



27 February 2018

RJC\16-032B

The Department of Planning
320 Pitt Street
Sydney NSW 2000

Attention: Mr Ben Lusher

Dear Ben,

**re Major Project Application MP07-0144 MOD1
Concept Plan for the Entertainment Quarter ("EQ"), former Moore Park
Showground, Lang Road, Moore Park
Section 75W application to vary the lapse date for the approved Concept Plan**

We write on behalf of Carsingha Investments Pty Ltd ("the Proponent") in relation to the approved Concept Plan for Major Project MP07-0144. For the reasons set out herein, the Proponent requests that pursuant to the provisions of Section 75W of the Environmental Planning and Assessment Act, 1979 the Concept Plan approval be modified as to extend the lapse date by a further two years (i.e. from 25 November 2018 to 25 November 2020).

Relevant details are provided below:-

1. The Concept Plan approval

On 25 November 2011 the Planning Assessment Commission (PAC), as delegate of the then Minister for Planning and Infrastructure, approved Major Project application MP 07-0144, comprising a Concept Plan for EQ which includes:-

- identification of 6 new building locations, maximum height and maximum floor area;
- an increase in the maximum floor area to 144,000sqm across the entire Former Moore Park Showground site;
- an increase in the maximum floor area permissible within EQ to 76,500sqm, providing the Working Studio with a resultant maximum floor area of 67,500sqm; and
- demolition of Buildings 17 and 220.

The Concept Plan was approved under (the now repealed) Part 3A of the Environmental Planning and Assessment Act, 1979.

A copy of the PAC determination is provided in **Attachment 1**.

A copy of the Concept Plan approval is provided in **Attachment 2**.

The approved plans, as referred to in Condition 2 of the Minister's approval, are provided in **Attachment 3**.

2. Concept Plan Approval MOD 1

On 29 June 2016, the Minister's delegate approved MP07-0144 MOD 1, thereby extending the lapse date of the consent from 25 November 2016 to 25 November 2018. The Departments Assessment Report for MP07-0144 MOD 1 is provided in **Attachment 4**. The approval of MP07-0144 MOD 1 is provided in **Attachment 5**.

3. Condition 5 of the Concept Plan MOD 1 approval

Condition 5 of the Concept Plan MOD1 approval states: -

"5. Limits on Approval:

- (a) This approval does not allow any components of the Concept Plan to be carried out without further approval or consent being obtained except demolition of Building 17 and Building 220.*
- (b) This approval will lapse on 25 November 2018 unless works the subject of any related application are physically commenced, on or before that lapse date, other than works involving the demolition of Building 17 and Building 220.*
- (c) The Concept Plan approval does not permit the construction of any aspect of the development, excluding demolition works."*

In the absence of the modification requested in this Section 75W application, the Concept Plan approval will lapse on 25 November 2018.

4. Requested Modification of the Concept Plan approval

The proponent requests that Condition 5 of the Concept Plan approval be modified so that the approval lapses on 25 November 2020 (i.e. an extension of the lapsing date by a further 2 years).

5. Section 75W

Schedule 6A of the Environmental Planning and Assessment Act 1979 ("the Act") is entitled "Transitional Arrangements – repeal of Part 3A". Clause 3C in Schedule 6A relates to the modification of Concept Plans. It provides that Section 75W of the Act continues to apply for the purpose of the modification of a Concept Plan approval before (or after) the repeal of Part 3A.

Section 75W relevantly states:-

75W Modification of Minister's approval

(1) In this section:

Minister's approval means an approval to carry out a project under this Part, and includes an approval of a concept plan.

modification of approval means changing the terms of a Minister's approval, including:

- (a) revoking or varying a condition of the approval or imposing an additional condition of the approval, and*

(b) changing the terms of any determination made by the Minister under Division 3 in connection with the approval.

(2) The proponent may request the Minister to modify the Minister's approval for a project. The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part.

(3) The request for the Minister's approval is to be lodged with the Director-General. The Director-General may notify the proponent of environmental assessment requirements with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.

(4) The Minister may modify the approval (with or without conditions) or disapprove of the modification.

(5) The proponent of a project to which section 75K applies who is dissatisfied with the determination of a request under this section with respect to the project (or with the failure of the Minister to determine the request within 40 days after it is made) may, within the time prescribed by the regulations, appeal to the Court. The Court may determine any such appeal.

(6) Subsection (5) does not apply to a request to modify:

(a) an approval granted by or as directed by the Court on appeal, or

(b) a determination made by the Minister under Division 3 in connection with the approval of a concept plan.

(7) This section does not limit the circumstances in which the Minister may modify a determination made by the Minister under Division 3 in connection with the approval of a concept plan.

6. Justification for the requested further modification of the Concept Plan MOD1 approval

6.1 The economic importance of the Concept Plan

The Concept Plan provides the essential framework for further development at EQ, to increase the onsite workforce and provide further economic stimulus as a basis for the precinct's future economic viability.

Further to this, the NSW Government Light Rail Project includes a Moore Park Station that further reinforces the attractiveness of the EQ to potential users. This is now currently programmed to open in 2019. The addition of this new amenity coincides with the revised timing of the potential development of the Concept Masterplan and provides the Proponent with an increased opportunity to fulfil the objectives of the original intent of the Concept Masterplan.

The EQ leasehold is a major contributor to the annual funding of the Centennial Park and Moore Park Trust's ("CPMPT") Operating Budget and the development of the Concept Plan will further underpin that Operating Budget. The lessee is presently seeking an extension of the lease as the economic viability of the leasehold is affected by the lease terms. The variation to the terms that are being sought by the lessee will provide the CPMPT with increased revenue which will significantly enhance the return over the existing lease period, and any future lease extension.

The development of the Concept Masterplan forms an element of the Centennial Park Masterplan, finalized in mid 2017, further reinforcing the strategic importance of the economic viability of the EQ to the Centennial Park and Moore Park Trust.

The additional floor space that has been approved has enormous potential in further strengthening the role of the former Moore Park Showground as a centre of excellence for the film and television industry. This is an industry which is of great economic importance to New South Wales. In this regard, whilst the earlier envisaged deal with Channel 9 did not eventuate the Proponent is in negotiations with Foxtel, and a deal is pending.

6.2 There are no circumstances which have changed since the original approval which would result in a different determination today.

6.2.1 The strategic planning context of the site has not materially changed.

EQ remains subject to the controls set out in SEPP No. 47-Moore Park showground. These controls have not changed since the determination of the original concept plan.

Additionally, A Plan for Growing Sydney, the Draft Greater Sydney Region Plan and the Revised Draft District Plan for the Eastern City District recognize Moore Park, of which EQ forms part, as an entertained precinct. This is consistent with the intent of strategic planning policy as in place at the time the original concept plan was approved.

6.2.2 The physical context of the site has not significantly changed.

The physical surroundings of EQ remains fundamentally the same as when the Concept Plan was originally approved. Furthermore, the light rail project now approaching completion and which runs along Anzac Parade, was anticipated when the original concept plan was approved.

6.2.3 There are no proposed changes to the approved concept.

The Section 75W application seeks only to extend the life of the consent.

6.2.4 The assessment of the original Concept Plan by the Department of Planning and Environment remains valid.

The Department's assessment report for the original concept plan is provided in **Attachment 6**. The assessment remains valid, noting that no changes are proposed to the approved concept. The only aspect of the approved concept plan which is sought to be varied is the lapsing date of the approval.

6.3 Timeframe required for implementation

As the Department will be aware, there was a delay in finalization of the "Moore Park 2040" Master Plan (i.e. CPMPT's Master Plan). Originally expected in mid 2016, it was not finalized until June 2017. This in turn has delayed the Proponent's ability to finalize its own Master Plan for EQ, of which the approved Concept Plan comprises the key component. In this regard, however, the Proponent presented its draft masterplan to the CPMPT Chair and CEO for endorsement in November 2017.

The two Master Plans are now aligned and thus the Proponent is able to proceed with greater certainty of outcome. The Proponent has also made significant steps towards addressing and satisfying the pre-conditions in the Concept Plan approval to its activation including: -

- initiating preparation of a DA for a Carlisle Swimming School in Building G public domain; and

- consultant engagement for preparation of a draft open space strategy; and
- consultant engagement for preparation of a draft design strategy.

The latter two initiatives are pre-requisites of the Concept Plan ahead of lodgement of the first DA. Whilst underway, the timing and finalization of the required strategies is uncertain (particularly the associated consultation) hence the recent to extend the life of the Concept Plan

The additional two years to implement the approval are therefore vital to ensuring that the EQ precinct can fulfil its true economic potential. It will allow the Proponent to satisfy all of the various requirements of the Concept Plan approval which are to be satisfied before any further application can be lodged to erect new structures within the building envelopes approved by the Concept Plan. These requirements include consultation with key stakeholders in the light of Moore Park 2040, finalized in mid 2017.

Accordingly, another two years is required to allow all this to occur.

7. Further Action

We trust that you have all of the required documentation to allow you to determine this Section 75W application. However, if any clarification or further information is required, please do not hesitate to contact the undersigned.

Yours faithfully

BBC Consulting Planners



Robert Chambers
Director

Email bob.chambers@bbcplanners.com.au



ATTACHMENT 1



25 November 2011

Determination of the Entertainment Quarter Concept Plan, Moore Park, Sydney LGA

Concept Plan

The current proposal seeks concept plan approval for 6 additional buildings within the Entertainment Quarter precinct of the Moore Park Showground. Specifically, the concept plan seeks approval for:

- the locations, maximum heights and maximum floor areas of 6 new buildings;
- a maximum floor area of 144,000 m² across the entire Moore Park Showground site, including:
 - a maximum floor area of 76,500 m² for the Entertainment Quarter;
 - a maximum floor area of 67,500 m² for the Working Studio; and
- demolition of buildings 17 and 220.

The original proposal and Environmental Assessment were advertised for public comment in September and October 2009 and 43 submissions were received. The proposal was modified in response to those submissions and the current proposal is the result.

Delegation to the Commission

On 1 September 2011 the Director-General of the Department of Planning and Infrastructure referred the proposal to the Planning Assessment Commission for determination under Ministerial Delegation.

Ms Gabrielle Kibble AO nominated Ms Janet Thomson to chair the Commission for the proposal. Ms Donna Campbell and Mr Richard Thorp were the other members to constitute the commission for the proposal.

Since receiving the referral, the Honourable Brad Hazzard MP, Minister for Planning and Infrastructure signed a new delegation to the Planning Assessment Commission. This delegation came into effect on 1 October 2011 and revoked the Minister's previous delegation to the Commission. The proposal also meets the terms of the Minister's new delegation and consequently will be determined under this delegation, which came into effect on 1 October 2011.

Department's Assessment Report

The Director-General's Environmental Assessment Report of the current proposal identifies the following key issues:

- Transfer of floor area;
- Future land use permissibility;
- Built form and urban design;
- Heritage;
- Transport;
- Environmental and residential amenity; and
- Demolition.

The report concludes that, subject to further modifications recommended in the draft approval, the proposed siting, scale and form of the proposed building envelopes are satisfactory. The report also indicates that the proposal is in the public interest and would help to reinforce the Entertainment Quarter as a unique employment and entertainment destination.

Meetings

On 12 September 2011, the Commission met with Ms Heather Warton and Mr Peter McManus of the Department of Planning and Infrastructure for a briefing on the project. The Department discussed the background to the proposal, as well as *State Environmental Planning Policy No 47 – Moore Park Showground* and the Master Plan for the site.

On 26 September the Commission met with Ms Marianna Preston and Mr Geoff Reinhard representing the Centennial Park and Moore Park Trust. The planning background to the site and the broader operations of Centennial and Moore Park were discussed. The Trust considered that the proposed building envelopes were satisfactory but more information was needed about the proposed uses for the buildings. The Trust's major concerns were:

- Need for activation of the lower levels of the buildings
- Interaction between the uses and the public spaces
- Need for design guidelines for all buildings.

The Trust also considered that further transport, parking and access studies could be needed.

The Trust emphasised the importance of preserving the Show Ring as a flexible space and indicated the playground should not be moved into the Show Ring.

The Commission noted that the current master plan dates back to 1996 and had been varied many times over the intervening 15 year period. The Trust agreed that the preparation of a new overall master plan for the site would be of benefit given the cumulative impacts of the many changes.

On 4 October 2011 the Commission met with Mr Tony Smith and Mr Philip Jamieson from the Council of the City of Sydney. Council indicated that they were generally in agreement with the building envelopes proposed but had concerns about the separation between buildings B and C, particularly the lack of setback at the upper levels. Building F was also discussed.

On 4 October 2011 the Commission also met with the representatives for the Proponent, Mr Daryl Stubbings, Mr Bob Chambers and Mr Philip Graus. The overall vision for the Entertainment Quarter was discussed. The proponent indicated there is demand for commercial uses associated with film and television, including associated short term accommodation, that could be provided within building F. The proponent advised they are seeking to activate the site by retaining retail uses on the ground floor of each building.

In relation to parking, the proponent indicated that while it did not expect additional parking would be required through the development of the proposed concept plan, it was not seeking to cap the parking levels on the site.

Public Meeting

Following the briefing from the Department the Commission advertised its intention to hold a PAC meeting to hear views on the assessment report and recommendation. Notice of the meeting was advertised in the Sydney Morning Herald on 21 September 2011. The Commission also wrote to all those who had made written submissions on the proposal to invite them to register to speak at the meeting.

The PAC Meeting was held on 6 October 2011 at the Planning Assessment Commission's Offices, 301 George St Sydney. Four people spoke at the meeting.

Issues raised included:

- The lack of community consultation and opportunities for input into the changes made to the project and the precinct as a whole;
- Lack of detail about the proposed uses of the buildings, and resulting uncertainties about potential impacts;
- Traffic;
- Parking and associated impacts on local streets, particularly after hours when street parking is not restricted;
- Suitability of the site:
 - Land use conflicts with the adjoining working studio site (e.g. from hazardous activities, including the generation, use and storage of hazardous chemicals);
 - Safety and evacuation issues should there be a pollution or hazard incident on the Working Studios site;
- Economic viability of the Entertainment Quarter and proposed changes through the concept plan;
- Alternative uses for the site;
- Lack of community film and television facilities on the site, noting that it is public land;
- Need for an overall vision for the site.

Additional Information

On 7 October 2011 the Commission wrote to the Department of Planning and Infrastructure seeking clarification on:

- Whether there are any hazards arising from the uses in the working studios precinct which could impact on the adjoining land uses including the development in the concept plan.
- What emergency evacuation procedures were in place and whether they would need to be updated.
- Whether development contributions would be payable for the proposed development and whether contributions for community facilities should be required in this instance.

On 10 November 2011 the Commission received the Department's response. (Copy attached). The letter indicates that the Environment Protection Authority is the appropriate regulatory authority with on-going responsibility for regulating activities undertaken on the adjoining working studios site. It recommends that the Commission amend the draft conditions to ensure the current emergency evacuation plan for the Entertainment Quarter is updated to take account of development approved under the concept plan.

In relation to development contributions, the letter notes that future development applications under the concept plan will be subject to the City of Sydney's section 94 Development Contribution Plan 2006.

Commission's Comments

State Environmental Planning Policy No 47 – Moore Park Showground

The Commission is satisfied that the proposal is consistent with the current provisions of *State Environmental Planning Policy No 47 – Moore Park Showground*. (SEPP No 47).

Consistent feedback from parties during the consultation process noted that *SEPP No 47* and the Master Plan are over 15 years old and aspects of these documents are now out of date. Plans for the whole Moore Park precinct have evolved since 1996 as some ventures have proven to be more successful than others.

While the Commission agrees with these observations, it notes that it is required to determine this application under the current provisions of the SEPP and cannot defer making a decision pending any future review.

Future uses of the buildings

Members of the local community raised concerns about the potential future uses of the proposed buildings and, in particular, the impacts these might have on traffic and parking.

The Commission notes that buildings may only be developed for uses allowed under *SEPP No 47* and development consent will be required in every case. The Proponent has advised that there is an unmet demand for permissible uses of the site from the film and television industry. The Commission also notes that the City of Sydney Council is exploring the feasibility of a Film Centre for Sydney and there may be scope for this facility to be accommodated within the Entertainment Quarter.

Nonetheless, in response to community concerns, the Commission has added a requirement to confirm that all future development applications to erect a building under the concept plan must include a detailed description of the proposed uses of the building.

Traffic and Parking

Local residents and the Centennial Park and Moore Park Trust commented on the lack of any additional parking provisions. The Commission understands that the existing car park was intended to cater for the entire precinct but agrees with the Department's recommended condition requiring an impact assessment report on traffic and parking to be lodged with each future application under the concept plan.

The Commission has added a requirement that future development applications under the concept plan must demonstrate that parking and traffic impacts on the surrounding area will be acceptable.

Building design and setbacks

Significant concerns were raised regarding the building envelopes and locations proposed in the original application. Responding to these concerns, the applicant modified the application into its current form following consultation with the Department, the Heritage Office, the Trust and the Sydney City Council. These agencies are now generally satisfied that the proposal may be approved.

The Commission notes the Department's references to Concept Plan Building locations, and in particular Buildings B and C1/C2. In respect of comments from both the NSW Heritage Office and the proponent, the Commission agrees with the Department's view that the latest proposals for Buildings C1 and C2 are "considered satisfactory and appropriately respond to the existing built form".

Until such time that there is an architectural design proposal for actual buildings, it remains difficult to assess the ultimate outcome. However the proposed setbacks and separation between buildings contribute to a more intense network of pedestrian laneways that will have real benefits for the precinct. Accordingly, the Commission supports the suggestion by the Trust to seek additional means of ensuring a high quality design outcome for the development, by having a competitive design process in the selection of architects, and possibly the use of design review panels to endorse the merit of architectural designs prior to consent being granted.

The Commission considers the proposed building heights are acceptable although the suggested rooftop services zone and architectural roof features proposed at around six metres above maximum envelope Reduced Levels is excessive. The Commission therefore

supports the Departments proposed modification to limit the Rooftop Services Zone as set out in Schedule 3.

The Commission has added requirements to the concept plan which require the Proponent to prepare design guidelines, in consultation with the Centennial and Moore Park Trust, Council and the local community, and to the satisfaction of the Director-General of the Department of Planning and Infrastructure. These design guidelines would apply to all buildings proposed under the concept plan. Provisions to encourage high quality design, through requirements for a design strategy and provision for a design review panel, have also been added.

Community facilities

The proposal will impact on the children's playground which is to be moved to an alternative location on the site. Given that the playground is to be replaced and that section 94 contributions will be levied on the future buildings proposed under the concept plan, the Commission is satisfied that there will be adequate provision for community facilities.

Hazards and other potential land use conflicts

The Commission has considered the Department's response to a concern about the potential land use conflicts with the adjoining working studios. The Commission notes that the Environment Protection Authority is the regulatory authority with responsibility for regulating on-going activities permitted on the working studios site under the SEPP. The Commission also notes that those activities do not trigger the need for an environment protection licence but that a prevention notice has been issued as a result of air quality assessments and odour dispersion modelling undertaken in 2006 and 2008. That notice imposes requirements concerning the use of chemicals.

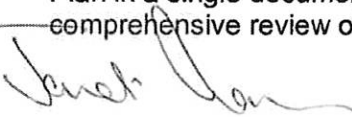
The Commission's supports the Department's suggestion to add a condition requiring the Emergency Evacuation Procedures Manual for the Entertainment Quarter site to be reviewed and updated before any development application is lodged for buildings in the concept plan.

Commissions Determination

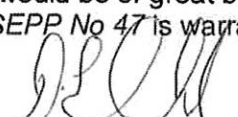
The Commission has carefully considered the Department's Assessment Report, including agency and public submissions and the issues raised at the public meeting.

The Commission is satisfied with the assessment and has determined to approve the concept plan, subject to the modifications recommended by the Department and the additional modifications made by the Commission. These include a condition confirming that details of proposed uses must be provided in future development applications required for the proposed buildings. Other conditions that the Commission has added include conditions relating to design guidelines, parking and traffic, and updating emergency evacuation procedures.

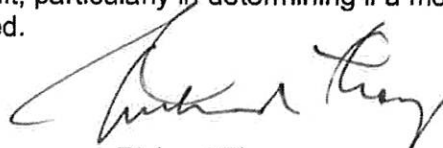
The Commission notes that it is over 15 years since the strategic work for the precinct was undertaken. The original Master Plan document does not accurately reflect the current development of the site. The Commission suggests that preparation of an up-to-date Master Plan in a single document would be of great benefit, particularly in determining if a more comprehensive review of SEPP No 47 is warranted.



Janet Thomson
PAC Member



Donna Campbell
PAC Member



Richard Thorp
PAC Member



**Planning &
Infrastructure**

RECEIVED
10 NOV 2011

BY: _____

Ms Janet Thomson
Chairperson
Planning Assessment Commission
Thakral House
Level 13, 301 George Street
SYDNEY NSW 2000

Dear Ms Thomson,

Subject: Entertainment Quarter Concept Plan (MP07_0144), Moore Park

I refer to your letter of 7 October 2011 concerning Major Project MP07_0144 for the Entertainment Quarter Concept Plan and request for clarification on matters raised at a recent public meeting held on 6 October 2011.

Operations within the adjoining Working Studio precinct were previously undertaken in accordance with an Environment Protection Licence for a waste activity premises, issued under the *Protection of the Environment Operations Act 1997* (POEO Act). In April 2008, "waste activities" was removed from Schedule 1 of the POEO Act as a regulated activity and the licence is no longer in force. Notwithstanding this, the Office of Environment and Heritage have advised that activities undertaken on site must comply with a Notice of Preventative Action, issued on 1 July 2008 under the POEO Act, and that they also remain the regulatory authority for activities undertaken on the site.

The proponent has confirmed that the Entertainment Quarter precinct has an Emergency Evacuation Procedures Manual that was prepared with regard to the Working Studio operations. The proponent is aware that amendments to the manual will be required and the department considers the imposition of an appropriate condition requiring the necessary amendments would be warranted.

Future development applications will be subject to the City of Sydney's Section 94 Development Contribution Plan 2006. The proponent has also reflected this position within their Environmental Assessment. In addition, future landscaping and public domain works will accompany individual development applications to contribute to the existing public open space areas.

