, Domain Parking Station</td>
<td></td>
</tr>
<tr>
<td>1957</td>
<td>City and state politics</td>
<td>Jenson (Labor) Mayor</td>
<td>1957</td>
</tr>
<tr>
<td></td>
<td>Planning</td>
<td>HOBA Committee established. State amendments to Heights of Buildings Act (abolishes 150’ limit)</td>
<td></td>
</tr>
<tr>
<td>1958</td>
<td>City and state politics</td>
<td>Council approves CoS planning scheme</td>
<td>1958</td>
</tr>
<tr>
<td></td>
<td>Developments</td>
<td>Unilever House, Qantas House</td>
<td></td>
</tr>
<tr>
<td>1959</td>
<td>City and state politics</td>
<td>Caltex House</td>
<td>1959</td>
</tr>
<tr>
<td></td>
<td>Developments</td>
<td></td>
<td>(continued on next page)</td>
</tr>
<tr>
<td>Year</td>
<td>City and state politics</td>
<td>Planning Developments</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>-------------------------</td>
<td>----------------------</td>
<td></td>
</tr>
<tr>
<td>1960</td>
<td>Norwich House Western Assurance</td>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>1961</td>
<td>Liner House Kindersely House Lend Lease House</td>
<td>Overseas Passenger Terminal</td>
<td></td>
</tr>
<tr>
<td>1962</td>
<td>Local Government Amendment Act Cumberland County Council powers given to local government</td>
<td>MWSDB appeal</td>
<td></td>
</tr>
<tr>
<td>1963</td>
<td>State Planning Authority established</td>
<td>Commercial Union: AGC Australian Square House IBM Centre: Pearl Assurance: P and O Sun Alliance MWSDB</td>
<td></td>
</tr>
<tr>
<td>1964</td>
<td>CoS Planning Scheme exhibited by Minister</td>
<td>Holiday Inn Menzies</td>
<td></td>
</tr>
<tr>
<td>1966</td>
<td>City Planning Scheme re-exhibited</td>
<td>Sydney Region Outline Plan (non statutory)</td>
<td></td>
</tr>
<tr>
<td>1967</td>
<td>Council disbanded Administrator/Commissioners rule for 22 months New city boundaries/electoral roll. State creates SCRA</td>
<td>Sydney City Council Offices Australia Square Park House Hyde Park Inn</td>
<td></td>
</tr>
<tr>
<td>1968</td>
<td>McDermott (CR) elected Council resolves to prepare Strategic Plan Restoration of Council of City of Sydney</td>
<td>Prudential. St Martins ANZ Banking Group</td>
<td></td>
</tr>
<tr>
<td>1969</td>
<td>State gazettes CoS Planning Scheme First Sydney Strategic Plan and FSR Code</td>
<td>Esso Bank of NSW Art Gallery Extension</td>
<td></td>
</tr>
<tr>
<td>1970</td>
<td>First BLF ‘green ban’ in Sydney</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1971</td>
<td>Council adopts 23 Action Points in S Plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1972</td>
<td>Federal government establishes Departments of Environment/Urban and Regional Planning</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(continued on next page)
<table>
<thead>
<tr>
<th>Year</th>
<th>Event Description</th>
<th>City and state politics</th>
<th>Planning</th>
<th>Developments</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973</td>
<td>Griffin (CR) elected Mayor</td>
<td>Property recession</td>
<td>Royal Insurance</td>
<td>Sydney Plaza Centrepoint (retail) Opera House completed</td>
<td>1973</td>
</tr>
<tr>
<td>1975</td>
<td>Port (CR) elected Mayor</td>
<td>Federal Heritage Act</td>
<td>Colonial Mutual Life AMP(No 2). Amex Tower</td>
<td>1975</td>
<td></td>
</tr>
<tr>
<td>1976</td>
