



## FLOOR SPACE RATIO (FSR) REVIEW — COMMUNITY CONSULTATION — FAQ

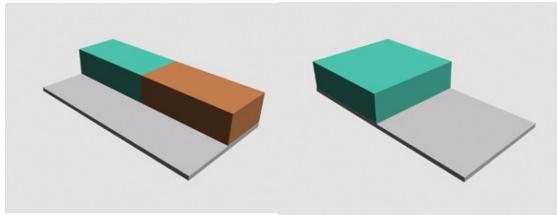
### WHAT IS FSR?

FSR is the ratio of a buildings overall floor area to the size of its site. The FSR control helps Council limit the scale of developments. These controls are in the Leichhardt Local Environmental Plan 2013 (LLEP 2013).

#### Example 1 & Example 2 – 0.5:1 FSR

One storey building - 50% of site

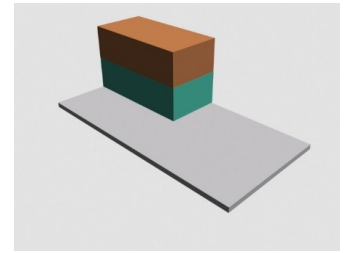
If site area = 1000sqm then floor area = 500sqm



#### Example 3 – 0.5:1 FSR

Two storey building - 25% of site

If the site area = 1000sqm then; floor area still = 500sqm (shared between two storeys/ 250sqm per storey)



### WHY HAS THE FLOOR SPACE RATIO REVIEW BEEN UNDERTAKEN?

The review is in response to the NSW Department of Planning and Environment's (DP&E) concern that Leichhardt Council was relaxing LEP controls too frequently, particularly the FSR controls.

**NOVEMBER 2008** DP&E released a circular that required any DA (development application) exceeding controls by more than 10% be referred to a Council meeting for consideration



Currently, more than 40% of DA's in the Leichhardt Local Government Area are in this category and if this rule is applied, it will increase DA processing times significantly. The DP&E provided Leichhardt Council with a temporary exemption with the expectation that Council produces a solution.



**DECEMBER 2013** DP&E advised Leichhardt Council that the temporary exemption would need to end and that Council should update and/or amend FSR controls in the LEP.

### HOW SERIOUS IS THE SITUATION AT LEICHHARDT

- In 2009, the DP&E released a report about council use of these provisions for relaxing LEP controls
  - ◊ Leichhardt Council was the **highest user** of these controls in all of NSW and its level of usage was three times higher than that of the second highest user
- **On average, over 40% of approved residential DAs exceed the FSR standard by more than 10%**
- When the DP&E requirement (that any DA exceeding controls by more than 10% be referred to a Council meeting for consideration) is eventually enforced, there will be a considerable increase in DA processing times.

### DO OUR CURRENT FSR CONTROLS REFLECT WHAT IS BEING APPROVED?

No, at the moment, over **40%** of DAs approved by Council do not comply with FSR controls.



### **CAN DAs WHICH DON'T MEET FSR CONTROLS BE APPROVED?**

Yes. There are LEP provisions for relaxing controls (clause 4.6 formerly known as a SEPP 1 variation), when non-compliance is reasonable. For example, an extension, creating a 90sqm GFA house on a 150sqm block and an FSR of 0.6:1 would exceed the control of 0.5:1, Council can decide to vary the FSR control if the overall merit of the DA justifies this decision.

### **WHY ARE THEY BEING APPROVED IF THEY DON'T MEET THE FSR CONTROLS?**

Approved DAs that do not meet the FSR controls have to meet the requirements of the DCP (Development Control Plan). Councillors and Council officers consider that compliance with the DCP built form controls produces appropriate residential development even if FSR controls are relaxed.

### **WHAT DID THE REVIEW FIND? WHY ARE THE FSR CONTROLS BEING BREACHED SO OFTEN?**

The review found that lot sizes in the Leichhardt LGA are diverse, with the majority under 300sqm. The current FSR controls apply to entire suburbs and do not reflect smaller lots. An example of the proposed new structure for the FSR controls is shown below (FSR Under Option 3 - Modest Change).

### **WHY DO WE NEED NEW FSR CONTROLS?**

The FSR Review recommended that new FSR controls for residential development should be introduced to;

1. reflect the range of lot sizes across the LGA;
2. reflect the difference in lot sizes between and within suburbs;
3. better relate to DAs being approved by Council; and
4. reduce Council's reliance on LEP provisions for relaxing FSR controls

### **WHAT OPTIONS DID THE REVIEW CONSIDER? WHAT DID THE REVIEW RECOMMEND?**

The review considered four options for changing the FSR and recommended Option 3 (Modest Change). It would reduce Council's reliance on provisions for relaxing FSR controls and minimise the risk of overdevelopment. Under this option (Option 3), it is estimated that only 10% of residential DAs would exceed the proposed FSR controls by more than 10% and be required to go to a council meeting. This is significantly less than the approximately 44% of DAs under current controls.

This report also recommends a 1-2 year trial period for the new controls followed by a review to ensure the desired future built character for each area is being achieved.

Lot Size (sqm)	Annandale	Balmain	Birchgrove	Leichhardt	Lilyfield	Rozelle
0-149.9	0.9	1.0	1.0	0.8	0.9	0.9
150-299.9	0.8	0.9	0.9	0.7	0.8	0.8
300-449.9	0.7	0.8	0.8	0.6	0.7	0.7
450+	0.6	0.7	0.7	0.5	0.6	0.6
Current Control	0.6	0.7	0.7	0.5	0.5	0.5 & 0.7

### **FSR Under Option 3 - Modest Change**

### **WHAT ARE THE NEXT STEPS?**

A report on feedback from this community consultation will be presented to Council. This report will be considered by Council and an amendment to the LEP may be prepared to introduce new FSR controls. Any resultant proposed amendments to the LEP will involve further community consultation.