I trust that the above information clarifies the Commission's queries in relation to the matters raised at the public meeting and reiterated within your correspondence.

Yours sincerely


Richard Pearson
Deputy Director-General
Development Assessment and Systems Performance



ATTACHMENT 2

Concept Approval

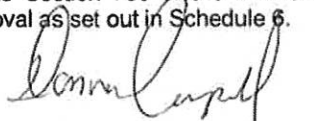
Section 75O of the *Environmental Planning and Assessment Act 1979*

The Planning Assessment Commission of New South Wales (the Commission), having considered all relevant matters prescribed under Section 75O(2) of the *Environmental Planning and Assessment Act 1979*, including those relevant matters prescribed by Section 75I(2) as contained in the Director General's Environmental Assessment report determine:

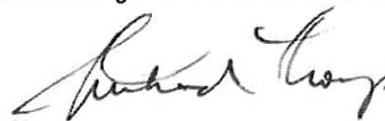
- (a) to approve the concept plan referred to in Schedule 1, subject to the terms of approval in Schedule 2 and the modifications in Schedule 3; and
- (b) pursuant to section 75P(1)(a) and 75(2)(c) of the *Environmental Planning and Assessment Act 1979*, the further environmental assessment requirements for approval to carry out the EQ Concept Plan as set out in Schedule 4; and
- (c) pursuant to section 75P(1)(c) of the *Environmental Planning and Assessment Act 1979*, that no further environmental assessment is required for the demolition of Building 17 and Building 220, as set out in Schedule 6, and pursuant to Section 75J of the *Environmental Planning and Assessment Act 1979*, subject to conditions of approval as set out in Schedule 6.



Janet Thomson
Member of the Commission



Donna Campbell
Member of the Commission



Richard Thorp
Member of the Commission

Sydney

25 November 2011

SCHEDULE 1

Application No.:

MP07_0144

Proponent:

Colonial First State Managed Property Ltd

Approval Authority:

Minister for Planning and Infrastructure

Land:

Lot 52 in DP 1041134

Project:

EQ Concept Plan, including:

- Identification of 6 new building locations, maximum height and maximum floor area;
- Increase the maximum floor area to 144,000sqm across the entire Moore Park Showground site;
- Increase the maximum floor area permissible within the EQ to 76,500sqm, providing the Working Studio with a resultant maximum floor area of 67,500sqm; and
- Demolition of Buildings 17 and 220.

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DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval.
BCA	Building Code of Australia
Building Height	Building height (or <i>height of building</i>) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.
Construction	Any works, including earth and building works
Council	City of Sydney Council
DECCW	Department of Environment, Climate Change and Water or its successors
Department	Department of Planning and Infrastructure or its successors
Development Application No.1/96	Master Plan development application and supporting documentation approved by the Minister on 3 May 1996, and all subsequent amendments.
Director-General	Director General of the Department of Planning and Infrastructure, or nominee
EA	Environmental Assessment titled <i>Concept Plan Application: 9 New Buildings In The EQ, Moore Park</i> , prepared by BBC Consulting Planners, dated August 2009, including appendices.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Minister	Minister for Planning and Infrastructure, or nominee
PPR	Preferred Project Report titled <i>Concept Plan Application: 9 New Buildings In The EQ, Moore Park</i> , prepared by BBC Consulting Planners, dated October 2010, including appendices.
Project	The project described in Schedule 1 and in terms of approval 1 and 2.
Proponent	Colonial First State Managed Property Ltd
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
RTA	Roads and Traffic Authority
Subject Site	Lot 52 DP 1041134
SEPP 47	<i>State Environmental Planning Policy No.47 – Moore Park Showground</i>
SEPP 55	<i>State Environmental Planning Policy No.55 – Remediation of Land</i>
SEPP (Major Development) 2005	<i>State Environmental Planning Policy (Major Development) 2005</i>
Statement of Commitments	The proponent's Statement of Commitment in Schedule 3

SCHEDULE 2

TERMS OF APPROVAL

1. Concept approval is granted including but not limited to:
 - (a) The future development of the six new buildings within the EQ, are not to exceed the floor area and maximum building heights as specifically identified in Table 1 below:

Table 1: Maximum Floor Area and Building Height

Envelope	Floor Area (sqm)	Height (Max AHD)	Height above existing ground level (m)
Building B	5,866sqm	RL60.0	21.1m
Building C (C1 and C2)	20,020sqm	C1 – RL60.0 C2 – RL64.0	C1 – 21.1m C2 – 25.1m
Building D	900sqm	RL49.5	9.9m
Building F	4,630sqm	RL60.8	22.9m
Building G	1,900sqm	RL48.0	10.0m

- (b) Increase the maximum total floor area permissible in the Moore Park Showground to 144,000sqm;
 - (c) Increase the maximum floor area permissible within the EQ from 50,313sqm to 76,500sqm, providing the Working Studio with a resultant maximum floor area of 67,500sqm; and
 - (d) The demolition of Building 17 and Building 220.
2. The development shall be generally in accordance with the following plans and documentation:
 - (a) Environmental Assessment titled *Concept Plan Application: 9 New Buildings In The EQ, Moore Park*, prepared by BBC Consulting Planners, dated August 2009, including appendices.
 - (b) Preferred Project Report titled *Concept Plan Application: 9 New Buildings In The EQ, Moore Park*, prepared by BBC Consulting Planners, dated October 2010, including appendices.
 - (c) The following Plans:
 - (i) Dwg No.A-CP-04(D), Proposed Building Floor Area Allocation, dated 29 July 2011;
 - (ii) Dwg No.A-CP-05(C), Proposed Building Heights Diagram, dated 29 July 2011;
 - (iii) Dwg No.CPAR-0905-03, Elevations, dated 29 July 2011;
 - (iv) Dwg No.CPAR-0905-04, Elevations, dated 29 July 2011; and
 - (v) Dwg No.A-CP-13(D), Landscape Strategy Plan, dated 29 July 2011.
 - (d) Statement of Commitments (Schedule 5); and
 - (e) The modifications contained within this approval.
3. The EQ Concept Plan, as approved, supersedes the Moore Park Showground Master Plan Consent (approved 3 May 1996 under DA No.1/96) as described in terms of approval 1.(a)–(d) and 2.(a)–(e) above.
4. In the event of any inconsistency between:
 - (a) This concept plan approval and any documentation, this Concept Plan approval shall prevail to the extent of the inconsistency; and
 - (b) Any documentation listed in 2(c)(i)–(v), the most recent document shall prevail to the extent of the inconsistency.
5. Limits on Approval:
 - (a) This approval does not allow any components of the Concept Plan to be carried out without further approval or consent being obtained except demolition of Building 17 and Building 220.
 - (b) This approval will lapse five years from the date of this approval unless works the subject of any related application are physically commenced, on or before that lapse date, other than works involving the demolition of Building 17 and Building 220.
 - (c) The Concept Plan approval does not permit the construction of any aspect of the development, excluding demolition works.
6. Determination of future applications:
 - (a) The determination of future development applications for development of the six building envelopes is subject to section 75P(1)(b) of the *Environmental Planning and Assessment Act 1979*, that approval to carry out the project or any stage of the project is subject to the provisions of Part 4 of the EP&A Act and provisions of *State Environmental Planning Policy No.47 – Moore Park Showground*.

SCHEDULE 3

MODIFICATIONS TO THE CONCEPT PLAN

Building Height

7. All future development within the approved building envelopes must not exceed the maximum building heights as detailed in the terms of approval (see 1(a)). In this regard, building height is defined as follows:
- "building height (or height of building)** means the vertical distance between ground level (existing) and the highest point of the building, but excluding rooftop services zones, architectural roof features, communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like."

Rooftop Services Zone and Architectural Roof Features

8. To ensure that the visual impact of rooftop plant and architectural roof features is minimised:
- (a) Rooftop services zone and architectural roof features are restricted to a maximum 5m height above the maximum envelope Reduced Level (RL);
 - (b) Rooftop services zone to be setback a minimum 3m from the parapet;
 - (c) Rooftop services zone are not to occupy more than 25% of the roof area;
 - (d) Rooftop services zones, including plant and lift overruns, communications devices, satellite dishes and the like are to be designed to minimise their visibility and size; and
 - (e) The design of architectural roof features are to integrate with the overall building design.

Public Domain and Open Space

9. Prior to the lodgement of the first development application within the approved Concept Plan envelopes, a Public Domain and Open Space Strategy is to be prepared in consultation with the Centennial and Moore Park Trust, Sydney City Council and the local community and submitted to the Director-General for approval. The Strategy shall include, but not be limited to:
- (a) Details of proposed public domain and landscaping works accompanying future applications for building works;
 - (b) Identification of a suitable alternative location for the existing children's playground equipment, due to the approved siting of Building D and a program for the relocation of the playground; and
 - (c) Identification of a suitable alternate location for the existing fig tree to be removed from the site of Building Envelope F or suitable mature replacement subject to arboricultural advice. An arborist report is to accompany the Open Space Strategy in the event that the existing fig tree is to be removed.

Design Strategy

10. The Proponent must prepare and implement a design strategy for the site. The strategy must:
- (a) be prepared in consultation with the Centennial and Moore Park Trust, Sydney City Council and the local community;
 - (b) be approved by the Director-General prior to the lodgement of the first development application within the approved Concept Plan envelopes;
 - (c) set out appropriate design guidelines for the buildings in the Entertainment Quarter Precinct;
 - (d) set out the process to be used in reviewing each new building; and
 - (e) include the details of a design review panel to be used to review the suitability of the designs of significant buildings proposed.

SCHEDULE 4

FURTHER ENVIRONMENTAL ASSESSMENT REQUIREMENTS

General Requirements

11. The proponent shall ensure that any future applications for development shall:
- (a) comply with the provisions of Schedule 2, clause 7 of *State Environmental Planning Policy (State and Regional Development) 2011* and the aims and objectives and other provisions of *State Environmental Planning Policy No.47 – Moore Park Showground*;
 - (b) demonstrate compliance with Notice of Determination of Development Application No.1/96 (Moore Park Showground Master Plan Consent), except where superseded by Schedules 1 and 2;
 - (c) Include a detailed description of the proposed uses, the layout and design of the proposed development;
 - (d) demonstrate that the proposed uses will not have an unacceptable impact on parking and traffic in and around the precinct;
 - (e) demonstrate that the project is consistent with the concept approval, including the modifications set out in Schedule 3; and
 - (f) demonstrate compliance with the Public Domain and Open Space Strategy required to be prepared in condition 9 above.
12. The proponent shall ensure that all future development applications for the purposes of a 'shop' and/or 'commercial premises' comply with the definitions contained within *State Environmental Planning Policy No.47 – Moore Park Showground*, as follows:
- "shop means a building or place used for the purpose of selling merchandise or materials or food, but does not include a building or place elsewhere defined in this Policy."*
- "commercial premises means a building used for the purposes of administration, or for clerical, technical, professional or other specific activities, related to the film, television and video industry."*

Key Assessment Requirements

13. All future development applications must include plans, elevations and sections to sufficiently detail the design, including height, setbacks, total floor area, modulation and articulation. Consideration must be given to bulk and scale in relation to the surrounding development context, heritage items, topography, streetscape and adjoining the site and shall exhibit design excellence. Any future development applications must also include a view analysis, including artist's perspective and photomontages.
14. Architectural plans must exhibit a high quality design outcome and must be in accordance with the Design Strategy for the site.

Ecologically Sustainable Development

15. All future building proposals subject to separate development applications are to be designed to achieve a minimum 5 star Green Star rating.
16. All future development shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development; including a description of the measures that would be implemented to minimise consumption of resources, water and energy, including any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design.

Transport and Access

17. All future development for any building within the approved Concept Plan envelopes are to be accompanied by a traffic impact assessment report that addresses the associated traffic and parking impacts of the proposed development and associated land use. The report will also be required to address, but not limited to, the cumulative traffic and parking impacts, including detailed intersection analysis in consultation with the RTA and the provision for staff change rooms and amenities to encourage walking and cycling.

Emergency Evacuation Procedures Manual

18. Prior to the lodgement of the first development application for the approved Concept Plan building envelopes, the Entertainment Quarter Precinct Emergency Evacuation Procedures Manual is to be updated to reflect the approved Concept Plan and proposed new development. The Manual is to also have

regard to operations undertaken within the adjoining Working Studio Precinct. It must be prepared by a person who is suitably qualified in the opinion of the consent authority.

A copy of the updated Emergency Evacuation Procedures Manual is to be included with the first development application to demonstrate compliance with the requirements of this condition.

19. Prior to the issue of an Occupation Certificate for each successive development application for the remaining approved building envelopes, the Emergency Evacuation Procedures Manual is to be reviewed and updated if necessary and shall be submitted to the satisfaction of the Certifying Authority.

Construction impacts

20. All future development applications for any building within the approved Concept Plan envelopes shall provide an assessment of construction impacts and identify appropriate mitigation measures. This should include (but is not limited to) construction noise, air quality, water quality, soil and erosion, groundwater impact, and traffic in accordance with relevant guideline.
21. All future development applications for any building within the approved Concept Plan envelopes shall identify strategies to minimise impacts on the ecological values of the public open space areas, as well as to minimise the extent of vegetation clearing within the development area.

Utilities

22. In consultation with relevant agencies, any building within the approved Concept Plan envelopes shall address the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure works. Prepare an Infrastructure Servicing Strategy that addresses existing capacity and requirements of the development for sewerage, water, electricity, waste disposal, telecommunications and gas in consultation with relevant agencies. Identify and describe staging, if any, of infrastructure works.

SCHEDULE 5

STATEMENT OF COMMITMENTS

1. GENERAL

- a. Each of the new buildings to which this Concept Plan application relates is to be the subject of a Future Application for Detailed Works and Uses.
- b. Each of the future applications referred to in A above is to be consistent with the set of plans provided in **Appendices 3a and 3b of the Environmental Assessment as amended by the revised plans submitted with the Preferred Project Report** attached hereto, together comprising:-

Drawing No's	Drawing Title	Date
A – CP01	Existing site survey plan	28 January 2009
A – CP02	Site analysis plan	28 January 2009
A – CP03 (C)	Locality/context plan	28 January 2009
A – CP-04	Proposed building floor space allocation	2 February 2009 16 September 2010
A – CP-05 (B)	Proposed building heights diagram	28 January 2009 16 September 2010
A – CP-06 (B)	View analysis – Location Plan	28 January 2009 16 September 2010
CP-07 (AC)	View analysis – photomontage, Views 1-4	2 February 2009 16 September 2010
CP-08 (AC)	View analysis – photomontage, Views 5-86	2 February 2009 16 September 2010
A – CP-09 (AC)	View analysis – photomontage, Views 9-11	2 February 2009 16 September 2010
A – CP-10 (AC)	Shadow studies – summer solstice	2 February 2009 16 September 2010
A – CP-11 (AC)	Shadow studies – equinox	2 February 2009 16 September 2010
A – CP-12 (AC)	Shadow studies – winter solstice	2 February 2009 16 September 2010
A – CP-13 (C)	Landscape strategy plan	2 February 2009 16 September 2010

Drawing No.	Drawing Title	Date
CPAR – 0905-01	CFSPM response to proposed building height	20 May 2009 20 September 2010
CPAR – 0905-02	CFSPM response to proposed building height	20 May 2009 20 September 2010
CPAR – 0905-03	CFSPM response to proposed building height	20 May 2009 20 September 2010
CPAR – 0905-03	CFSPM response to proposed building height	20 May 2009 20 September 2010

- c. The proponent is committed to the principles of sustainability as defined in the *Environmental Planning and Assessment Act, 1979*.
- d. The proponent will develop a program of informing key stakeholders including Sydney City Council, the Centennial Park and Moore Park Trust, Fox Studios Australia Pty Ltd and the Centennial Park and Moore Park Residents Association, of its time-frame for the submission of

separate detailed applications for each of the nine new buildings referred to in the Concept Plan application.

2. DEMOLITION MANAGEMENT

- A. Demolition will be undertaken in accordance with the requirements of Australian Standard AS2601 – 2001: The demolition of structures which is incorporated into the *Occupational Health and Safety Act, 2000*, administered by WorkCover NSW.
- B. Measures to control soil erosion during demolition will be introduced in accordance with currently accepted principles, as described in *Managing Urban Stormwater* (EPA NSW) and *Soil Erosion and Sediment Control* (The Institute of Engineers, Australia).
- C. Any existing concrete of suitable volume which is not used as fill, will be taken to a concrete recycling works and evidence that this has occurred will be provided to the certifying Authority.

3. HERITAGE

- A. The proponent will implement the archaeological recommendations in the Heritage Impact Statement in **Appendix 5 of the Environmental Assessment**, being:-
 - In the event that an exception is not available under Section 139 of the *Heritage Act, 1977*, an application for an excavation permit must be made under Section 140 of the *Heritage Act* for any proposed excavation works in the vicinity of the Royal Agricultural Hall and Weeks Road. In such a circumstance, an appropriate on-site Investigation Strategy will be prepared and submitted to the Heritage Office, Department of Planning, with an archaeological assessment and research design as supporting documentation for the Section 140 Excavation Permit Application.
 - In the event of historical archaeological remains being exposed on the site, they will be appropriately documented, according to procedures outlined in the Investigation Strategy accompanying any applications for excavation permits.
 - Suitable clauses will be included in all contracts and sub-contracts to ensure that on-site personnel are aware of their obligations and requirements in relation to the relics provisions of the *Heritage Act, 1977* and their statutory protections of the *National Parks and Wildlife Act, 1974*.
- B. The proponent commits to implementing the recommendations in Sections 6, 7 and 8 of the Heritage Impact Statement in **Appendix 5 of the Environmental Assessment**, **except for the recommendations in Sections 7.2 and 7.3 in relation to Buildings B and C respectively, which are to be reconfigured as per the drawings provided in the PPR.**
- C. The proponent commits to preparing an Open Space Strategy to guide further landscape and use planning for the retention, public use and appreciation of public open space areas including the former Parade Ring, Heritage Park, roads and footpaths.
- D. The proponent commits to ensuring that future development represents an appropriate design response to the heritage significance, setting and character of the EQ and that future development of the nine sites identified in the Concept Plan application give consideration to pedestrian access and the importance of heritage interpretation of the former Showground.
- E. **Subject to aboriginal advice**, the *Ficus hillii* on Site F upon separate approval having been granted for detailed works and uses associated with Building F will be relocated to an appropriate landscape setting within the EQ.

4. TRAVEL DEMAND MANAGEMENT

- A. As part of any site-specific development or project application for any of the nine new buildings proposed in this Concept Plan application, a Travel Demand Management Plan will be prepared as part of the application documentation.
- B. Any Travel Demand Management Plan prepared pursuant to A above, will incorporate the following elements:-

- Maintain existing parking provision (to reflect a relative restriction in parking provision for the site's building floor area).
- Provision of **secure** bicycle parking spaces equivalent to 3% of staff, **plus spaces for visitors**.
- Installation of a taxi phone within the main entrance/reception.
- Establish mechanisms to create a staff-operated car pooling system. This may include provision of space for displaying contact details of people willing to participate in a car pooling program.
- Provision of space for displaying relevant transport information in the main entrance/reception area and communal staff areas. Information to include:-
 - bus timetables;
 - public transport information sources;
 - bicycle routes and on-site facilities;
 - preferred pedestrian routes;
 - taxi phone numbers.

C. The proponent will nominate a traffic co-ordinator to ensure delivery and takeup of workplace travel plans.

5. STAGING

- A. A detailed staging plan for each new building will be provided as part of any future application for detailed works and uses relating to that building.

6. USE OF NEW BUILDINGS

- A. The proponent commits to activation of the ground plane of any new building which is contiguous with existing retail or restaurant activities.
- B. The proponent commits to ensuring that new buildings are capable of accommodating a variety of different uses.
- C. The proponent commits to ensuring that shops do not become the dominant land use activity within the EQ.

7. BUILDING HEIGHT

- A. The proponent commits to ensuring that any new building will comply with the height limits shown on the concept plans and elevations, measured to the main roof line.
- B. Plant rooms and architectural roof features may extend above the main roof line but may not exceed an additional height of 6 metres or occupy more than 25% of the roof area.
- C. Notwithstanding B. above, the height of any plant room above the main roof line is to be no greater than reasonably and practically required to accommodate the associated plant.

SCHEDULE 6

Application No.:	MP07_0144
Proponent:	Colonial First State Managed Property Ltd
Approval Authority:	Minister for Planning and Infrastructure
Land:	Lot 52 in DP 1041134
Project:	Demolition of Building 17 and Building 220

DEFINITIONS

BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	City of Sydney Council
DECCW	Department of Environment, Climate Change and Water or its successors
Department	Department of Planning and Infrastructure or its successors
Director-General	Director General of the Department of Planning and Infrastructure, or nominee
EA	Environmental Assessment titled <i>Concept Plan Application: 9 New Buildings In The EQ, Moore Park</i> , prepared by BBC Consulting Planners, dated August 2009, including appendices.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Minister	Minister for Planning and Infrastructure, or nominee
PPR	Preferred Project Report titled <i>Concept Plan Application: 9 New Buildings In The EQ, Moore Park</i> , prepared by BBC Consulting Planners, dated October 2010, including appendices.
Project	The project described in Modification 1, Schedule 2 and the accompanying plans and documentation described in Modification 2.
Proponent	Colonial First State Managed Property Ltd
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
RTA	Roads and Traffic Authority
Subject Site	Lot 52 DP 1041134
SEPP 47	<i>State Environmental Planning Policy No.47 – Moore Park Showground</i>
SEPP 55	<i>State Environmental Planning Policy No.55 – Remediation of Land</i>
SEPP (Major Development) 2005	<i>State Environmental Planning Policy (Major Development) 2005</i>
Statement of Commitments	The proponent's Statement of Commitment in Schedule 3

PART A - ADMINISTRATIVE CONDITIONS

Terms of Approval

- A1. Except as amended by the conditions of this approval, approval is granted only to development as described in Schedule 5.