<td>State Labor Government (Wran) elected</td>
<td>State Heritage Act: 3rd Sydney Strategic Plan. Martin Place pedestrianised</td>
<td>Supreme Court</td>
<td>1976</td>
<td></td>
</tr>
<tr>
<td>1977</td>
<td>Meers (CR) elected Mayor</td>
<td>National Mutual MLC Centre New Zealand Insurance McKell Building Westpac</td>
<td>Hyde Park Tower</td>
<td>1978</td>
<td></td>
</tr>
<tr>
<td>1979</td>
<td>State Labor government consolidates/amends planning legislation</td>
<td>State Environmental Planning and Assessment Act</td>
<td>1979</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1980</td>
<td>Business voters disenfranchised: Sutherland (Labor) elected Mayor Creation of NSW Dept of Environment and Planning (replaces 1974 Commission)</td>
<td>4th Sydney Strategic Plan</td>
<td>1980</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1982</td>
<td>City of Sydney/South Sydney merged</td>
<td></td>
<td>Sydney Tower/ Centrepoint Regent Hotel Sydney Entertainment Centre Mid City Centre</td>
<td>1982</td>
<td></td>
</tr>
<tr>
<td>1983</td>
<td>RAIA ideas competition for Circular Quay 5th Sydney Strategic Plan adopted</td>
<td>Qantas International</td>
<td>1983</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year</td>
<td>Event Description</td>
<td>Planning</td>
<td>Developments</td>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>------------------</td>
<td>----------</td>
<td>--------------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td>1984</td>
<td>Council becoming unworkable: coalitions attempted</td>
<td>State announce Darling Harbour project and Authority</td>
<td>1984</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1985</td>
<td>Sydney Citizens Against the Proposed Monorail formed Labor Council forced into coalition with Civic Reform</td>
<td>NAB</td>
<td>Parliament House</td>
<td>1985</td>
<td></td>
</tr>
<tr>
<td>1986</td>
<td>State Bicentennial</td>
<td>Colonial Centre</td>
<td>Tower Hall House Centennial Plaza Intercontinental Hotel Pitt Street Mall completed</td>
<td>1986</td>
<td></td>
</tr>
<tr>
<td>1987</td>
<td>Council disbanded Commissioners rule for 22 months</td>
<td></td>
<td>1987</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1988</td>
<td>State Coalition government (Greiner) State Bicentennial celebrations City of Sydney Act creates ‘Central Sydney’ and CSPC</td>
<td>Metropolitan Strategy (non-statutory) CSPC adopts Central Sydney Planning Strategy</td>
<td>Maritime Centre</td>
<td>1988</td>
<td></td>
</tr>
<tr>
<td>1989</td>
<td>Bingham (CR) elected Mayor</td>
<td>City commissions ‘precinct plans’ (DCP)</td>
<td>Capita Building Gateway Tower</td>
<td>1989</td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td></td>
<td></td>
<td></td>
<td>1990</td>
<td></td>
</tr>
<tr>
<td>1991</td>
<td>Sartor (Indep) re-elected Mayor</td>
<td>CSPC adopt LEP/DCP: Exhibited but criticised. City of Sydney 2020 published</td>
<td>Chifley Tower No 1 O’Connell Street</td>
<td>Hotel Nikko Park Royal Hotel</td>
<td>1991</td>
</tr>
<tr>
<td>1992</td>
<td></td>
<td>Panel of Inquiry into draft LEP/DCP Heritage Plan gazetted</td>
<td>Ernst and Young Tower</td>
<td>ANA Hotel Skygarden</td>
<td>1992</td>
</tr>
<tr>
<td>1994</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1994</td>
</tr>
</tbody>
</table>