Development in Accordance with Plans and Documents

- A2. The proponent shall carry out the project generally in accordance with the:
- (a) Environmental Assessment titled *Concept Plan Application: 9 New Buildings In The EQ, Moore Park*, prepared by BBC Consulting Planners, dated August 2009, including appendices.
 - (b) Preferred Project Report titled *Concept Plan Application: 9 New Buildings In The EQ, Moore Park*, prepared by BBC Consulting Planners, dated October 2010, including appendices.
 - (c) The following Plan:
 - (i) Dwg No.A-CP-04(C), Proposed Building Floor Space Allocation, dated 16 September 2010;
 - (d) Statement of Commitments (Schedule 4) as amended by these conditions of approval in Schedule 5; and
 - (e) Conditions of this approval.

Inconsistency between plans and documentation

- A3. If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of approval prevail to the extent of any inconsistency, including the proponent's Statement of Commitments.

Prescribed Conditions

- A4. The proponent shall comply with the prescribed conditions under Part 6, Division 8A of the Regulation.

Limits on Approval

- A5. This approval will lapse five years from the date of this approval unless demolition works commence, on or before that lapse date.

PART B – PRIOR TO DEMOLITION WORKS

Transport and Access

- B1. Prior to the demolition of Building 17 and Building 220, a Construction Traffic Management Plan shall be prepared and submitted to the Department of Planning and Infrastructure and developed in consultation with the RTA and is to include:
- (a) impact on EQ operations;
 - (b) identification of a work zone;
 - (c) ingress and egress of vehicles to the site;
 - (d) management of loading and unloading of materials;
 - (e) number and frequency of vehicles accessing the site, construction and heavy vehicle haulage routes;
 - (f) work hours and times vehicles are likely to be accessing the site;
 - (g) access arrangements and traffic control;
 - (h) changes to on-street parking restrictions on roads;

- (i) management of construction traffic and car parking demand including preparation and distribution of a Travel Access Guide; and
- (j) management of existing vehicular, pedestrian and cyclist movements / routes around the site throughout the various stages of construction.

A Noise and Vibration Management Plan,

- B2. A Noise and Vibration Management Plan shall be prepared and submitted to the Department of Planning and Infrastructure, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, *NSW Government 6 Department of Planning* and address any other relevant provisions of Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

Waste Management Plan

- B3. A Waste Management Plan is to be prepared and submitted to the Certifying Authority that identifies options for minimising waste; reuse and recycling of materials; control and removal of demolition waste.

Dust Control

- B4. To ensure dust pollution impacts from demolition works are minimised, measures are to be implemented to prevent the movement of airborne particles from the site throughout, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas of demolished material prior to its removal from site is also to be detailed.

PART C – DURING DEMOLITION WORKS

Hours of Work

- C1. The hours of excavation and work on the development must be as follows:
- (a) All excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools etc) in connection with the approved development must only be carried out between the hours of:
 - 7:30am and 5:30pm on Mondays to Fridays;
 - 7:30am and 3:00pm on Saturdays; and
 - No work must be carried out on Sundays or public holidays.
 - (b) Works may be undertaken outside these hours where:
 - the delivery of materials is required outside these hours by the Police or other authorities;
 - It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
 - the work is approved by the Director General or his nominee.

Site Notice

- C2. A site notice(s) shall be prominently displayed at the boundaries of the site for the duration of works for the purposes of informing the public of project details including, but not limited to:
- (a) details of the Builder and Structural Engineer for all stages of the project;
 - (b) the approved hours of work;
 - (c) the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and

- (d) to state that unauthorised entry to the site is prohibited.

Noise Control

- C3. All demolition works must comply with the Australian Standard 2436-1981 '*Guide to Noise Control on Construction, Maintenance and Demolition Sites*'.
- C4. Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or businesses and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.

Dust Control

- C5. Dust control measures are to be in place or are to be undertaken for the duration of the demolition works to prevent dust from affecting the amenity of the immediate area during demolition. Any deficiencies are to be immediately made good.

Standards and Codes

- C6. All demolition works shall be undertaken in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

Work Cover Requirements

- C7. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding Requirements

- C8. To ensure an appropriate presentation of the site to Crown Street and Urunga Parade during the construction period, temporary artwork shall be provided along any hoarding/fencing proposed to be erected around the subject site.
- C9. No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- C10. The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

No Obstruction of Public Way

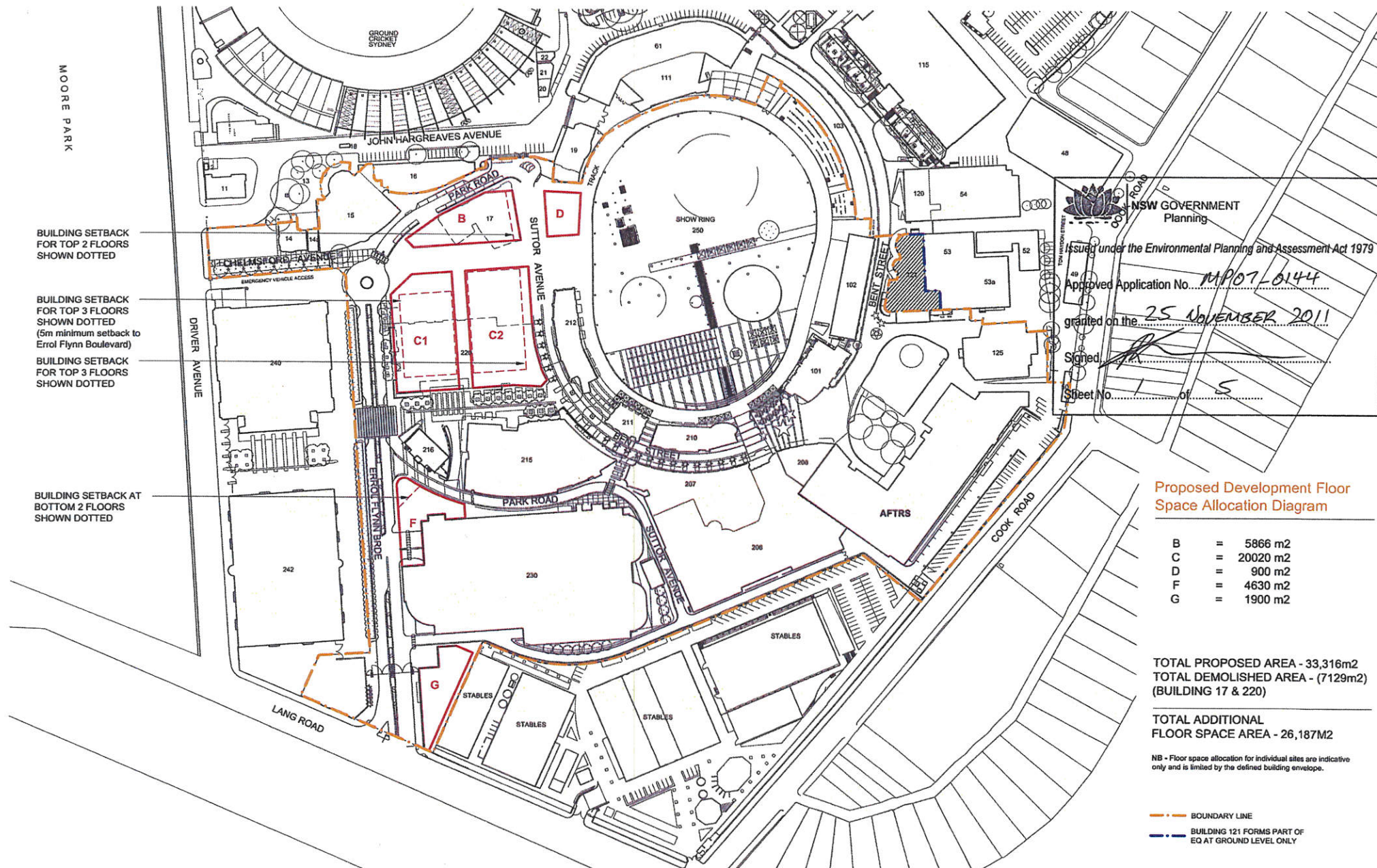
- C11. The public way (outside of any demolition works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

Road Damage

- C12. The cost of repairing any damage caused to Trust or other Public Authority's assets in the vicinity of the building sites as a result of demolition works associated with the approved Concept Plan, s be met in full by the proponent prior to the lodgement of any future Development/Project Applications for building works.
-



ATTACHMENT 3



NSW GOVERNMENT
Planning

Issued under the Environmental Planning and Assessment Act 1979

Approved Application No. MP07/0144

granted on the 25 NOVEMBER 2011

Signed: [Signature]

Sheet No. 5 of 5

Cox Richardson

Level 2, 204 Clarence Street, Sydney 2000 Australia
Tel: 612 9267 5599 Fax: 612 9264 5844
Email: sydney@cox.com.au

Architecture Planning Urban design Interior design Health facility design



Colonial
First State
Global Asset Management

ENTERTAINMENT QUARTER - Moore Park, Sydney

CONCEPT PLAN APPLICATION
FOR AMENDMENT OF THE MASTER PLAN

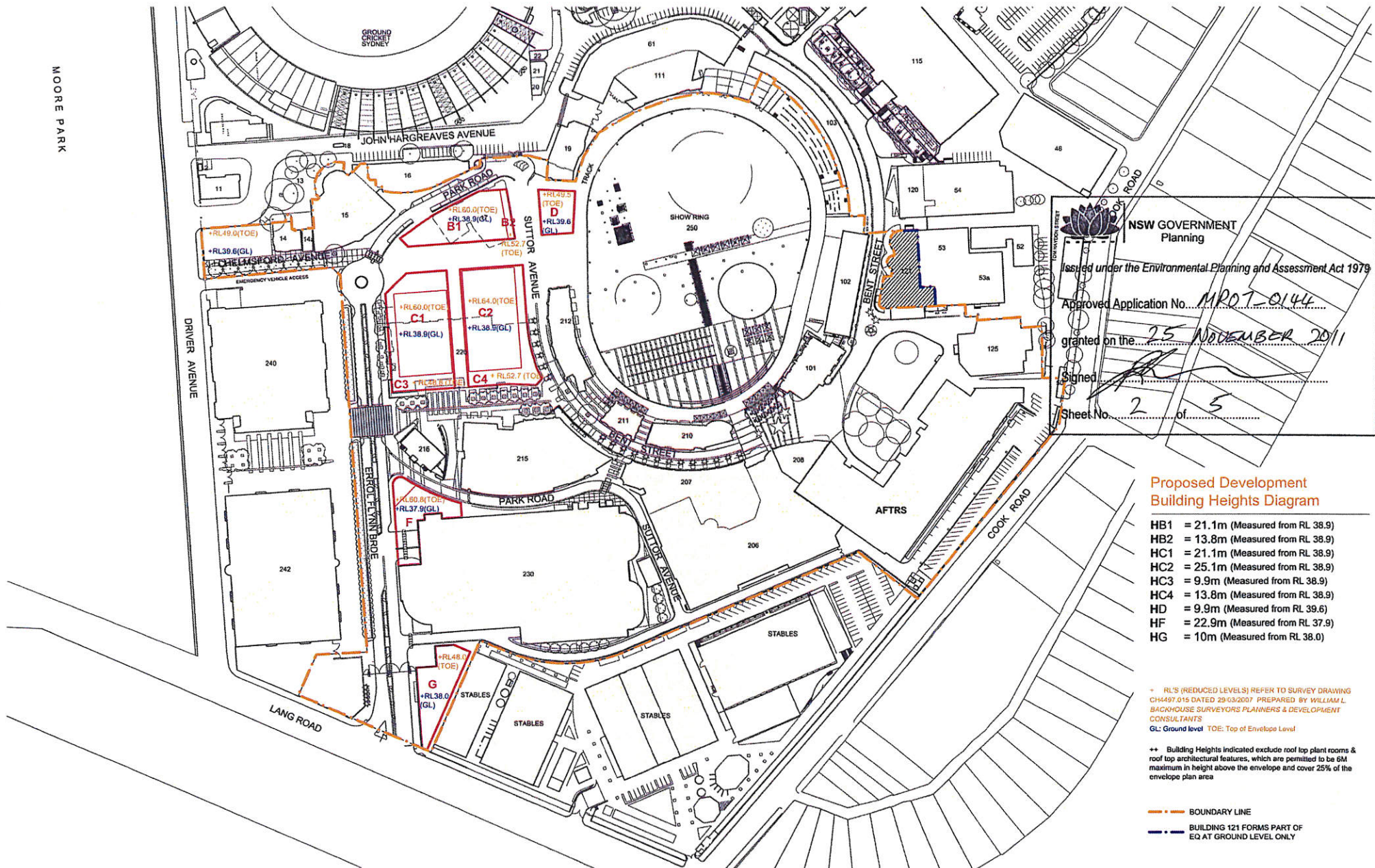
0 10 20 30 40 50 100m

PROPOSED BUILDING
FLOOR SPACE ALLOCATION
Date 29 JULY 2011

A-CP-04 (D)
1:2000@A3



Cox Architecture Pty Ltd ACN 922 535 891



NSW GOVERNMENT Planning

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Approved Application No. MP07-0144

granted on the 25 NOVEMBER 2011

Signed [Signature]

Sheet No. 2 of 5

Proposed Development Building Heights Diagram

- HB1 = 21.1m (Measured from RL 38.9)
- HB2 = 13.8m (Measured from RL 38.9)
- HC1 = 21.1m (Measured from RL 38.9)
- HC2 = 25.1m (Measured from RL 38.9)
- HC3 = 9.9m (Measured from RL 38.9)
- HC4 = 13.8m (Measured from RL 38.9)
- HD = 9.9m (Measured from RL 39.6)
- HF = 22.9m (Measured from RL 37.9)
- HG = 10m (Measured from RL 38.0)

* RL'S (REDUCED LEVELS) REFER TO SURVEY DRAWING CH497.015 DATED 29/03/2007. PREPARED BY WILLIAM L. BACKHOUSE SURVEYORS PLANNERS & DEVELOPMENT CONSULTANTS
GL: Ground level TOE: Top of Envelope Level

++ Building Heights indicated exclude roof top plant rooms & roof top architectural features, which are permitted to be 6M maximum in height above the envelope and cover 25% of the envelope plan area

- BOUNDARY LINE
- BUILDING 121 FORMS PART OF EQ AT GROUND LEVEL ONLY

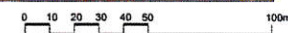
Cox Richardson
Level 2, 204 Clarence Street, Sydney 2000 Australia
Tel: 612 9267 9599 Fax: 612 9264 5644
Email: sydney@cox.com.au



Colonial First State
Global Asset Management

ENTERTAINMENT QUARTER - Moore Park, Sydney

CONCEPT PLAN APPLICATION
FOR AMENDMENT OF THE MASTER PLAN



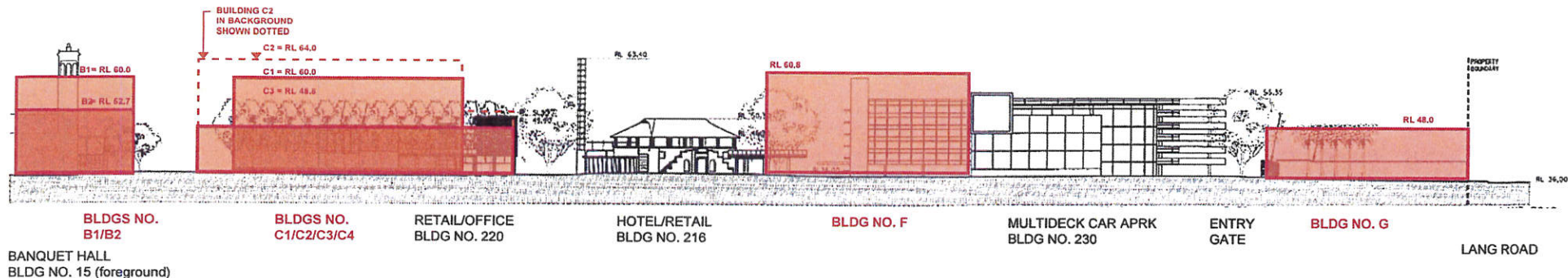
PROPOSED BUILDING
HEIGHTS DIAGRAM

Date: 29 JULY 2011

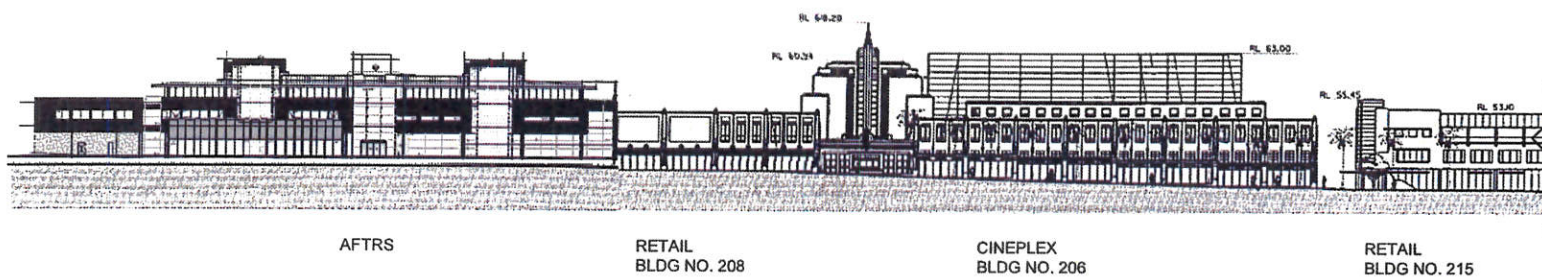
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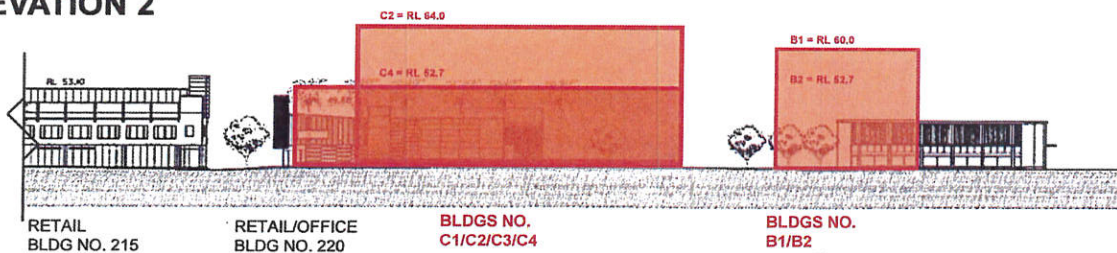
Cox Architecture Pty Ltd ACO 022 525 851



ELEVATION 1



ELEVATION 2



ELEVATION 2 continued

Scale - 1:1000 @ A3
Scale - 1:500 @ A1

ENTERTAINMENT QUARTER – Moore Park, Sydney
MAJOR PROJECT MP07_0144 CONCEPT PLAN APPLICATION
ELEVATIONS

NSW GOVERNMENT Planning

Issued under the Environmental Planning and Assessment Act 1979

Approved Application No. MP07-0144

granted on the 25 NOVEMBER 2011

Signed [Signature]

Sheet No. 3 of 5

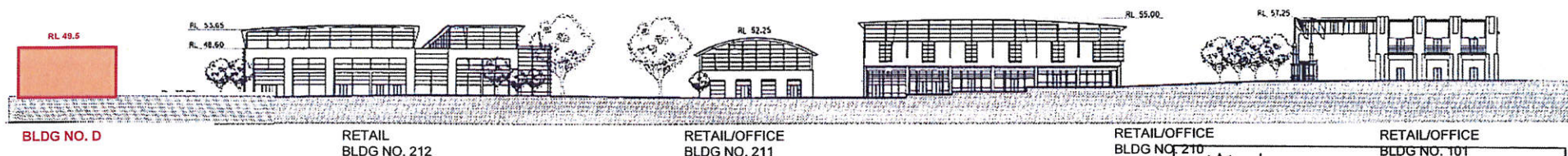
Colony First State Property Management

29 JULY 2011

Drg No CPAR-0905-03

RLS (REDUCED LEVELS) REFER TO SURVEY DRAWING CH4497.015 DATED 25/03/2007 PREPARED BY WATKINS BACKHOUSE SURVEYING PLANNERS & DEVELOPMENT CONSULTANTS

Building Heights Indicated exclude roof top plant rooms & roof top architectural features, which are permitted to be 6M maximum in height above the roofline and cover 25% of the building plan area



ELEVATION 3

Scale - 1:1000 @ A3
Scale - 1:500 @ A1

ENTERTAINMENT QUARTER – Moore Park, Sydney MAJOR PROJECT MP07_0144 CONCEPT PLAN APPLICATION ELEVATIONS



NSW GOVERNMENT
Planning

Issued under the Environmental Planning and Assessment Act 1979

Approved Application No. MP07_0144

granted on the 25 NOVEMBER 2011

Signed

Sheet No. 4 of 5

Proposed Development Building Heights Diagram

HB1	= 21.1m (Measured from RL 38.9)
HB2	= 13.8m (Measured from RL 38.9)
HC1	= 21.1m (Measured from RL 38.9)
HC2	= 25.1m (Measured from RL 38.9)
HC3	= 9.8m (Measured from RL 38.9)
HC4	= 13.8m (Measured from RL 38.9)
HD	= 9.8m (Measured from RL 39.0)
HF	= 22.9m (Measured from RL 37.0)
HG	= 10m (Measured from RL 38.0)

* RL'S (REDUCED LEVELS) REFER TO SURVEY DRAWING CH4437.015 DATED 25/03/07, PREPARED BY WILL MALL BACKHOUSE SLIVERFORDS PLANNING & DEVELOPMENT CONSULTANTS
GL: Ground Level FGL: Top of Finished Level

** Building Heights Indicate exclude roof top plant rooms & roof top architectural features, which are permitted to be 6M maximum in height above the envelope and must 25% of the envelope plan area

Colonial
First State
Property Management

29 JULY 2011

Drg No CPAR-0905-04



ATTACHMENT 4

ASSESSMENT REPORT

Entertainment Quarter Concept Plan MP 07_0144 MOD 1

1. INTRODUCTION

This report is an assessment of a request to modify the Concept Plan approval for the Entertainment Quarter at Moore Park in the City of Sydney local government area.

The request has been lodged by Titanium Property Investment pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to extend the lapse date of the approval.

2. SUBJECT SITE

The subject development site is known as the Entertainment Quarter (EQ) and is located within Centennial Parklands, approximately three kilometres southeast of the Sydney CBD and 1.8 kilometres west of Bondi Junction. The location is shown in **Figure 1**.



Figure 1: Project location

The EQ has an area of approximately 11.08 hectares and is bounded by the Working Studios and Sydney Cricket Ground to the north, Lang Road to the south, Cook Road to the east and Driver Avenue to the west. Vehicular access to the site is provided from the signalised intersection at Lang Road and Errol Flynn Boulevard. Pedestrian access is provided from Errol Flynn Boulevard and Chelmsford Avenue.

To the south of the site is the Centennial Park Equestrian Centre, Moore Park playing fields and an existing residential precinct containing approximately 50 dwellings, sited between the edge of the Moore Park playing fields and north-western boundary of Centennial Park. Immediately to the east of the site is predominantly residential development, including a mixture of one to two storey residential dwellings and larger residential flat buildings, up to nine storeys in height.

Further to the east of the site is Centennial Park. Immediately to the west of the site is the Hordern Pavilion and Royal Hall of Industries buildings and additional open space of Moore Park. Sydney Boys School and Sydney Girls High School are located approximately 400 – 500 metres (m) west of the site, beyond Anzac Parade.

The subject site is not identified as having a statutory heritage listing, but is surrounded by State Heritage Items including Centennial Park, Moore Park and Queens Park, and is a significant part of the history of these parklands. The Moore Park Showground Conservation Strategy 1995 that informed the Moore Park Showground Master Plan identified a number of buildings and spaces within the subject site as having exceptional significance.

3. APPROVAL HISTORY

On 25 November 2011, the Planning Assessment Commission approved the EQ Concept Plan (MP07_0144).

The Concept Plan comprised the demolition of buildings 17 and 220, identification of six new building locations and a maximum floor area of 76,500 m² within the EQ. It also included re-allocation of floor area between the EQ and the Working Studio Precinct (Fox Studios).

Condition 5 provides the approval will lapse five years from the date of the approval unless the works subject of any related application are physically commenced before that date, other than works involving the demolition of Buildings 17 and 220.

4. PROPOSED MODIFICATION

On 3 May 2016, the Proponent lodged a section 75W modification application (MP 07_0144 MOD 1) seeking approval to extend the lapse date by two years from 25 November 2016 to 25 November 2018.

The Proponent has not physically commenced works in accordance with Condition 5 and has advised the project is on hold as it negotiates leases with potential long term tenants. The extra time is sought to allow the Proponent to satisfy the requirements of the Concept Plan, secure future tenants, and commence development on the site, consistent with the original approval.

5. STATUTORY CONSIDERATION

5.1 Section 75W

The project was originally approved under Part 3A of the EP&A Act. Although Part 3A was repealed on 1 October 2011, the project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act, and hence any modification to this approval must be made under the former section 75W of the EP&A Act. The Department is satisfied the proposed change is within the scope of section 75W of the EP&A Act, and it does not constitute a new application.

5.2 Section 75Y

Former section 75Y of the EP&A Act provides that a condition specifying a lapsing date on an approval may be modified to extend the lapsing period, and the Minister is to review the approval before extending the lapsing period. The Department has therefore reviewed the original approval, as discussed in **Section 7**.

5.3 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Executive Director, Key Sites and Industry Assessments may determine the application under delegation as:

- the relevant local Council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

6. CONSULTATION

The Department made the modification application publicly available on its website, and consulted with the City of Sydney Council (Council) about the proposed modification. Given the minor nature of the proposed modification, it was not notified by any other means.

Council did not raise any objections to the proposal, however requested the original assessment, including the Council's original submission, be reviewed as part of the modification assessment.

There were no **public** submissions received on the proposal.

7. ASSESSMENT

Section 75Y of the EP&A Act outlines that the Minister may modify the lapsing period, subject to a review of the approval before extending the lapsing period.

The Department has reviewed the original approval and Council's original submission and is satisfied there are no circumstances which have changed since the approval which would result in a different determination of the application today. In particular:

- *The strategic planning context of the site has not materially changed:*
The key planning controls for the site are set out in State Environmental Planning Policy No 47 - Moore Park Showground (SEPP 47) and have not changed since the determination of the application. Further, key strategic policies, including *A Plan for Growing Sydney*, continues to recognise the importance of Moore Park as an entertainment precinct, consistent with strategic policy at the time of the original approval.
- *The physical context of the site has not significantly changed:*
There has not been a substantial change to the site's physical surroundings. The most significant change affecting the site's physical context is the approval of the light rail along Anzac Parade. The potential for future light rail was acknowledged and considered by the Department in its original assessment of the application.
- *No changes are proposed to the development itself:*
The only aspect of the proposal sought to be modified as part of this application is the lapsing date. The current modification request does not seek to modify any other aspect of the development which would change the environmental impacts associated with the development.
- *The Department's assessment remains valid:*
The original assessment has been reviewed and the Department is satisfied the assessment remains valid today. In particular, as requested by Council, the Department has carefully considered Council's original submission. The Department notes Council did not object to the Concept Plan, but raised issues in relation to future land uses, building envelopes, impacts on open space, functionality, character and significance of the site.

With regard to future land uses, the original assessment noted the future use of the buildings would be the subject of separate development applications and subject to the

requirements of SEPP 47. The proposed envelopes were also carefully considered in the original assessment, including their impacts on the open space, site character, significance, and functionality. The assessment is considered appropriate and no aspects of this assessment have changed since the time of the original determination.

The Department is therefore satisfied the original assessment remains valid, and an extension to the lapsing period would not result in any change to the Department's original assessment, or any additional environmental impacts, beyond those already assessed and approved.

The Department considers an extension to the lapse date by two years is acceptable as the site remains suitable for the approved development and is consistent with the strategic planning context for the precinct.

The proposed modification would not alter the overall nature of the Concept Plan approval as it would continue to achieve the same objectives as the original approval.

The Department therefore recommends Condition 5 of the Concept Plan approval be amended to provide a revised lapse date of 25 November 2018, as outlined in **Appendix A**.

8. CONCLUSION

The Department has assessed the application on its merits and reviewed the original approval, consistent with section 75Y, and is satisfied it is appropriate to extend the approval lapse date by two years from 25 November 2016 to 25 November 2018.

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes the proposed modification is appropriate on the basis that:

- the extension of time would not result in any adverse impacts; and
- the extension of time does not alter the original Concept Plan approval.

Consequently, it is recommended the modification be approved subject to the recommended conditions.

9. RECOMMENDATION

It is **RECOMMENDED** the Executive Director, Key Sites and Industry Assessments as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 75W, subject to conditions; and
- **signs** the notice of modification (**Appendix A**).

Prepared by:
Adam Gauna



Anthony Witherdin
Acting Director
Modification Assessments

 29/6/16

Anthea Sargeant
Executive Director
Key Sites and Industry Assessments

APPENDIX A: NOTICE OF MODIFICATION

A copy of the notice of modification can be found on the Department's website at:

https://majorprojects.affinitylive.com/?action=view_job&id=7633

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

https://majorprojects.affinitylive.com/?action=view_job&id=7633

2. Submissions

https://majorprojects.affinitylive.com/?action=view_job&id=7633



ATTACHMENT 5



Planning & Environment

Contact: Fiona Gibson
Phone: (02) 9228 6371
Fax: (02) 9228 6555
Email: fiona.gibson@planning.nsw.gov.au

Mr Tim Atkins
Titanium Property Investment
PO Box 3335
Tamarama
NSW 2026

Our ref.: MP 07_0144 MOD 1

(via E-mail: tatkins@titaniumproperty.com.au
Cc: Bob.Chambers@bbcplanners.com.au)

Dear Mr Atkins

Determination of modification request for the Entertainment Quarter, Moore Park (MP 07_0144 MOD 1)

I am writing to inform you that the above application was approved on 29 June 2016 by the Acting Director Modification Assessments, as delegate of the Minister for Planning under Part 3A the *Environmental Planning and Assessment Act 1979*.

The notice of modification is enclosed for your records. The Environmental Assessment Report is available on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7633

For any further enquiries, please contact Fiona Gibson on 9228 6371 on or via email at fiona.gibson@planning.nsw.gov.au.

Yours sincerely,

Natasha Harras
Team Leader
Modification Assessments

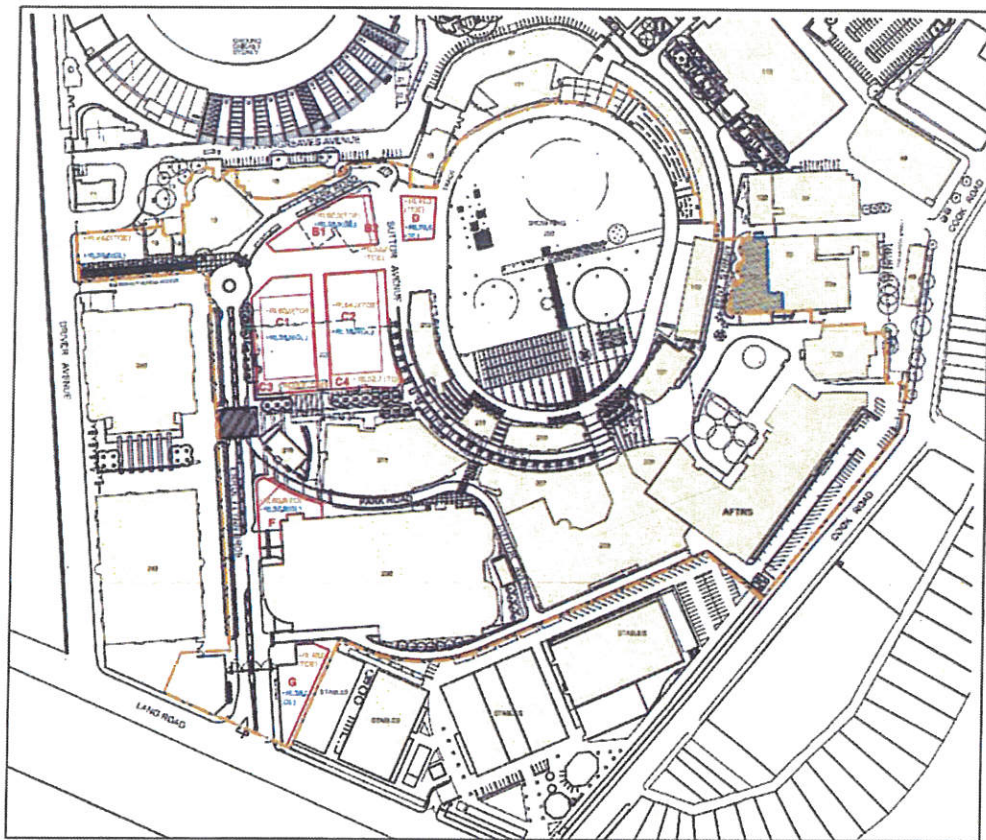


ATTACHMENT 6



Planning &
Infrastructure

**MAJOR PROJECT ASSESSMENT:
EQ, Concept Plan
Moore Park
(MP07_0144)**



Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

August, 2011

ABBREVIATIONS

CIV	Capital Investment Value
Department	Department of Planning and Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning and Infrastructure
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
MD SEPP	State Environmental Planning Policy (Major Development) 2005
SEPP No.47	State Environmental Planning Policy No.47 – Moore Park Showground
Minister	Minister for Planning and Infrastructure
PAC	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PEA	Preliminary Environmental Assessment
PFM	Planning Focus Meeting
PPR	Preferred Project Report
Proponent	Colonial First State Managed Property Ltd (CFS)
RtS	Response to Submissions

Cover Photograph: Shadow Study Model

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Published August, 2011

NSW Department of Planning and Infrastructure

Disclaimer:

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

EXECUTIVE SUMMARY

This is an assessment report of an application by BBC Consulting Planners, on behalf of Colonial First State Managed Property Ltd (the proponent), seeking concept approval for the development of the Entertainment Quarter (EQ), Moore Park, pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Concept Plan application, lodged 25 October 2007, seeks approval for the demolition of buildings 17 and 125, identification of nine (9) new building locations within the EQ and an increase of 26,187sqm of floor area in the EQ. Approval is also sought for the re-allocation of floor area between the EQ and the Working Studio Precinct (Fox Studios).

The Concept Plan application relates to the former Moore Park Showground, comprising Lots 51 and 52 in DP1041134 and now occupied by the Working Studio (Fox Studios) and the EQ. The proposed new building locations are located within the EQ, which is legally described as Lot 52 in DP 1041134 and covers an area of approximately 11.08ha. The CIV for the proposal is approximately \$90 million.

On 3 March 2008, the former Minister for Planning formed an opinion that the project was a major project under Clause 9 of Schedule 2 to the then Major Projects SEPP, as the land to which the project relates is located entirely within Map 8 of Schedule 2 and the project has a CIV greater than \$5 million. The Planning Assessment Commission is the determining authority under delegation from the Minister for Planning and Infrastructure.

The site is unzoned, but identified as being on land located within the former Moore Park Showground and is therefore subject to the provisions of *State Environmental Planning Policy No.47 – Moore Park Showground* (SEPP 47). The proposed new building locations, floor area increase and demolition works are permissible.

The Environmental Assessment (EA) was exhibited for a 30 day period from 23 September 2009 until 23 October 2009. The Department received a total of 43 submissions during the exhibition of the EA, including 5 submissions from public authorities and 38 submissions from the general public and special interest groups, including a petition and a submission from Ms Clover Moore MP, raising mostly objections to the proposal. Key issues raised in the submissions included:

- Concept Plan's compliance with SEPP 47 and concerns about future proposed building uses and the proposed transfer of floor area between the working studio and EQ;
- Concerns about building envelopes – heights, scale, design, setbacks and relationship;
- View loss;
- Heritage impacts;
- Car parking provisions, vehicular access and traffic modelling; and
- Provision of secure bicycle parking and associated amenities.

On 7 October 2010, the proponent submitted a Preferred Project Report to address issues raised by the Department, other public authorities and the public. Further amendments to the Concept Plan were undertaken in response to concerns raised by the Heritage Branch. Key modifications proposed to the Concept Plan included:

- Deletion of Buildings Envelopes A, E, H and K and retention of Building 125;
- Amendments to the proposed building envelopes and setbacks; and
- Demolition of Building 220 and creation of Buildings Envelopes C1 & C2 (previously Building C).

The Department has assessed the merits of the proposed Concept Plan and is satisfied that the impacts of the proposal have been addressed via the PPR and Statement of Commitments, and can be adequately managed through the recommended Concept Plan modifications.

The Department is also satisfied that the proposed new building locations and scale are suitable for the EQ and will maintain the heritage significance of the precinct. The proposal is consistent with strategic planning objectives, including the Metropolitan Plan and draft Sydney City Subregional Strategy, and will facilitate the future development of the EQ.

Accordingly, the Department considers the project is in the public interest and recommends that the project be approved, subject to modifications.

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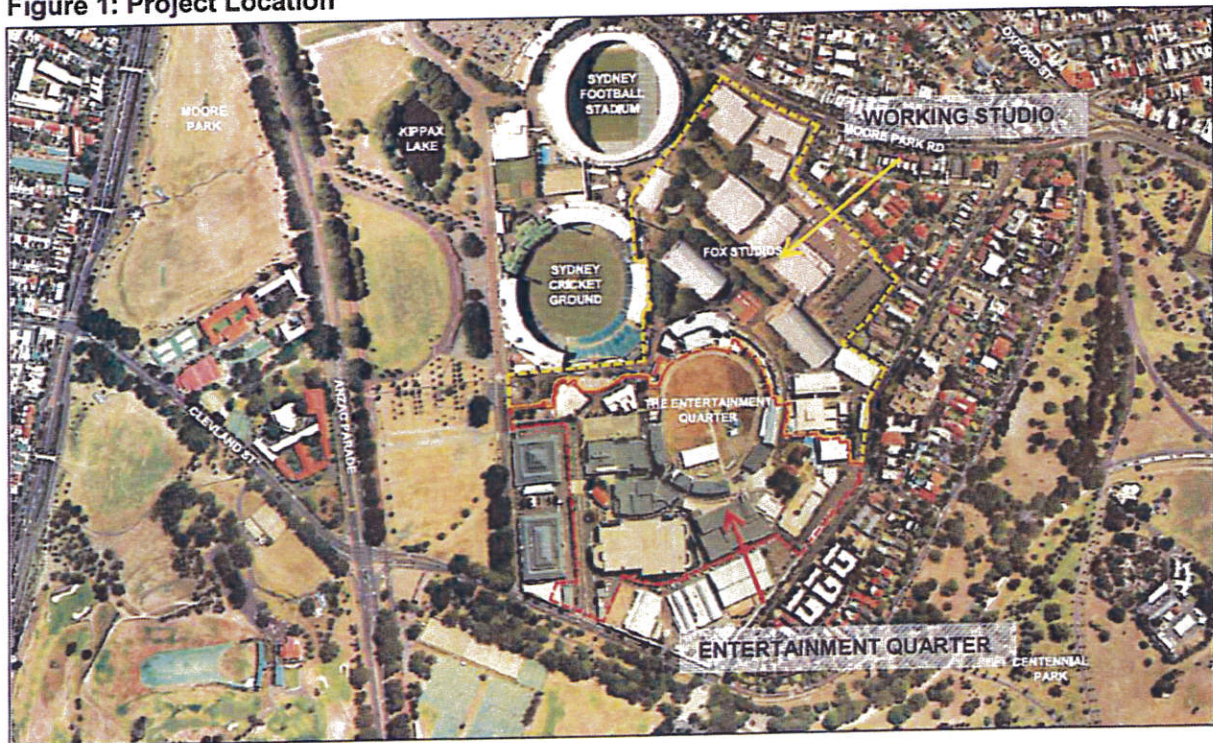
1. BACKGROUND

1.1 SITE CONTEXT AND LOCATION

Colonial First State Managed Property Ltd (the proponent) is seeking approval for the location of six (6) new building envelopes, increase of an additional 26,187sqm of floor area permitted under the former Moore Park Showground Master Plan (within the EQ), transfer of 6,000sqm of floor area from the Working Studio (Fox Studios) to the EQ and demolition of buildings 220 and 125. The site, to which this application relates, The EQ, is legally described as Lot 52 DP1041134 (see Figure 1, outlined in red).

The Centennial Park and Moore Park Trust is the owner of the former Moore Park Showground, which is now known as the EQ and Fox Studios. These precincts are leased by the trust to Colonial First State Managed Property Ltd and Fox Studios Australia Pty Ltd, respectively. The subject development site is located within Centennial Parklands, approximately 3 kilometres southeast of the Sydney CBD and 1.8 kilometres west of Bondi Junction. The location is shown in Figure 1.

Figure 1: Project Location



The EQ has an area of approximately 11.08 hectares and is bounded by the Working Studios and Sydney Cricket Ground to the north, Lang Road to the south, Cook Road to the east and Driver Avenue to the west. The EQ comprises cafes, restaurants, two cinema complexes, media and film related offices, Brent Street Studios, the Australian Film, Television and Radio School, shops, car parking and open space area, including the existing showground and parade ring. Vehicular access to the site is provided from the signalised intersection at Lang Road and Errol Flynn Boulevard. Pedestrian access is provided from Errol Flynn Boulevard and Chelmsford Avenue.

1.2 SURROUNDING DEVELOPMENT

Immediately to the north of the EQ is the Sydney Cricket Ground, Sydney Football Stadium and Fox Studios Working Studio, the latter of which forms the northern boundary of the subject site, as shown in Figure 1.

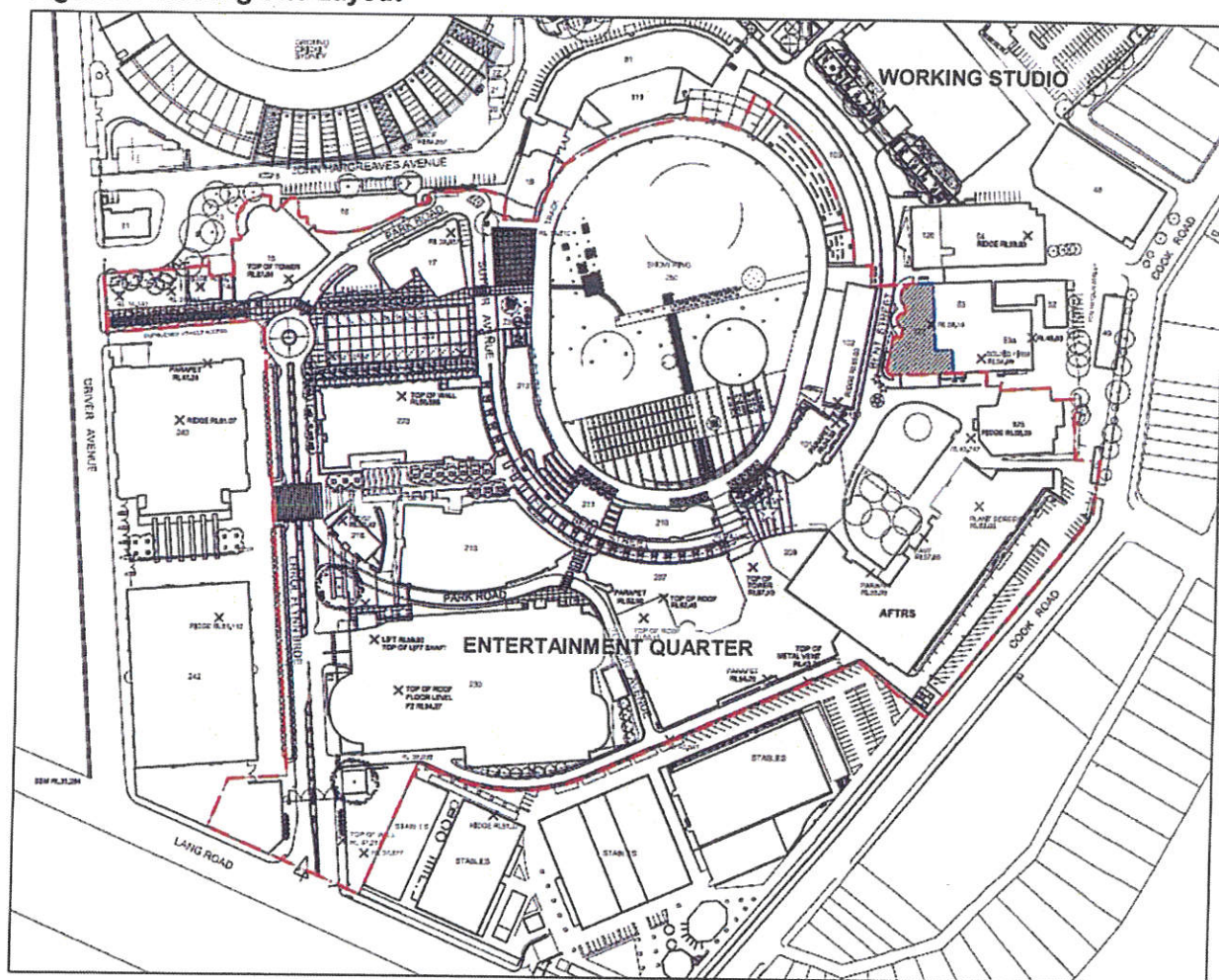
To the south of the site is the Centennial Park Equestrian Centre, Moore Park playing fields and an existing residential precinct containing approximately 50 dwellings, sited between the edge of

the Moore Park playing fields and north western boundary of Centennial Park. Immediately to the east of the site is predominantly residential development, including a mixture of 1 to 2 storey residential dwellings and larger residential flat buildings, up to 9 storeys in height.