(continued on next page)
### Table A1 (continued)

<table>
<thead>
<tr>
<th>Year</th>
<th>City and state politics</th>
<th>Planning</th>
<th>Developments</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>New LEP/DCP gazetted City Spaces Strategy</td>
<td>IBM refurbishment - Observatory Tower</td>
<td>1996</td>
<td></td>
</tr>
<tr>
<td>1997</td>
<td>Australian Bicentennial</td>
<td>The Peak</td>
<td>1997</td>
<td></td>
</tr>
<tr>
<td>1999</td>
<td></td>
<td>Macquarie Bank</td>
<td>1999</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>Sydney Olympics</td>
<td>GPO Westin Hotel</td>
<td>2000</td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>State proposes enlarged City</td>
<td>King Street Wharf (Phase Two)</td>
<td>2001</td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>Appeals against Merger continue</td>
<td></td>
<td>Meriton Tower (World Square)</td>
<td>2003</td>
</tr>
<tr>
<td>2004</td>
<td>City/South Sydney merger. Moore (Indep) elected Mayor</td>
<td></td>
<td></td>
<td>2004</td>
</tr>
</tbody>
</table>

CR: Civic Reform; Mayors and administrations started work in the years shown; elected previous Autumn.

### Appendix B

#### List of abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFR</td>
<td>Australian financial review</td>
</tr>
<tr>
<td>AMP</td>
<td>Australian mutual provident</td>
</tr>
<tr>
<td>BLF</td>
<td>Building labourers federation</td>
</tr>
<tr>
<td>BOMA</td>
<td>Building owners and managers association</td>
</tr>
<tr>
<td>CBD</td>
<td>Central business district</td>
</tr>
<tr>
<td>CML</td>
<td>Colonial mutual life</td>
</tr>
<tr>
<td>CoCS</td>
<td>City of Central Sydney</td>
</tr>
<tr>
<td>CoS</td>
<td>City of Sydney</td>
</tr>
<tr>
<td>CSPC</td>
<td>Central Sydney planning committee</td>
</tr>
<tr>
<td>DA</td>
<td>Development application</td>
</tr>
<tr>
<td>DCP</td>
<td>Development control plan</td>
</tr>
<tr>
<td>FSR</td>
<td>Floor space ratio</td>
</tr>
</tbody>
</table>

(continued on next page)
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFR</td>
<td>Australian financial review</td>
</tr>
<tr>
<td>HFS</td>
<td>Heritage floorspace scheme</td>
</tr>
<tr>
<td>HOBA</td>
<td>Heights of buildings advisory committee</td>
</tr>
<tr>
<td>KPF</td>
<td>Kohn Pederson Fox</td>
</tr>
<tr>
<td>KPMG</td>
<td>Klynveld Peat Marwick Goerdler</td>
</tr>
<tr>
<td>LEP</td>
<td>Local environment plan</td>
</tr>
<tr>
<td>NSW</td>
<td>New South Wales</td>
</tr>
<tr>
<td>MWSDB</td>
<td>Metropolitan water, sewerage and drainage board</td>
</tr>
<tr>
<td>PCA</td>
<td>Property Council of Australia</td>
</tr>
<tr>
<td>RAIA</td>
<td>Royal Australian Institute of Architects</td>
</tr>
<tr>
<td>RESNET</td>
<td>Resident Associations’ network</td>
</tr>
<tr>
<td>SCRA</td>
<td>Sydney Cove redevelopment authority</td>
</tr>
<tr>
<td>SEPP</td>
<td>State environment planning policy</td>
</tr>
<tr>
<td>SFHA</td>
<td>Sydney Foreshore and Harbour Authority</td>
</tr>
<tr>
<td>SMH</td>
<td>Sydney Morning Herald</td>
</tr>
</tbody>
</table>

References

Commission of Enquiry: Minister for Planning and Minister for Housing (Chairman William Simpson), 1994.
The Administration and Implementation of Strategic Planning and Development Control within the Sydney Region. Government of New South Wales, Sydney.
Simpson (Chair), W., 1994. Commission of Inquiry: The Administration and Implementation of Strategic Planning and Development Control within the Sydney Region. Minister for Planning and Minister for Housing, Sydney.