Further to the east of the site is Centennial Park. Immediately to the west of the site is the Hordern Pavilion and Royal Hall of Industries buildings and additional open space of Moore Park. Sydney Boys School and Sydney Girls High School are located approximately 400 – 500 metres west of the site, beyond Anzac Parade.

The subject site is not identified as having a statutory heritage listing, but is surrounded by the Centennial Park, Moore Park and Queens Park State Heritage Register item and is a significant part of the history of these parklands, having once been included in the original Sydney Common area established in 1811. The Moore Park Showground Conservation Strategy 1995 that informed the Moore Park Showground Master Plan identified a number of buildings and spaces within the subject site as having exceptional significance.

Figure 2: Existing Site Layout



1.3 STRATEGIC CONTEXT

1.3.1 NSW State Plan

The proposed concept plan is consistent with the objectives of the State Plan, including increased business investment and supporting jobs. In this regard, the proposed concept plan supports a key action for NSW, cementing Sydney, and NSW as the nation's film industry hub and attracting big budget films and supporting Australian film productions. The

proposal will provide additional employment opportunities and will support increased tourism in NSW by providing a more diverse range of businesses within the EQ.

In addition to the above, the proposal will also contribute to NSW as a Green State. The future development of the proposed building envelopes will be designed to meet a minimum 5 star GreenStar building rating.

1.3.2 Metropolitan Plan for Sydney 2036

The proposal is consistent with the Metropolitan Plan for Sydney 2036 and the future directions identified by ensuring that adequate capacity for new office space is provided to support Sydney's growing economy, that opportunities to grow local creative clusters and business hubs is supported and that the mode share of public transport is significantly improved by 2036. The proposed Concept Plan will make provision for more facilities for shopping and business within the metropolitan area, and will contribute to achieving the planned 760,000 additional jobs to meet the demands of the growing Sydney population.

1.3.3 Sydney City Draft Subregional Strategy

The Sydney City Draft Subregional Strategy identifies the former Moore Park Showground as a 'small village' that is occupied by a 'cultural/recreational' industry type. The proposal is consistent with the relevant provisions of the Sydney City Draft Subregional Strategy by ensuring that the EQ's role as a cultural and recreational destination and as a support function for the Working Studio precinct of Fox Studios is maintained and enhanced by creating additional jobs that will contribute to achieving an employment capacity target of 58,000 additional jobs by 2031.

2. PROPOSED PROJECT

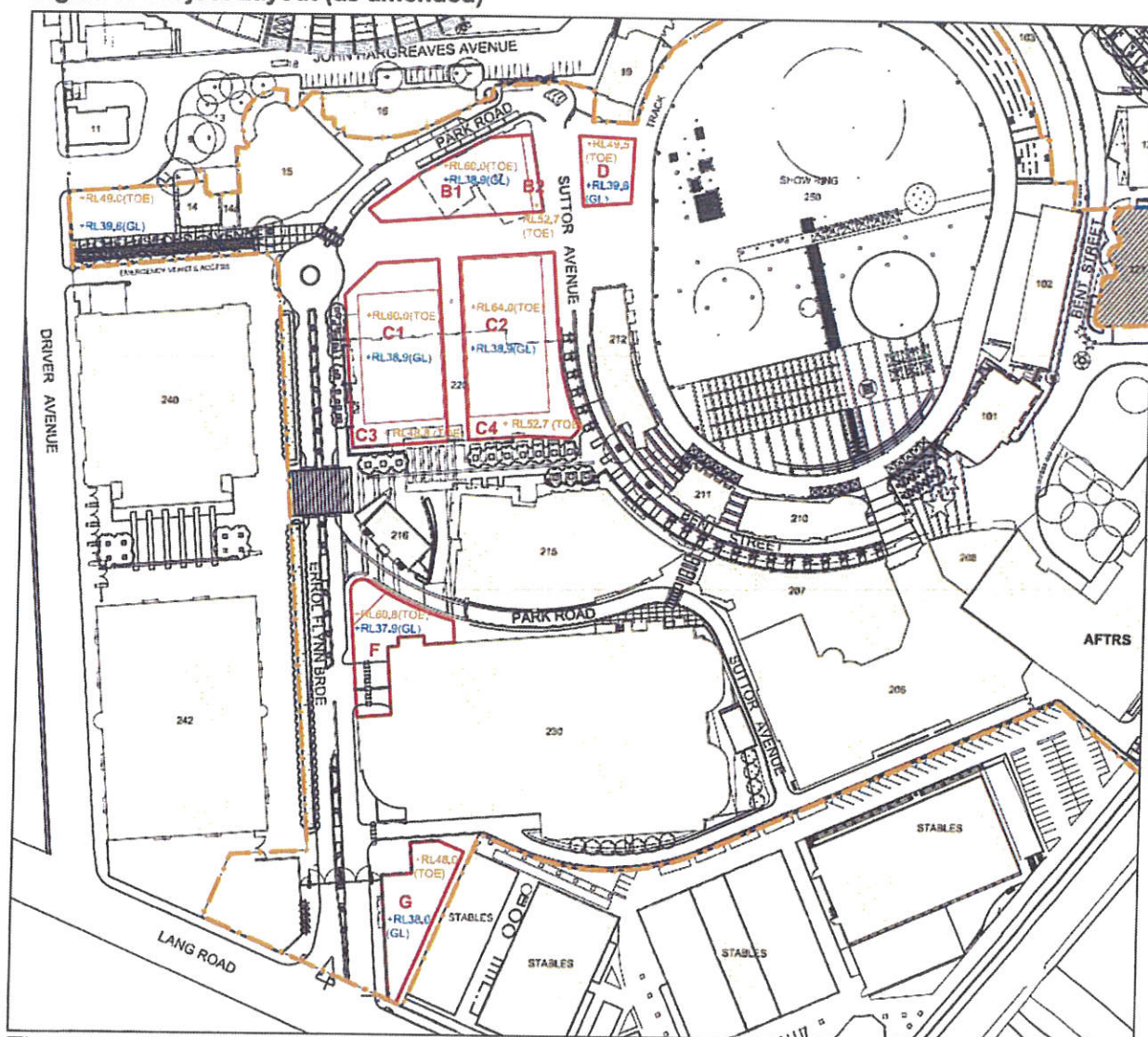
2.1 PROJECT DESCRIPTION

Concept Plan approval (modified in the PPR, as amended) is sought for:

- Identification of the location of six new buildings within the EQ precinct.
- Allocation of 26,187sqm of floor area to the EQ precinct, above that already approved under development consents.
- Allocation of 8,662sqm of floor area to the Working Studio, above that already approved under development consents.
- Resultant floor area of 76,500sqm in the EQ precinct and 67,500sqm in the Working Studio up to the 144,000sqm maximum allowed under State Environmental Planning Policy No.47 (SEPP 47).
- Demolition of Buildings 17 and 220 on the sites of Building Envelopes B and C (C1 and C2), respectively.

The proposal has a Capital Investment Value of \$90 million. The project layout is shown in Figure 3.

Figure 3: Project Layout (as amended)



The proposed new building locations are sited predominantly within the western edge of the precinct, making use of vacant or underdeveloped areas and concentrating development to

better activate Errol Flynn Boulevard. The scale of the proposed building envelopes is indicatively expressed in Figure 4 and further detailed below in Table 1.

As well as identifying the appropriate location for future built form, the Concept Plan also identifies public domain areas surrounding future development sites which are to be enhanced with landscaping and associated public domain works (i.e. paving, seating, etc). This includes the embellishment of the northern end of Suttor Avenue (flanked by proposed Building Envelopes B, C2 and D) and new east-west pedestrian link, which extends from Driver Avenue/Chelmsford Avenue through to the existing Showground Parade Ring.

Within the proponent's Statement of Commitments, a commitment has been made to the preparation of an Open Space Strategy to guide future landscaping and public domain works within the precinct.

Figure 4: Building Envelope Elevations

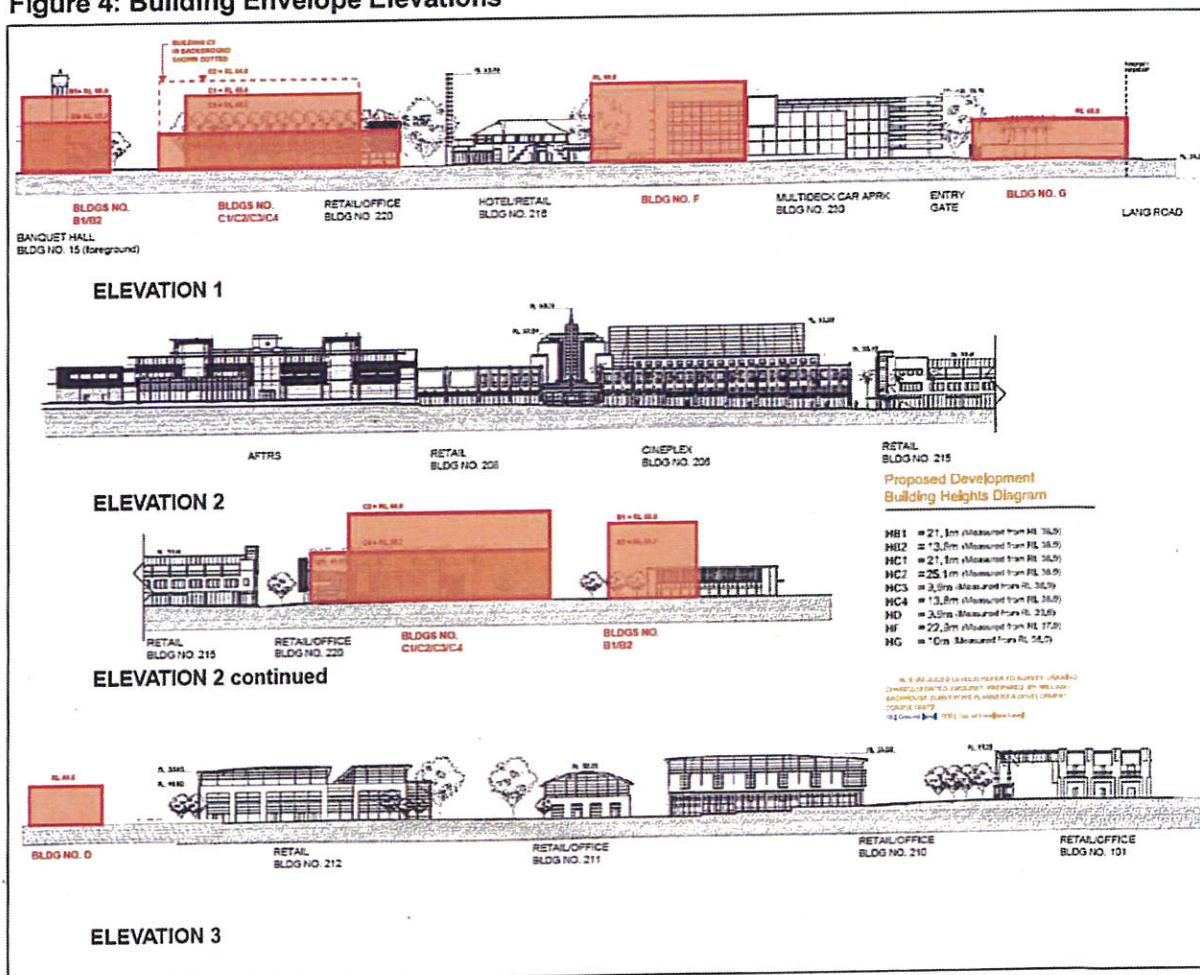


Table 1: Building Descriptions

Building Envelope	Envelope Floor Area	Envelope Height	Description
Building B	5,866sqm	13.8m – 21.1m (RL52.7 – RL60.0) (Existing Ground Level – RL38.9)	Proposed demolition of the existing Royal Agriculture Society Administration Building (Building 17). Predominant building envelope height of 21.1m (5 storeys) that steps down to 13.8m (3 storeys) along Suttor Avenue. Southern building alignment allows for the continuation of Chelmsford Avenue.

Building Envelope	Envelope Floor Area	Envelope Height	Description
<i>Building C (C1 and C2)</i>	20,020sqm	9.9m – 25.1m (RL48.8 – RL64.0) (Existing Ground Level – RL38.9)	Proposed demolition of Building 220. Building C1 – Predominant building envelope height of 21.1m that steps down to 9.9m along the Errol Flynn Boulevard, Bent Street and Chelmsford Avenue frontages. Building C2 – Predominant building envelope height of 25.1m that steps down to 13.8m along Suttor Avenue and Bent Street.
<i>Building D</i>	900sqm	9.9m (RL49.5) (Existing Ground Level – RL39.6)	Two storey building envelope setback in alignment with the edge of Suttor Avenue and Showground Parade Ring.
<i>Building F</i>	4,630sqm	22.9m (RL60.8) (Existing Ground Level – RL37.9)	Proposed six storey building envelope height to generally match existing car parking structure, while the lower two floors to Errol Flynn Boulevard and Park Road are setback to provide a direct vista to the Fox and Lion (Building 126) from Errol Flynn Boulevard.
<i>Building G</i>	1,900sqm	10.0m (RL48.0) (Existing Ground Level – RL38.0)	Two storey building envelope setback behind existing boundary wall along Errol Flynn Boulevard.

2.2 PROJECT NEED AND JUSTIFICATION

The original Master Plan was approved 3 May 1996 by the former Minister for Planning. It created a family-orientated entertainment precinct that supported the professional film and television studios, through the provision of restaurants, cafes, cinemas and film related commercial land uses in accordance with the key objectives of *State Environmental Planning Policy No.47 – Moore Park Showground*. The Master Plan provided for direct access to Lang Road and also made pedestrian access available from Driver Avenue. This project will further develop that vision established within the Master Plan, whilst enabling the realisation of the maximum floor area permitted in accordance with Clause 16 of SEPP No.47.

The Concept Plan will set the design controls and vision for future development identified within the Entertainment Precinct, while ensuring that vehicular access from Lang Road is maintained and the streetscape of Errol Flynn Boulevard is enhanced. The Concept Plan will also ensure that pedestrian access from Driver Avenue is maximised, improving the direct site lines and connections from Driver Avenue to the existing Showground Parade Ring. These principles will be later realised through individual applications.

A key direction of the Draft Sydney City Subregional Strategy is that of enhancing the City's prominence as a diverse global cultural centre. The Strategy identifies Fox Studios as playing a key role in supporting the arts and cultural life of the Sydney Region. By way of association, the EQ also plays a key role in its function as a supporting precinct of the Working Studio that offers family-orientated entertainment, itself identified as a metropolitan attractor for local residents and international tourists.

In this respect, the proposed provision for future development and associated floor area within the EQ in accordance with the provisions of Clause 16 of SEPP No.47 will have a positive effect in providing additional future employment opportunities, improved entertainment facilities and ensure

that the economic, cultural, recreational, entertainment (day and night) and Fox Studio infrastructure support functions are sustained and enhanced within the EQ precinct. In this regard, it is considered that the proposed Concept Plan is in the public interest.

2.3 PLANNING CONTEXT

2.3.1 State Environmental Planning Policy No.47 – Moore Park Showground

By the late 1980's, the operations of Sydney's Royal Easter Show had outgrown its existing Moore Park facilities. In 1994, the NSW Government approved the relocation of the Show to its current Homebush location at Sydney Olympic Park. At the same time, the future use of the Moore Park Showground was reviewed. Then in 1995, the gazettal of SEPP No.47 enabled the redevelopment of the Moore Park Showground for film and television studios and film-related entertainment facilities in a manner that is consistent with the Showground's status as an area important to the State and for regional planning. The Policy also provided a range of permissible development, which currently includes the following:

"advertisements; amusement and entertainment facilities; car and coach parking; catering facilities; child care facilities; commercial premises; demolition; drainage; external lighting; film and television studios; film-related development; fuel storage facility; landscaping; public utilities; restaurants; roads; shops; subdivision; short term accommodation."

Pursuant to Clause 16 of the SEPP, consent must not be granted to any application to erect or alter a building if the "total floor area" of buildings will exceed 144,000sqm.

2.3.2 Former Moore Park Showground Master Plan

The Moore Park Showground Master Plan (DA1/96) was approved on 3 May 1996 (see Figure 5) under Section 91AB of the EP&A Act in accordance with the requirements of SEPP 47, providing consent for a development concept, floor area, height and parking provisions. The Master Plan redevelopment provided for modifications to the showground ring, construction of a number of new buildings, modifications to the road pattern, including the creation of a new entry/exit at Errol Flynn Boulevard.

The Master Plan structured the campus style site into two separate precincts, being the Working Studio and Family Entertainment Precinct (shown in its current state in Figure 6, with the EQ boundary detailed in red). Condition 4 'Floor Area' of the Master Plan Notice of Determination approved maximum floor areas for the precincts as follows:

4. Floor Area

The total floor area of the development be generally in accordance with the Masterplan and shall not exceed 110,000sqm. The floor area shall comprise up to a maximum of:

- 73,500sqm in the Working Studio Precinct
- 36,500sqm in the Family Entertainment Precinct

Subsequent applications within the EQ precinct have resulted in the original approved maximum floor area of the Master Plan evolving as each application was considered and determined. To date, the maximum floor area within the EQ has increased to 50,313sqm, while only 58,838sqm of floor area approved within the Working Studio has been developed. These applications were considered and approved by both the Department of Planning and Infrastructure and City of Sydney Council and included a condition requiring the Master Plan to be amended to ensure the Plan was consistent with the latest approval in accordance with section 80A(1)(b) of the EP&A Act.

The original Master Plan condition and allocation across the precincts is now of no effect, and the quantum of floor area is governed only by the cap in SEPP 47, being 144,000sqm. A total of 109,151sqm of floor area has been approved and developed (50,313sqm + 58,838sqm) within the

former Moore Park Showground. This leaves a possible 34,849sqm of total floor area to be developed across both precincts.

Figure 5: Original Moore Park Showground Master Plan

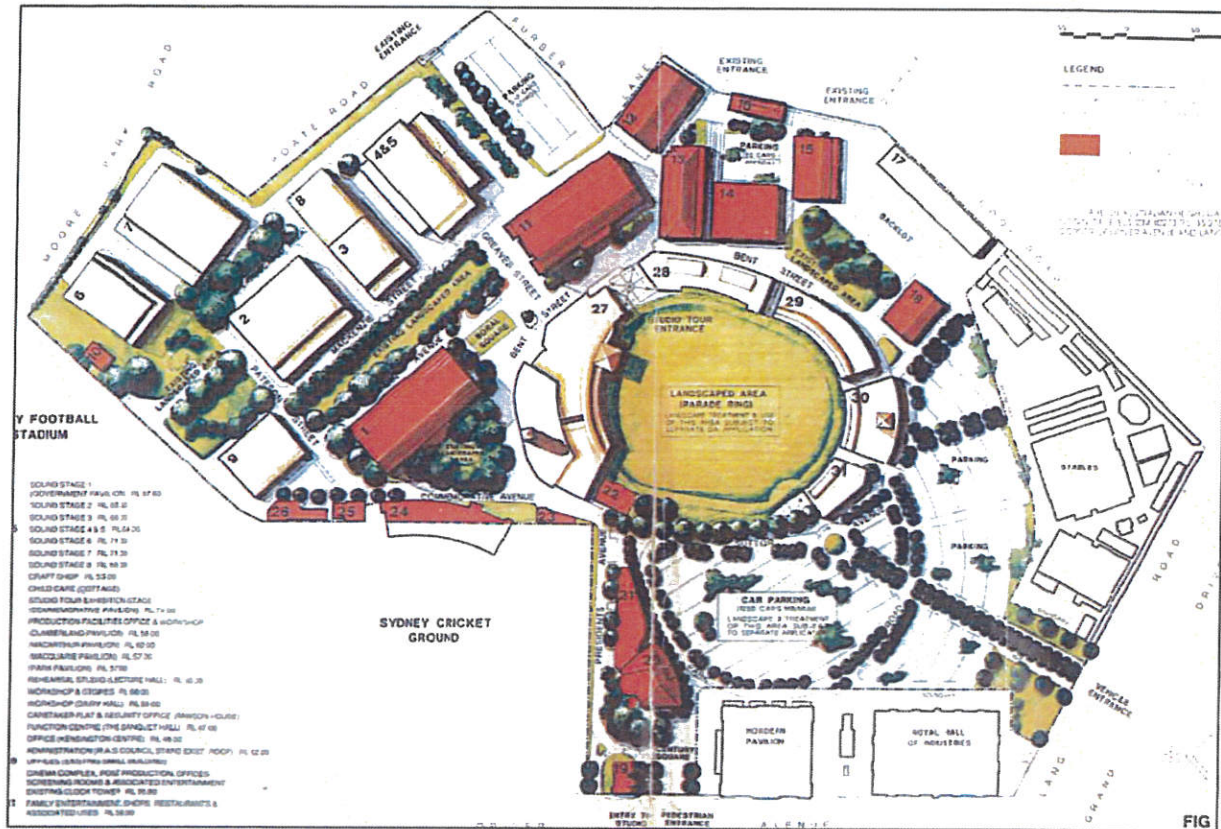
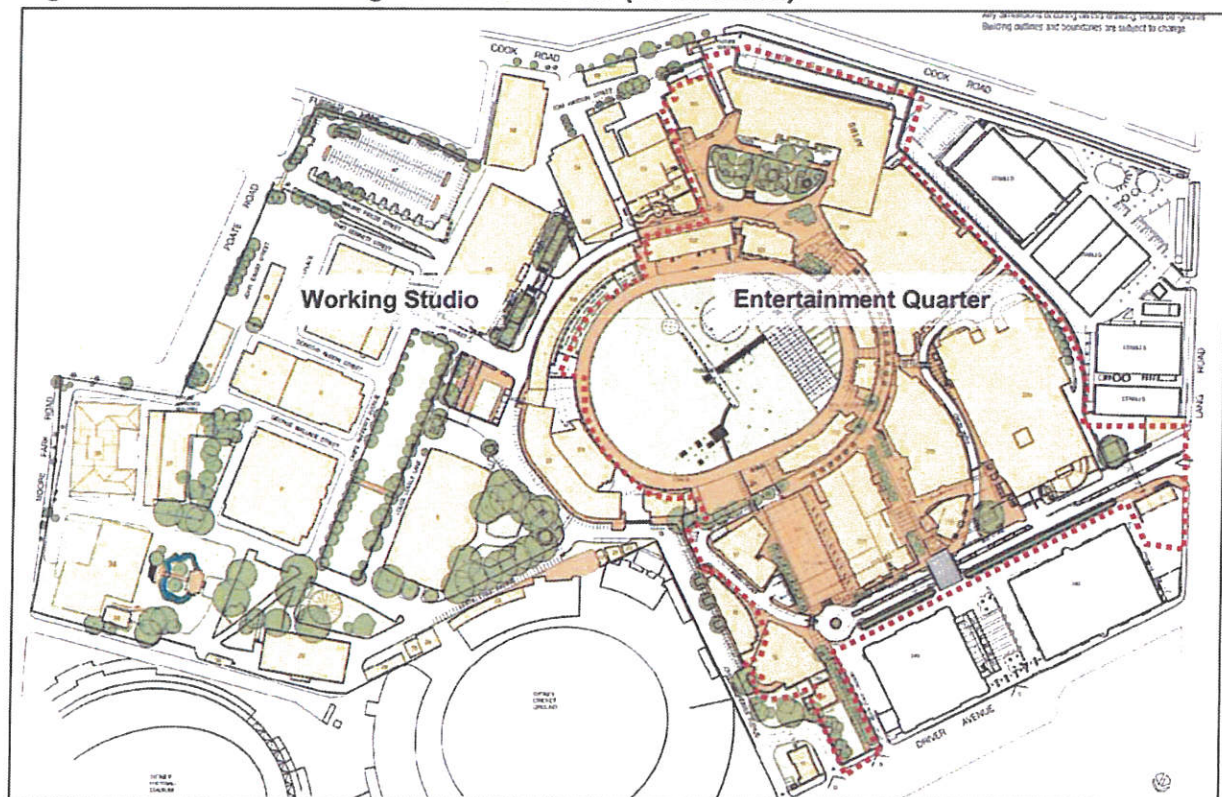


Figure 6: Moore Park Showground Master Plan (as amended)



2.3.3 Deed of Agreement

Prior to the submission of the Concept Plan, CFS and Fox Studios Australia entered into a Deed of Agreement to define the rights of each party with respect to the allocation of the remaining floor area permitted under SEPP 47. The agreement distributed floor areas between the two precincts, providing the EQ with 76,500sqm of floor area (an additional 26,187sqm of floor area over that already approved) and the Working Studio a total of 67,500sqm of floor area (an additional 8,662sqm above that already approved by development consents).

The Concept Plan seeks to implement the subject agreement between the two lessees through the identification of building envelopes and floor areas that will fulfil the remaining development potential pursuant to the SEPP. This will result in 53 per cent of the floor area being allocated to the EQ and 47 per cent of the floor area being allocated to the Working Studio.

3. STATUTORY CONTEXT

3.1 MAJOR PROJECT

The proposal was declared a major project under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) pursuant to Clause 9 of Schedule 2 of the former *State Environmental Planning Policy (Major Projects) 2005* as the project has a CIV greater than \$5 million dollars and is on land located within Map 8 of Schedule 2. It is noted that the MP SEPP was replaced with the MD SEPP, but the same provisions still apply under the MD SEPP in any case. Accordingly, Part 3A of the Act applies and the Minister for Planning and Infrastructure is the approval authority. In forming the opinion that the proposal is a Major Project, the then Minister for Planning also authorised the submission of a Concept Plan for the proposal.

On 28 May 2011, the Minister delegated his powers and functions under section 75O of the EP&A Act to the Planning Assessment Commission for:

- applications which are not for major infrastructure development and proponent is not a public authority (other than a local authority), and
- applications where a statement has been made disclosing a reportable political donation in relation to the project, and
- applications where a statement has been made disclosing a reportable political donation in connection with any previous concept or project application.

The delegation also works in conjunction with the delegations given to senior Department staff under the Ministerial Delegation issued 25 January 2010 that delegated responsibility for the determination of Concept Plan applications under Part 3A of the *Environmental Planning and Assessment Act 1979* to the Director-General where:

- there are fewer than 25 submissions in the nature of objections in respect of the concept plan application; and
- the project is not a critical infrastructure project under section 75C of the EP&A Act.

The Minister for Planning and Infrastructure has confirmed this delegation subject also to the local council not objecting to the proposal. The Concept Plan proposal received more than 25 submissions in the nature of objections. The Planning Assessment Commission is therefore the determining authority for the Concept Plan.

It is noted that of the 36 public submissions in the nature of objections, 12 submissions were from residents concerned about view impacts generated by Building Envelope K, adjacent to Cook Road. However, Building Envelope K has since been removed in the PPR.

3.2 PERMISSIBILITY

The subject site is located within the former Moore Park Showground and is therefore subject to the provisions of *State Environmental Planning Policy No.47 – Moore Park Showground*. The proposed new building locations, increases to the total floor area within the EQ and demolition works are permissible with consent under the provisions of the SEPP.

3.3 ENVIRONMENTAL PLANNING INSTRUMENTS

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project.

The Department's consideration of relevant SEPPs and EPIs is provided in **Appendix D**.

3.4 OBJECTS OF THE EP&A ACT

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The relevant objects are:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Department has considered the Objects of the EP&A Act and considers that the application is consistent with the relevant objects. The assessment of the application in relation to these relevant objects is provided in Section 5 of this report.

3.5 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*

- (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
- (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*

In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

In this regard, the subject proposal seeks approval for demolition works and the location and envelope size of future proposed buildings. Importantly, the proponent has advised of their commitment to achieving a minimum 5 Green Star rating for future buildings, noting that the EQ and Fox Studios exhibit a consistent approach to applying ESD principles.

To ensure that these principles are applied to the design, development and operation of future buildings, as proposed within the Concept Plan, a modification to the Concept Plan is recommended requiring that all future site specific building designs achieve a minimum 5 Green Star rating.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the application. On the basis of this assessment, the Department is satisfied that the proposal encourages ESD, in accordance with the objects of the EP&A Act.

3.6 STATEMENT OF COMPLIANCE

In accordance with section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1 EXHIBITION

Under section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment (EA) of an application publicly available for at least 30 days. After accepting the EA, the Department publicly exhibited it from 23 September 2009 until 23 October 2009 (30 days) on the Department's website, and at the Department's Information Centre and the City of Sydney Council office. The Department also advertised the public exhibition in the Sydney Morning Herald and the Daily Telegraph on the 23 September 2009, and notified landholders and relevant State and local government authorities in writing.

The Department received 43 submissions during the exhibition of the EA, including 5 submissions from public authorities, one submission from Ms Clover Moore MP, a petition with 15 signatures and 36 submissions from the general public and special interest groups, the majority of which object or raised issues of concern. A summary of the issues raised in submissions is provided below.

4.2 PUBLIC AUTHORITY SUBMISSIONS

A total of 4 submissions were received from public authorities. A summary of the issues raised in the submissions is provided below and a link to the submissions is included in Appendix B. The Department's consideration of key issues raised in submissions is contained in Section 4 of this report. Appropriate Concept Plan modifications have been recommended where requested by agencies.

4.2.1 Roads and Traffic Authority (RTA) – Sydney Regional Development Advisory Committee

During the exhibition of the Concept Plan, the RTA raised some matters regarding the lack of detail provided within the original EA and also provided some general comments, as summarised below:

- The proposed vehicular access arrangements detailed are insufficient to undertake assessment;
- A number of discrepancies exist in the SCATES analysis undertaken. The RTA requires the intersections to be remodelled and results submitted prior to consideration of any future applications;
- The concept plan does not provide details of car parking areas, internal circulating roads, loading bays or service facilities. Details are to be submitted with future applications;
- The RTA considers the existing provision of bicycle parking, at 3%, caters for existing uses only. Bicycle provision should be catered for 5-6% of staff to promote increased usage;
- Detailed traffic and car parking assessments are to be submitted with future applications; and
- Construction traffic management plans for each future application should be submitted for approval prior to the issue of a construction certificate.

Comment

The Department has considered the above issues raised by the RTA in Section 5 of this report and also recommended appropriate modifications to the Concept Plan to address these issues, where relevant, including the requirement for increased bicycle parking.

4.2.2 Transport NSW

Transport NSW raised no objections to the proposal, however, provided some general comments as summarised below:

- Supports car parking cap and commitment to prepare work place travel plans which should be reflected in any approval; and
- Recommends conditions for the provision of secure bicycle parking for employees and visitors, including amenity facilities for employees to encourage cycling and walking.

Comment

The Department has recommended a modification to the Concept Plan identifying the requirement for each future application to address the provisions of secure bicycle parking. This matter has been addressed further in Section 5 of this report.

4.2.3 City of Sydney Council

The City of Sydney did not object outright to the concept plan but raised a number of concerns about the lack of information on future land uses, proposed development of existing open space and location of a number of building envelopes. No objection was raised to the proposed demolition works, given the low heritage significance of the buildings identified for demolition. Specifically, the key issues are summarised below:

- The City is concerned about lack of detail regarding the future proposed land uses and impact that the proposed location of building envelopes will have on existing open space and functionality of the site during large events;
- The City raises no objection to the demolition of the existing Agricultural Society Administration building at proposed Building B;
- Proposed Building A should be setback in alignment with existing development adjacent and setback from the existing masonry boundary wall along Driver Avenue;
- The spacing proposed between Buildings B & C should be increased to maintain view corridor between Chelmsford Avenue and the Showground Parade Ring;
- The upper levels of proposed Buildings B, C & D will block views of the existing clock tower on Byron Kennedy Hall from the Showground Parade Ring. Massing on Building B above RL49.5 should be setback from southern boundary of the site to maintain view of the clock tower;
- Building C1 should not exceed three levels in height in accordance with recommendations provided within the Heritage Impact Statement;
- Building D to be reduced in width and realigned to match the alignment of the building to the north and result in a high quality design relationship with the Showground Parade Ring. No objections are raised to the proposed location of Building E;
- The City raises concerns about the proposed location of Building F and its impact on the existing Fox & Lion Hotel, Royal Hall of Industries and resultant loss of a fig tree. Recommends that height of Building F be reduced to existing car park parapet and design to include a corner building element. Further, given the existing condition of the Fig trees, it is recommended that a new fig tree be replaced elsewhere in EQ;
- Proposed Building G is considered generally acceptable, subject to the retention of the Lang Road and Errol Flynn boundary walls and provision of setback from Lang Road boundary wall;
- No objections raised in relation to proposed Buildings H & K;
- The City supports the request by Transport NSW for a car parking cap. Further, consultation should be conducted with RTA on the functionality of the intersection of Anzac Parade, Lang Road and Cleveland Street;

- General concern raised by the City in relation to the potential for the proposal to result in an accumulated loss of character and significance of the site, particularly with regard to view loss, open space and heritage significance;
- City considers it necessary for a strategy to be prepared before the design of the individual buildings are developed further to provide guidance for future landscaping and use of open space. These recommendations from the strategy should then be integrated into the Master Plan.
- The proposed height and massing of the proposed building envelopes do not reflect the existing strong parapet height of buildings along Showground Parade Ring. The Master Plan should include clear objectives relating to urban design principles; and
- Building alignments, massing and setbacks above key RLs and view corridors should be identified as controls in Master Plan. Specifically, adjustments to building footprints as suggested should be made and ensure a more appropriate height and massing for Building B and C and not proceed with Building F.

Comment

The revised building envelope designs proposed within the PPR, and as further amended following comments from the Heritage Branch, provide for improved visual and pedestrian connections to the parade ring open space, whilst remaining sympathetic to the existing heritage significance of the surrounding environment. Further, the deletion of a number of proposed buildings from the Concept Plan proposal, including Building Envelopes A, E and K, ensure that much of the existing open space within the EQ is not impacted upon and the views enjoyed by residents in Cook Road are retained. The Department has addressed the main concerns of the City of Sydney in Section 5 of this report and recommends modifications where appropriate and relevant.

4.2.4 Centennial Park and Moore Part Trust (CP&MPT)

The CP&MPT raised a number of concerns with the original EA and requested that the proponent provide additional information and consider revisions to the proposed Concept Plan layout. Specifically, the key issues and comments are summarised below:

- Limited details have been provided in relation to the proposed future land uses of the additional floor area and the possible inconsistency these future uses may have with permissible development under SEPP 47;
- The proposed location of, and building envelopes for the proposed sites;
- The potential impacts on significant views and heritage items;
- Lack of detailed urban design guidelines to guide future applications and control the form of any new development;
- Inadequacy of traffic and parking assessment given the use of out of date data and proposed cap on car parking on site;
- Loss of green space, with no proposal for its reinstatement elsewhere on site;
- The permanent relocation of the children's playground to the historic showground ring;
- Possible inconsistency with the Ministerial Corporation of Industry (MCI) Agreement which also applies to the site and in particular the covenants relating to:
 - use of non-studio area for the purposes of a Family Entertainment Complex;
 - maintaining public access;
 - maintaining the outstanding heritage and cultural significance of the site; and
 - high quality family entertainment.
- Site A is not supported due to impact on views from Driver Avenue, impact on existing heritage listed Commonwealth building and loss of green space;

- Sites B, C, D & E will impact on site lines from Driver Avenue to the Showground Parade Ring and should be setback further to provide active pedestrian and visual connections. Maximum envelope heights should match existing adjacent development;
- Agree that development of Site F is appropriate subject to increasing setbacks along Park road to provide a landscape buffer and reinforce historic setting and views from the Fox & Lion Hotel;
- Development of Site G should be setback behind the boundary wall and not incorporated into the development due to the heritage significance of wall. Maximum height and roof line should not compete with adjoining Centennial Park Equestrian Centre stables and Royal Hall of Industries;
- Agree that development of Site H is acceptable and should be consistent with street wall height along Bent Street;
- Agree that development of Site K is acceptable subject to maximum height not exceeding adjacent AFTRS building and incorporation of design guidelines to minimise view loss;
- In general CP&MPT supports enabling the remaining floor area permitted under the SEPP to be taken up within the EQ. However, CP&MPT has significant concerns about the potential impact a number of buildings would have on adjacent heritage buildings and items, loss of open space, and impact on significant views and vistas; and
- CP&MPT believes there is potential for the additional floor area to be accommodated within the core area of the EQ, by adding to existing buildings which do not impact on key views or heritage items.

Comment

The proponent met with the Trust prior to the preparation and submission of the PPR to discuss the Trust's concerns. In reviewing the PPR, the Trust noted that a number of the changes in the PPR, including the deleted building envelopes and modified envelope designs, addressed their concerns and were also consistent with urban design advice prepared on behalf of the Trust in response to the proposal.

Notwithstanding this, it is noted that the Trust remains concerned regarding the lack of land use details and urban design controls and the capping of the current car parking levels. The Department has addressed the main concerns and issues raised by the CP&MPT within Section 5 of this report and recommended modifications to the Concept Plan where appropriate.

4.2.5 NSW Heritage

The Heritage Branch provided comments in relation to the potential impact of the proposal on items identified as having 'exceptional significance' within the Moore Park Showground Conservation Strategy 1995 (MPSCS), in particular Century Square and Chelmsford Avenue. Building Envelopes A and B are proposed within the sensitive locations and are identified as having potential impact. The Heritage Branch considers that the floorspace allocated in these locations should be relocated so as to preserve the significance of the Century Square open space and alignment of Chelmsford Avenue. In summary, the Heritage Branch provided the following advice:

- **Building A:** the redevelopment of this site would have unacceptable impacts on the exceptional significance of this area. The Heritage Branch considers that the building floorspace proposed for this site should be relocated elsewhere within the Showground site to an area of lower heritage significance;
- **Building B:** the building envelope in this location should be revised to ensure the Chelmsford Avenue alignment is not encroached;

- **Building C:** the Heritage Branch has no objections to the floorspace in this location subject to the clarification of why a former building in this location was considered intrusive;
- **Building D:** this envelope should be revised to ensure the Chelmsford Avenue alignment is not encroached;
- **Building F:** the Heritage Branch has no objections to the floorspace subject to clarification provided identifying where the Fig Tree will be relocated. The heritage Branch also does not support a proposed form with the setbacks at ground level and overhanging upper levels; and
- **Building G:** no objections are raised to the additional floorspace in this location.

Comment

In response to the comments provided from the Heritage Branch, the proponent provided a response accompanied by new plans amending the proposal. The amended plans detail the deletion of Building Envelope A to preserve Century Square and a reduced envelope footprint for Building Envelopes B and D to accommodate the continuation of Chelmsford Avenue and retain the heritage significance of the site. The amendments to Building Envelopes A, B and D result in further amendments to Building Envelope C to accommodate the redistribution of amended floor area.

The Department has addressed the comments provided by the Heritage Branch within Sections 5.3.1 and 5.5 of this report.

4.3 PUBLIC SUBMISSIONS

A total of 38 submissions were received from the public, including a petition containing 15 signatures, a submission from the Centennial Park Residents Association and a submission from Clover Moore MP, which is outlined on in Section 4.3.1.

Of the 38 public submissions, 35 (97%) objected to the project and 1 (3%) provided support for the project. It is noted that of the total number of public submissions received, 12 submissions or approximately 31.5 per cent were from residents concerned about view impacts generated by Building Envelope K adjacent to Cook Road. However, Building Envelope K has since been removed in the PPR. The key issues raised in public submissions are listed in Table 2

Table 2: Summary of Issues Raised

Issue	Proportion of submissions (%)
Insufficient information regarding proposed building uses	72%
Traffic impacts	53%
Impacts on residential amenity – noise and pollution	39%
Loss of open space and recreational facilities	33%
View loss impacts on Cook Road properties	31.5%
Increased demand for parking and pressures on existing street parking	25%
Height, bulk and scale of proposed buildings	22%
Overdevelopment and intensification of EQ	16.5%
Unacceptable use of public land	16.5%
Impacts on heritage and cultural values of former Moore Park Showground	14%
Increase in floor area, particularly commercial and retail floor area	14%

Issue	Proportion of submissions (%)
Insufficient community consultation	8%
Loss of Working Studio floor area	5.5%
Negative impacts of heavy industry uses	5.5%
Owners consent not provided from CP&MPT	5.5%
Amendments to lease agreements and legislation	5.5%
Lack of public transport to support existing and future development	5.5%
Accuracy of information	3%

4.3.1 Clover Moore MP

Ms Moore raised a number of objections to the proposal. The key issues and comments are summarised below:

- The proposed Concept Plan continues the trend over the last five years to exploit the original purpose of the lease of the site primarily for film studios, and turn it into a general development site for uses unrelated to film production;
- Opposes the transfer of 6,000sqm of floor area from the working studio precinct to the Entertainment Precinct;
- There is a lack of detail on the proposed land uses. The community cannot estimate the accumulative impact of the proposed Concept Plan without knowing the function of all the proposed buildings;
- The Concept Plan should not magnify the already critical parking and traffic impacts around the site or degrade the enjoyment of open space activities within the site;
- The site is historically part of the parklands and has significant heritage and open space values. There are community and heritage concerns about proposed building heights which are out of character and excessive for this heritage precinct and are not appropriate for the amenity of surrounding residential areas;
- The proposal does not justify the loss of open space. The Heritage Impact Statement identifies that the loss of open space has the potential to adversely impact on the former Showground heritage; and
- The proposed Concept Plan is part of an attempt to frustrate this legislated public interest purpose for the gradual appropriation of the land for development.

Comment

The issues raised by Clover Moore MP have been addressed within Sections 2.4 and 5 of this report and recommended modifications to the Concept Plan where justified. It is noted that the proponent has committed to the preparation of an Open Space Strategy for the site, which will be required (via a recommended modification) to be submitted prior to the lodgement of any future project or development applications for built form enabled by this Concept Plan. Furthermore, in striving to reduce vehicle dependency, the proponent has also committed to the preparation of Travel Demand Management Plans for any site specific project or development application.

The Department has considered the issues raised in submissions in its assessment of the project.

4.4 PROPONENT'S RESPONSE TO SUBMISSIONS

The proponent provided a response to submissions on 7 October 2010 (see Appendix C). The proponent's Preferred Project Report provided a response to the issues raised during

exhibition and proposed amendments to the overall concept plan, including the deletion of Building Envelopes E, H and K. Further amendments to the Concept Plan were undertaken following consideration of comments provided by the Heritage Branch. The key changes to the exhibited proposal to that for which approval is sought include:

- Deletion of Building Envelopes A, E, H and K from the Concept Plan proposal;
- Minor amendment to footprint and floor area of Building Envelope B (increasing from 5,600sqm to 5,866sqm), including the truncation of the northern and western corners of the building envelope and increasing its height from RL56.1 to a predominant height of RL60.0 that steps down to RL52.7 adjacent to Suttor Avenue;
- Deletion of existing Building 220 to accommodate an amended and enlarged Building Envelope C footprint, separated into two envelopes (C1 and C2) and providing a wider pedestrian corridor from Driver Avenue through to the Showground Parade Ring, preserving the Chelmsford Avenue alignment. The amended envelope design also increases the maximum height from RL52.7 to RL64.0, stepping down to RL48.8 and RL52.7 along the envelope frontages. An increase to maximum floor area of the envelope is also proposed from 8,007sqm to 20,020sqm;
- Minor reduction in footprint and floor area of Building Envelope D (1,000sqm to 900sqm) to better match the character and scale of the existing built form fronting the Showground Parade Ring and allow for the continuation of Chelmsford Avenue;
- Building Envelope F has been amended, setting back the lower two floors to provide greater visual representation of existing Building 126 (Fox & Lion Hotel) and retain the important vista from Errol Flynn Boulevard. The amended envelope results in a decrease to the maximum floor area from 4830sqm to 4630sqm;
- Retention of Building 125 (by virtue of the deletion of Building K from proposal).

Included within the proponent's PPR submission were responses to the concerns raised by the RTA and updated parking accumulation data, which was referred to the RTA for review on 11 October 2010. Within the RTA's response, dated 25 November 2010, the following comments were provided:

- Concern is raised with regard to the significant increase in queue lengths. The developer shall investigate appropriate measures to mitigate traffic impacts of the proposed development on the Anzac Parade/Cleveland Street/Lang Road intersection. Further analysis shall be undertaken in order to minimise the traffic impacts on Anzac Parade, which is a state road and major public transport corridor.

In response to the RTA's request for additional modelling and analysis of the proposal's impact on the local traffic network, further intersection modelling was undertaken by the proponent and forwarded to the RTA on 21 January 2011 for further review. On 25 February 2011, the RTA wrote to the Department, advising that the proponent's revised modelling satisfactorily demonstrated that the traffic generated by the proposed development would detrimentally impact on nearby state roads. This is discussed further in Section 5.5 of this report.

5. ASSESSMENT

The Department considers the key environmental issues for the project to be:

- Transfer of floor area;
- Future land use permissibility (SEPP No.47 – Moore Park Showground);
- Built form and urban design;
- Heritage;
- Transport;
- Environmental and residential amenity; and
- Demolition.

5.1 TRANSFER OF FLOOR AREA

Concern has been raised in relation to the proposed 'transfer' of 6,000sqm of floor area from the Working Studio to the EQ and its consistency with the aims and objectives of SEPP 47, in furthering the development of Sydney as a world class film, television and video production centre. As based on the Deed of Agreement arrangement between CFS (EQ) and Fox Studios Australia (Working Studio), the Concept Plan proposal seeks to allocate the EQ with 76,500sqm of floor area (an additional 26,187sqm above that already approved to date) and the Working Studio a total of 67,500sqm of floor area (an additional 8,662sqm above the 58,838sqm of floor area approved to date). This is indicated in Table 3, below.

Table 3: Floor Area Breakdown

	Master Plan Approval	Actually Constructed	Now Sought	Balance Remaining
Working Studio	73,500sqm	58,838sqm	67,500sqm	8,662sqm
Entertainment Quarter	35,500sqm	50,313sqm	76,500sqm	26,187sqm
TOTAL	110,000sqm	109,151sqm	144,000sqm	34,849sqm

The allocation of floor area defined in the Concept Plan proposal includes what is described by the proponent, as being a 'transfer' of 6,000sqm of floor area from the Working Studio to the EQ. The 6,000sqm transfer forms part of the now proposed floor area allocation, compared to that allowed by the original condition 4 of the Master Plan approval. As indicated in section 2.3.2 above, the original Master Plan approved 73,500sqm of floor area to the Working Studio and 36,000sqm of floor area to the EQ. The 6,000sqm is the difference between the original approved floor area approved within the Working Studio under the Master Plan and the 67,500sqm now proposed under the Concept Plan.

Proportionally, the floor area between the two precincts has already evolved beyond the previous Master Plan approved 70 per cent / 30 per cent Working Studio/EQ floor area distribution. It is noted that this distribution was based on a maximum of 110,000sqm of floor area, not the 144,000sqm of floor area approved under SEPP 47. Under the proposed Concept Plan, the proponent proposes that 53 per cent of the floor area be allocated to the EQ and 47 per cent of the floor area be allocated to the Working Studio.

In this respect, SEPP 47 provides no indication or direction as to the distribution of floor area between either precincts, but rather provides aims and objectives that apply to the entire Moore Park Showground, inclusive of both the Working Studio and EQ.

The proposed floor area distribution sought as part of the Concept Plan will result in only a minor reduction to the development potential within the Working Studio. The proponent points out that a further 8,662sqm of floor area would remain available for development within the Working Studio. Details provided within the proponent's audit of floor area of the Working Studio (Appendix 9b of the EA) demonstrate that many of the larger film and television uses, such as existing sound stages and work shops, have floor areas ranging

from approximately 1,500sqm to 4,000sqm. This indicates the opportunity for the remaining 8,662sqm of floor area to be redeveloped into an additional 2 to 4 sound stages or work shops within the Working Studio precinct.

Further, the proponent's EA details that future land uses within the EQ are likely to mirror that of the existing land uses, predominantly office/commercial (film related) and cinema/entertainment/recreational purposes. Currently, office/commercial land uses account for approximately 50% of the floor area within the EQ. In addition to the remaining floor area within the Working Studio, the additional floor area proposed within the EQ will provide opportunities for the establishment of more film associated commercial developments, further reinforcing the role of the former Moore Park Showground as a hub for film and television production.

In this respect, the Department considers that the floor area allocation of 76,500sqm to the EQ and 67,500sqm to the Working Studio will ensure that the ability to further develop Sydney as a "...world class film, television and video production centre..." is maintained. Furthermore, SEPP 47 clearly defines land uses that are permissible within the precinct. The likely future increase in film and television related office and commercial land uses within the EQ will ensure that the role and function of Moore Park Showground will not be detrimentally impacted upon by the 'transfer' of 6,000sqm from the Working Studio to the EQ.

A modification to the Concept Plan is recommended requiring that the approved EQ Concept Plan supersedes the Moore Park Showground Master Plan DA1/96 consent where relevant, including floor area allocation between the precincts and location of future building envelopes within the EQ (Modification 3).

5.2 FUTURE LAND USE PERMISSIBILITY

As proposed, the Concept Plan seeks approval for building envelopes only, including their maximum floor area and heights. Concern was raised during the exhibition in relation to the lack of detail regarding the future proposed uses within the buildings. The proponent has maintained the position that the future land uses will be determined based on future tenancy demand and subject to their separate approval pursuant to the provision of SEPP 47.

The SEPP permits a number of land uses within the EQ, subject to approval from either the City of Sydney Council or the Minister. In this respect, it is proposed that future development with a CIV greater than \$10 million will be considered State Significant Development (SSD) under the new proposed State and Regional Development SEPP. Determination of future SSD Development Applications will be subject to the Minister's consent. Conversely, Development Application proposals that have a CIV of less than \$10 million will be subject to assessment and determination by the City of Sydney Council.

As noted within the proponent's Economic Impact Assessment, the EQ offers a different function to that of traditional retail environments, such as Bondi Junction or Oxford Street. Major attractors, such as the cinema complexes, The Comedy Store, Strike Bowling Bar, Bavarian Bier Café and Fox & Lion Hotel and weekend and weekday Village Markets are key land uses that currently operate within the EQ and make a significant contribution to its character as an entertainment destination.

The proponent identified potential land uses within the EA for each building, which are similar to those currently operating within the precinct, including commercial/office, restaurant and shop uses. Further, proposed Building F was identified as having future potential for 'short term accommodation' purposes. Clause 7 of SEPP 47 stipulates the definitions of the permitted land uses within the EQ as follows:

- **'commercial premises'** means a building used for the purposes of administration, or for clerical, technical, professional or other specific activities, related to the film, television and video industry.'
- **'film-related development'** means all development associated with, complementary to or necessary to support film, television or video production, including exhibitions, post production facilities, satellite communications, storage facilities, offices, shops, restaurants and catering facilities.'
- **'shop'** means a building or place used for the purpose of selling merchandise or materials or food, but does not include a building or place elsewhere defined in this Policy.'
- **'short term accommodation'** means a building or place used for the purposes of temporary accommodation for persons employed in the film, television and video industry.'
- **'restaurant'** means a building or place, the principal purpose of which is the provision of food or beverages to people for consumption in or at that building or place.'

It should be noted that the above definitions provide specific requirements for those particular land uses, namely 'commercial premises', 'short term accommodation' and 'film-related development'. In this respect, any proposed land use of this type must be for purposes related to the film, television and video industry.

It is clear that there is a commitment from the proponent to continue the general character of land uses that currently operate within the EQ, in particular the future film, television and video orientation of the precinct, all of which have been subject to approval under the provisions of SEPP 47.

Further, future land uses within the precinct will be subject to the aims and objectives of the SEPP and required to conform to the land use definitions identified with clause 7 of the SEPP to ensure their permissibility. A requirement for all future applications for each of the proposed 6 buildings will be to detail the proposed land uses and demonstrate the permissibility of those land uses in accordance with the provisions of the SEPP (Condition 1, Schedule 3).

5.3 BUILT FORM AND URBAN DESIGN

5.3.1 Bulk and Scale

In response to submissions received during exhibition and concerns raised, particularly those raised by the NSW Heritage Branch, further analysis of the original 9 building envelopes proposed was undertaken by the proponent. As a consequence, Building Envelopes A, E, H and K have been deleted from the original proposal. The proposed Concept Plan (as amended) comprises 6 new building envelopes (Building Envelopes B, C1, C2, D, F and G), varying in height from RL49.0 to RL64.0 (9.4m to 25.1m) and the demolition of existing Buildings 17 and 220.

Alternative options to accommodate the floor area of the deleted Building Envelopes were resolved, with the greatest changes seen within the form of Building Envelope C. The amended envelope design was increased in height and footprint, accommodating two separate envelopes C1 and C2 and the demolition of Building 220.

The modifications to the proposal alleviated impacts previously associated with Building Envelope K on Cook Road residents and concerns raised by the NSW Heritage Branch in relation to Building Envelope A.

A summary of the evolution and comparison of the building envelopes from EA to PPR is detailed by Figures 7 and 8 and within Table 4.

Figure 7: EA Building Envelopes

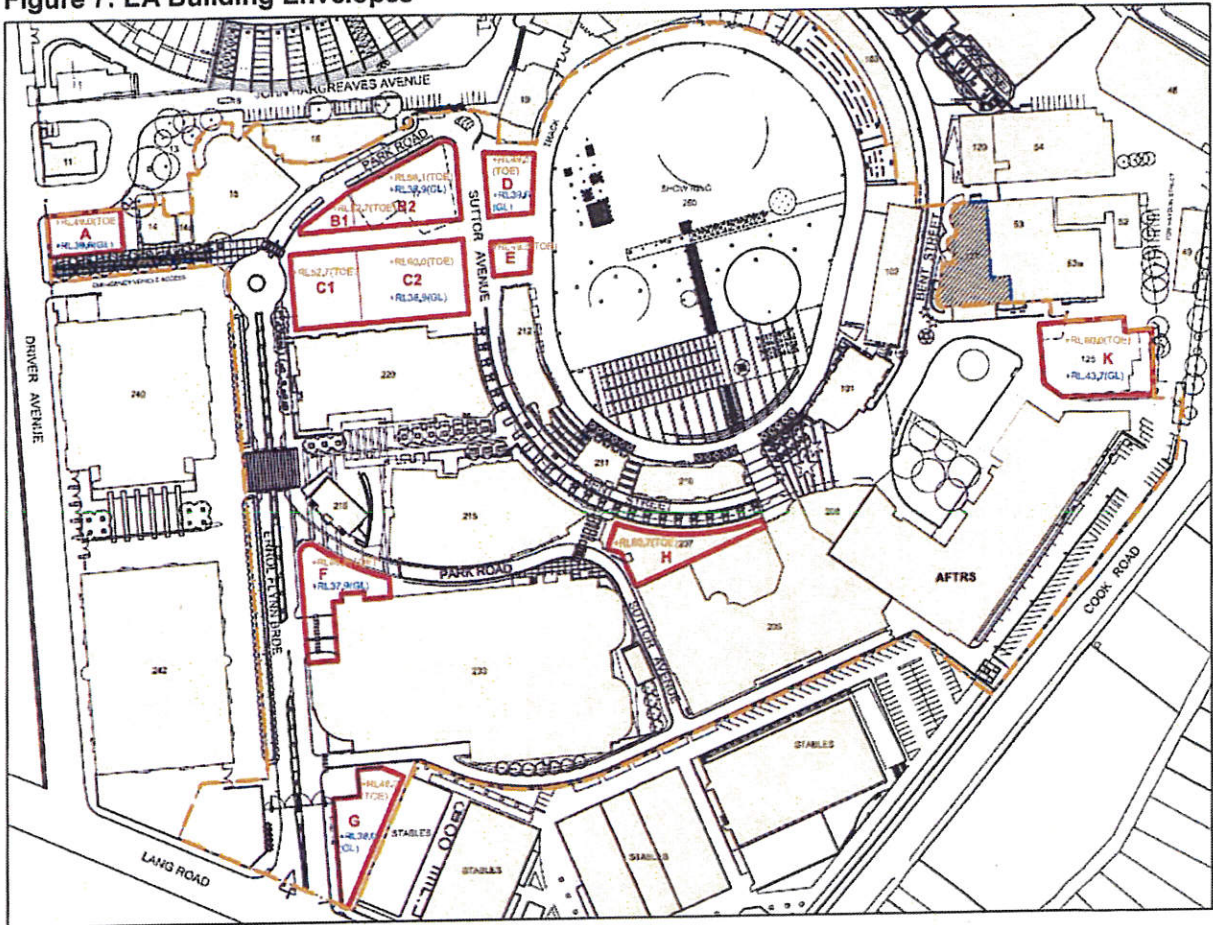


Figure 8: PPR Building Envelopes (as amended - building envelopes A, E, H & K deleted)

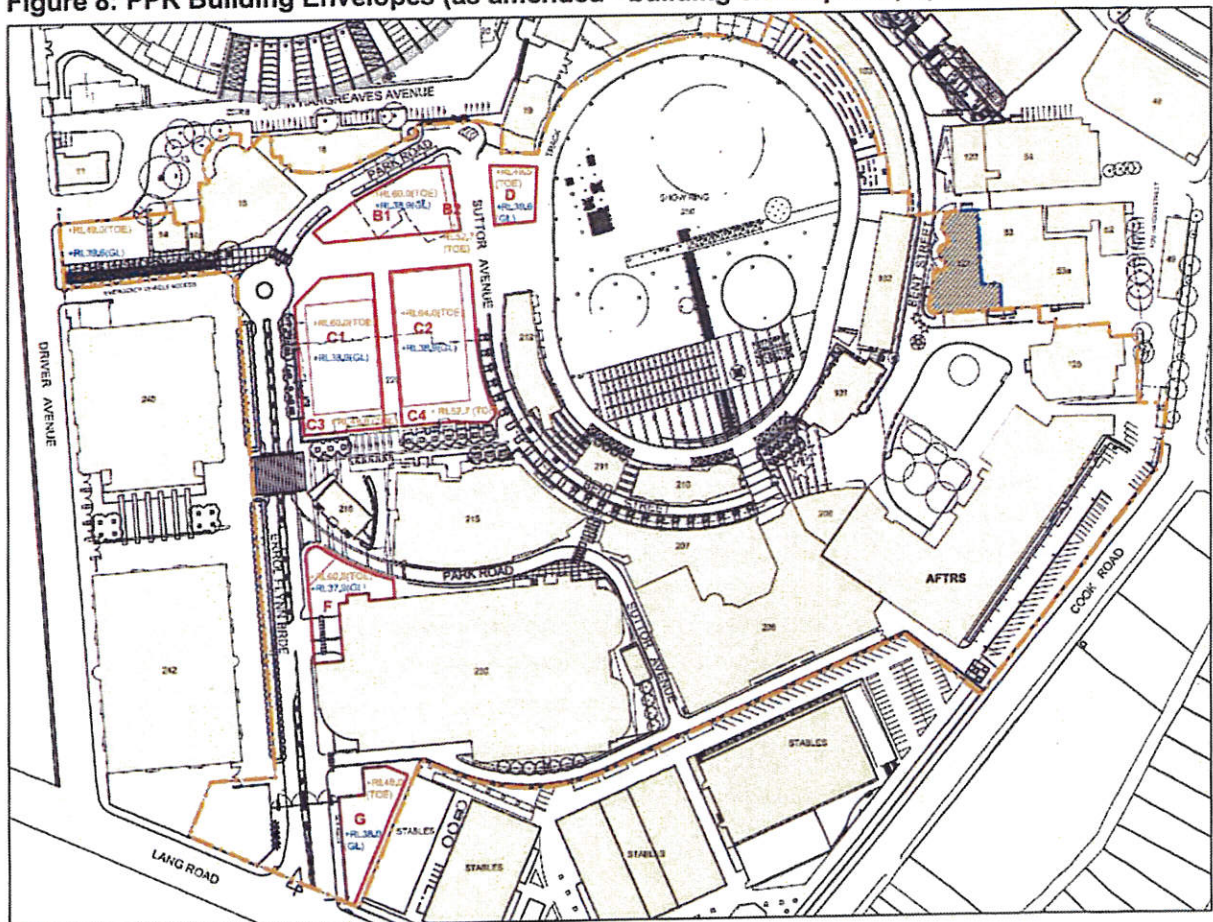


Table 4: Building Envelope EA/PPR Comparison

Envelope	EA Floor Area	PPR Floor Area	EA Height	PPR Height
<i>Building A</i>	950sqm	Deleted from proposal.	9.4m (RL49.0)	N/A
<i>Building B</i>	5,600sqm	5,866sqm (+266sqm)	13.8m to 17.2m (RL52.7 – RL56.1)	13.8m to 21.1m (RL52.7 – RL60.0)
<i>Building C (C1 and C2)</i>	8,007sqm	20,020sqm (+12,013sqm) - involves demolition of Building 220.	13.8m to 21.1m (RL52.7 – RL60.0)	C1 - 9.9m to 21.1m (RL48.8 – RL60.0) C2 - 13.8m to 25.1m (RL52.7 – RL64.0)
<i>Building D</i>	1,000sqm	900sqm (-100sqm)	9.9m (RL49.5)	9.9m (RL49.5)
<i>Building E</i>	460sqm	Deleted from proposal.	9.9m (RL49.5)	N/A
<i>Building F</i>	4,830sqm	4,630sqm (-200sqm)	22.9m (RL60.8)	22.9m (RL60.8)
<i>Building G</i>	1,900sqm	1,900sqm	10.0m (RL48.8)	10.0m (RL48.0)
<i>Building H</i>	1,160sqm	Deleted from proposal.	8.2m (RL60.7)	N/A
<i>Building K</i>	4,980sqm	Deleted from proposal.	16.3m (RL60.0)	N/A

The proponent's submitted Statement of Commitments (as amended within the PPR) includes the following commitment:

"Plant rooms and architectural roof features may extend above the main roof line but may not exceed an additional height of 6 metres or occupy more than 25% of the roof area."

Concern is raised with respect to the above commitment by the proponent, which may allow for the rooftop services zone to potentially impact on the bulk, scale and appearance of future developments. It is noted within the proponent's EA that the anticipated height of plant-related structures would be considerably less than the 6m threshold stipulated and that greater provision was being made for architectural features. In this respect, to ensure that any potential impact from the rooftop services zone of future buildings is minimised, it is considered that the following controls be imposed:

- Rooftop services zone and architectural roof features are restricted to a maximum 5m height above the maximum envelope Reduced Level;
- Rooftop services zone to be setback a minimum 3m from the parapet;
- Rooftop services zone is not to occupy more than 25% of the roof area;
- Rooftop services zones, including plant and lift overruns, communications devices, satellite dishes and the like are to be designed to minimise their visibility and size; and
- The design of architectural roof features are to be integrated with the overall building design.

Accordingly, a modification is recommended to the Concept Plan to ensure that the rooftop services zones and architectural roof features of all future building developments comply with the above controls.

Building B

The Concept Plan as amended proposes a maximum 21.1m building height (5 storeys) that steps down to a height of 13.8m (adjacent to Suttor Avenue) and floor area of 5,866sqm. The revised envelope form retains the visual relationship of the existing Banquet Hall (Building 15) and its clock tower from within the existing and proposed public domain, while providing

a strong visual connection from the new proposed public domain to the showground parade ring. The alignment of the southern façade of the envelope will also allow for the continuation of Chelmsford Avenue.

Concerns were raised by Council with respect to the envelope height and its mass, noting that views to the clock tower would be blocked. In this respect, the proponent has amended the envelope design, accommodating an angled western corner that allows greater visual appreciation of the existing clock tower from within the proposed new public domain.

The Department considers the proposed envelope height is acceptable when considered in the context of the height of the existing and potential future built form. In this respect, the proposed step in the building envelope height along Suttor Avenue will provide an appropriate transition to the scale of the built form of the envelope to Building Envelope D and adjacent showground. Further, the proposed spatial separation between Building Envelopes B and C1/C2 is considered satisfactory and will provide ample space for the establishment of an active pedestrian environment, noting that it is of a similar width to that of Main Street within the EQ.

Building C (C1 & C2)

Following further consideration of the layout of the proposed envelopes and deletion of Building Envelopes A, E, H and K, the envelope design of Building C was modified into two envelopes, C1 and C2, requiring the demolition of existing Building 220 (see Figures 9 and 10). Currently the space is occupied by a largely underutilised bus and coach parking hardstand area and Building 220, with very little pedestrian activity present due to the 'back-of-house' character of the space.

The redesigned Building Envelope C1/C2 envelope has been revised to accommodate greater spatial separation between the siting of Building Envelope B, providing an improved view corridor from Driver Avenue to the showground parade ring, improved pedestrian permeability through the site and enabling the continuation of Chelmsford Avenue.

Building Envelope C1 is proposed to have a maximum height of 21.1m (RL60.0), stepping down to 9.9m (RL48.8) along its Errol Flynn Boulevard, Main Street and Chelmsford Avenue frontages. The step in the building heights will ensure that the future built form will be appropriately recessed from these frontages and ensure that the amenity and character of the surrounding built form is maintained.

The maximum height of Building Envelope C2 is proposed at one storey higher than that of Building Envelope C1, at 25.1m (RL64.0). The proposed maximum height of the envelope is sited centrally to reduce its dominance and impact on the surrounding built environment, stepping down to the Main Street and Suttor Avenue frontages to a height of 13.8m (RL52.7) to provide consistency with surrounding built form. The 2 to 3 storey built form edge will ensure the existing amenity and character of the space is maintained, following the demolition of Building 220 (see Figure 10).

The established heights of the existing multi-storey car park (RL55.35) and Building 215 (RL53.10) are considered to be consistent with the proposed envelope heights of Building Envelopes C1/C2. The stepped edge of Building Envelope C1, having a height of 9.9m (RL48.8), also responds to the lower scale of the Fox and Lion Hotel opposite. The higher stepped envelope edge (RL52.7) of Building Envelope C2 is continued to the Suttor Avenue frontage to form a built form edge consistent with that established by existing development – Buildings 212 (RL53.65) and 215 (RL53.10 to RL55.45) – along Suttor Avenue/Bent Street, and is considered to be a positive response to the existing development form and scale of the locality (see Figure 11).

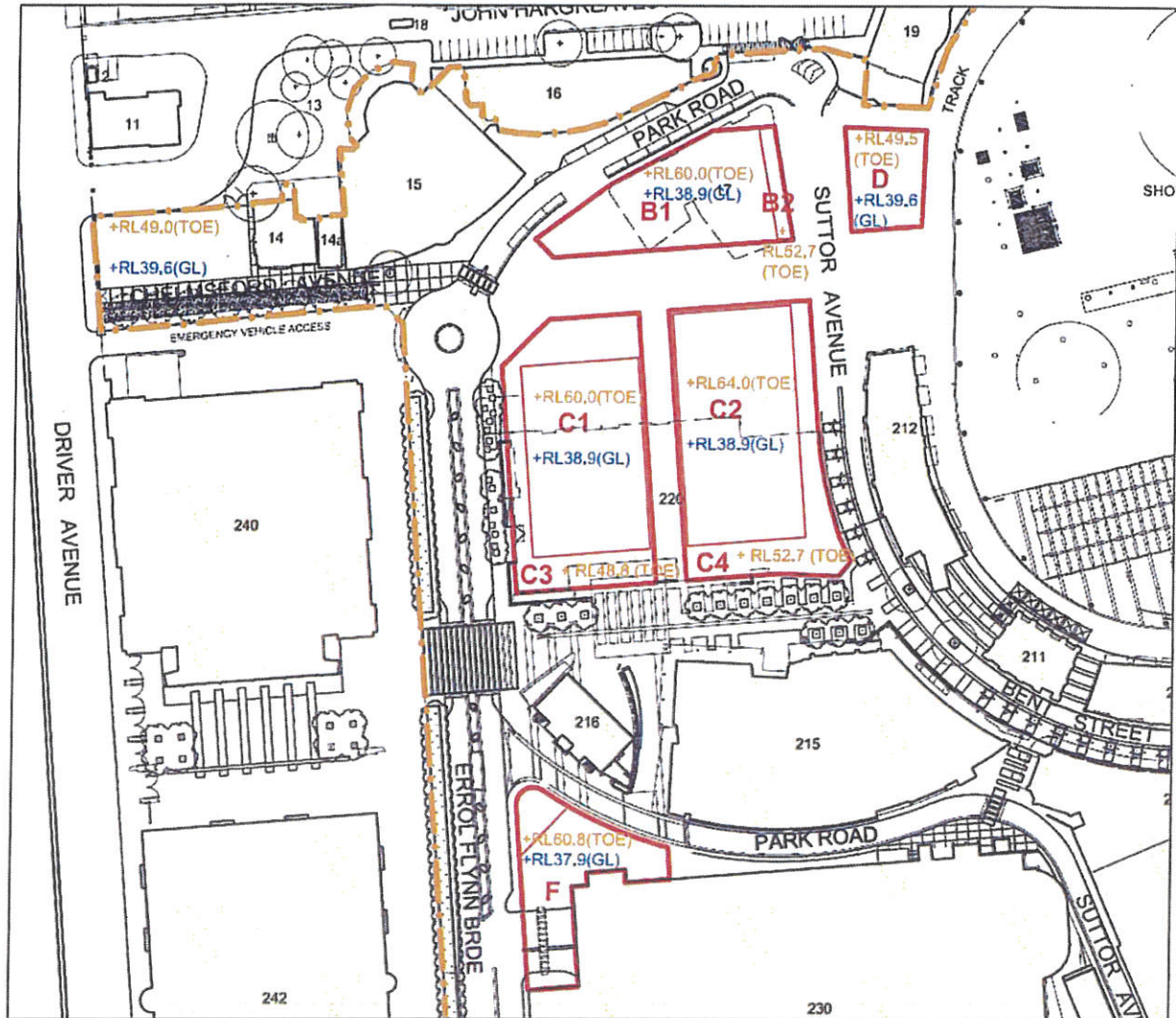
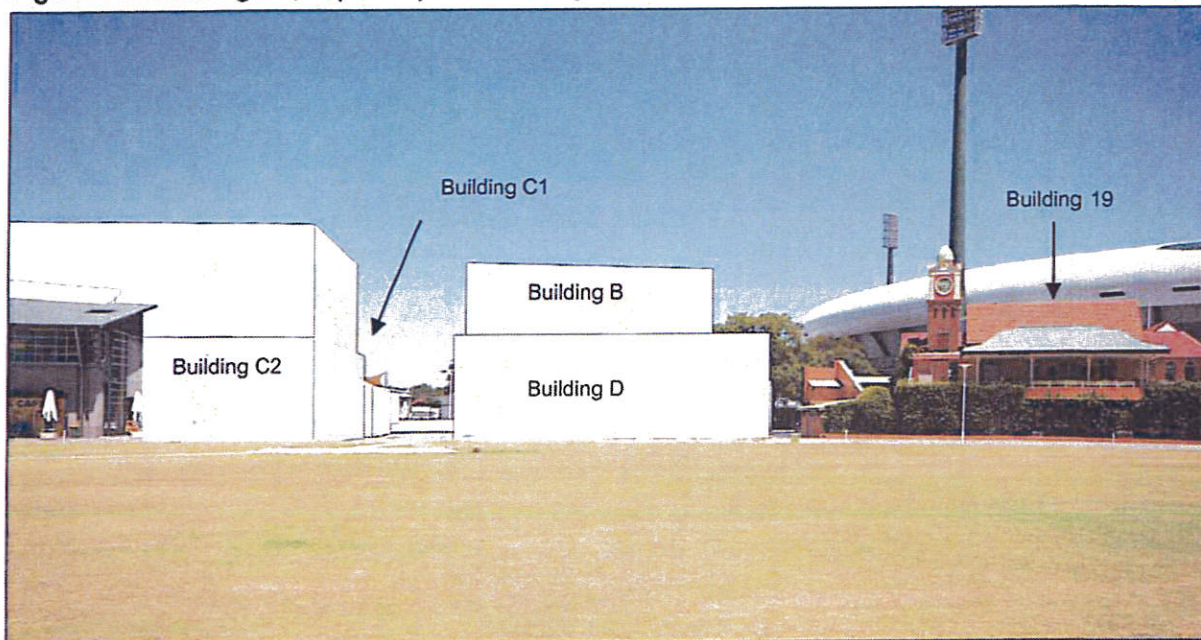
Figure 9: Buildings B, C1/C2, D and F Envelopes**Figure 10: Existing Building 220 (proposed to be demolished)**

Figure 11: Buildings B, C (C1/C2) & D Envelope 3D Model

Importantly, the proposed step in the street wall height and minimum 5.0m recessed upper floors of Building Envelope C1 along Errol Flynn Boulevard responds positively to the existing setting and aids the transition of built form scale that reduces potential visual impacts on the existing heritage significance of the Hordern Pavilion.

Building D

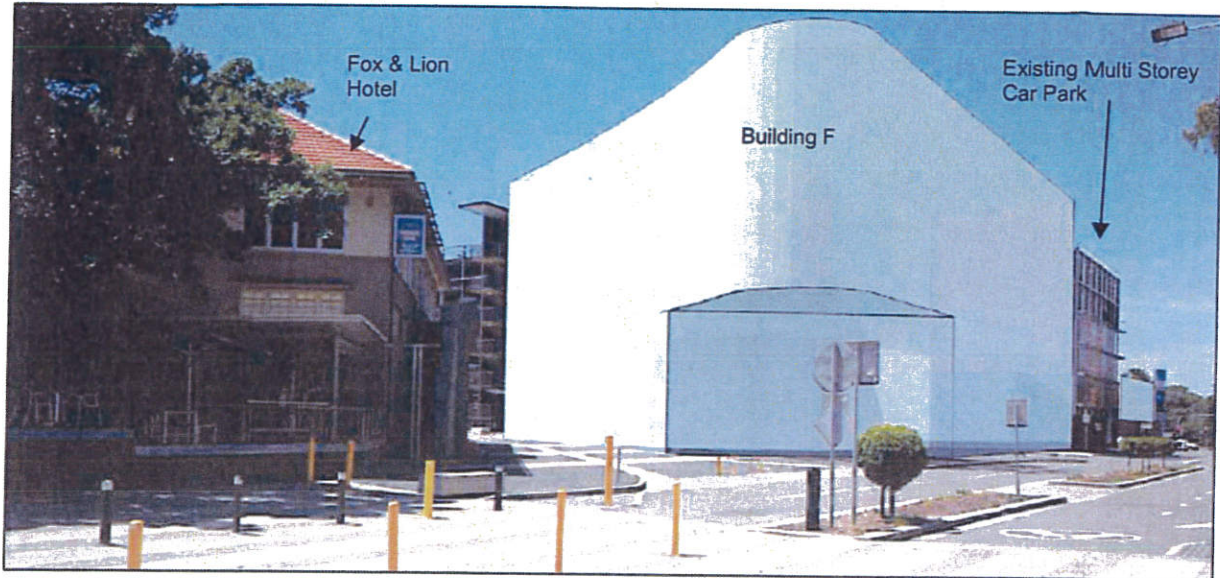
Building D, as modified, will complement the transition of scale from the existing showground parade ring to Building B adjacent. The siting and scale of the envelope will also contribute to the sense of enclosure of the showground parade ring. The proposed 2 storey building envelope height is considered satisfactory and will have minimal impact on the significance of the adjacent Building 19 (see Figure 11). The southern façade of Building Envelope D has also been setback further to accommodate the continuation of Chelmsford Avenue to the showground parade ring.

Building F

General concerns were raised following exhibition of the EA in relation to the scale and bulk of the proposed six storey height of Building Envelope F (see Figures 12 and 13), noting that its form may have a negative impact on the heritage significance of the existing Fox & Lion Hotel (Building 216), Royal Hall of Industries building (Building 242) and the existing fig tree adjacent to the car parking station.

In response, the proponent amended the envelope in the PPR, recessing the lower two floors on the front corner of the envelope to provide a greater visual connection to the Fox & Lion Hotel from Errol Flynn Boulevard and Royal Hall of Industries from Park Road (see Figure 12). The amendment to the building envelope will have a positive outcome in retaining the visual connection from Park Road through to the Royal Hall of Industries and from Errol Flynn Boulevard to the Fox and Lion Hotel.

The proposed height and scale of the Building F envelope is consistent with the scale of the adjacent multi-storey car park. Further, the establishment of a new building in this location will allow the development of an improved built form outcome, screening part of the existing car park façade and improving the quality of the Errol Flynn Boulevard streetscape. The proponent has provided a commitment to ensure that future built form is appropriately designed to ensure that it responds well to the existing setting and significance of adjoining and nearby heritage buildings.

Figure 12: Building F Envelope 3D Model**Building G**

The proposed two storey Building G envelope is consistent with the scale of the adjoining Equestrian Centre Buildings and will provide the opportunity for the development of a complementary built form element to better define the entry to the EQ. The proposed scale will also assist in providing a pleasing built form that will assist in screening the existing multi-storey car park (see Figures 13 and 14).

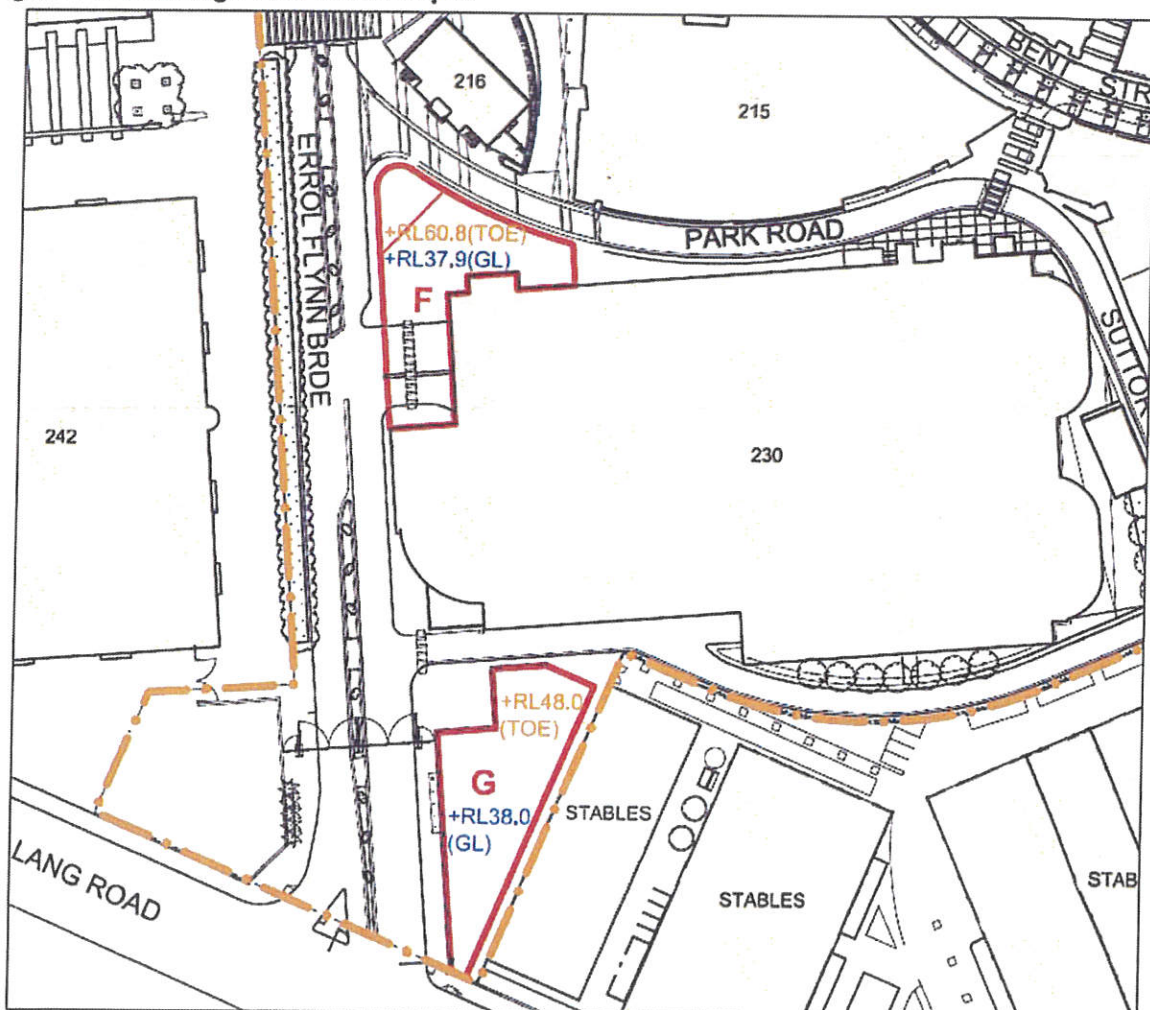
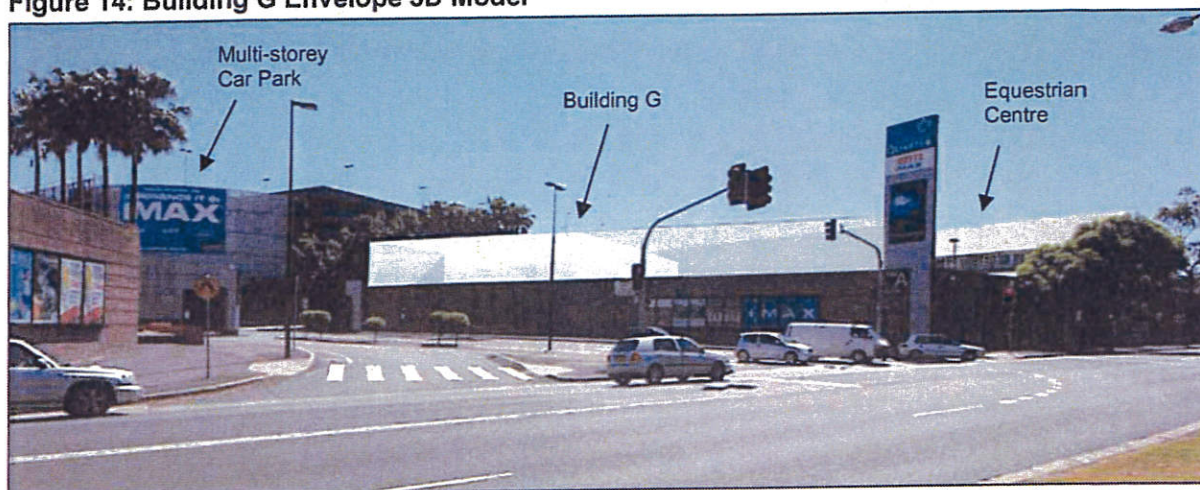
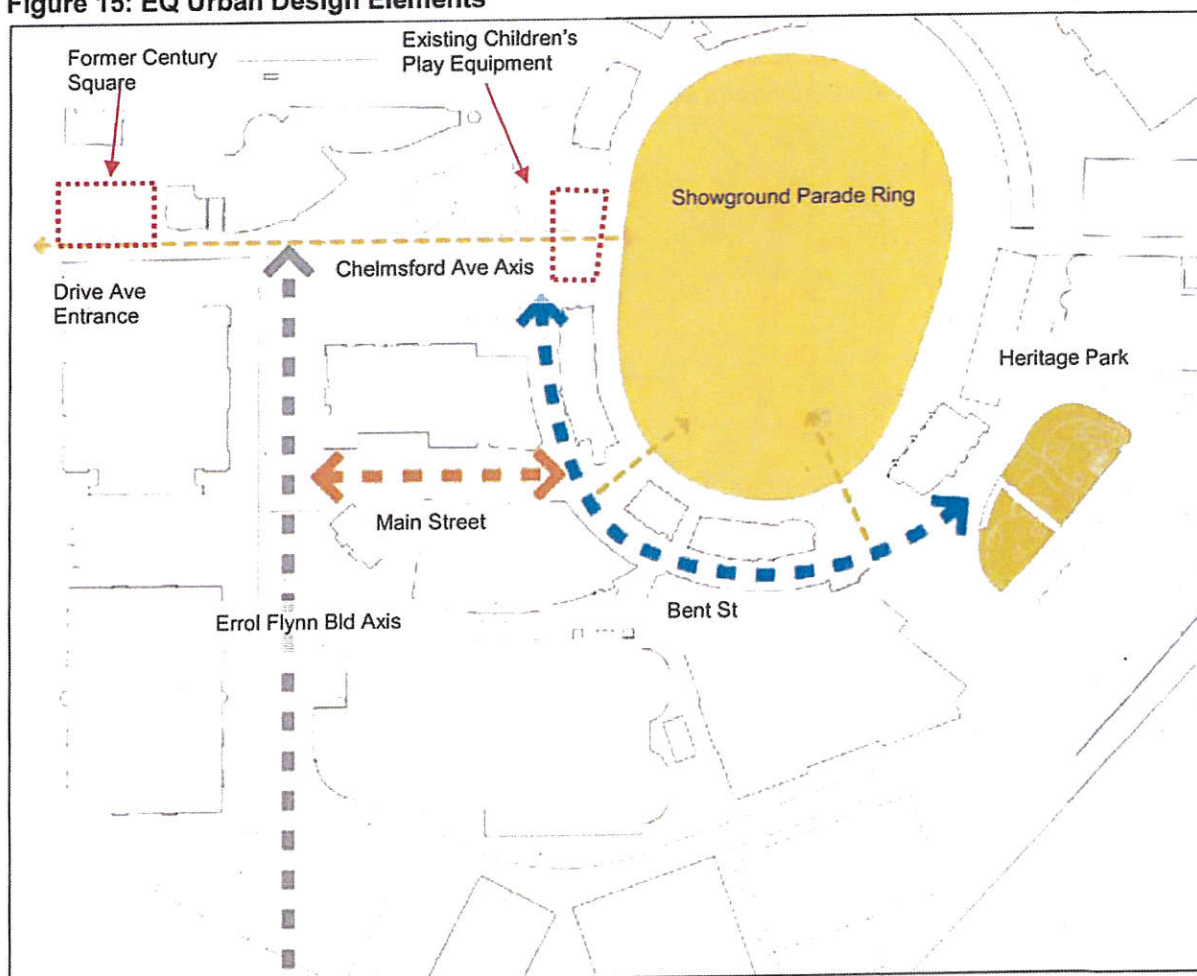
Figure 13: Building F and G Envelopes

Figure 14: Building G Envelope 3D Model

5.3.2 Urban Design and Public Domain

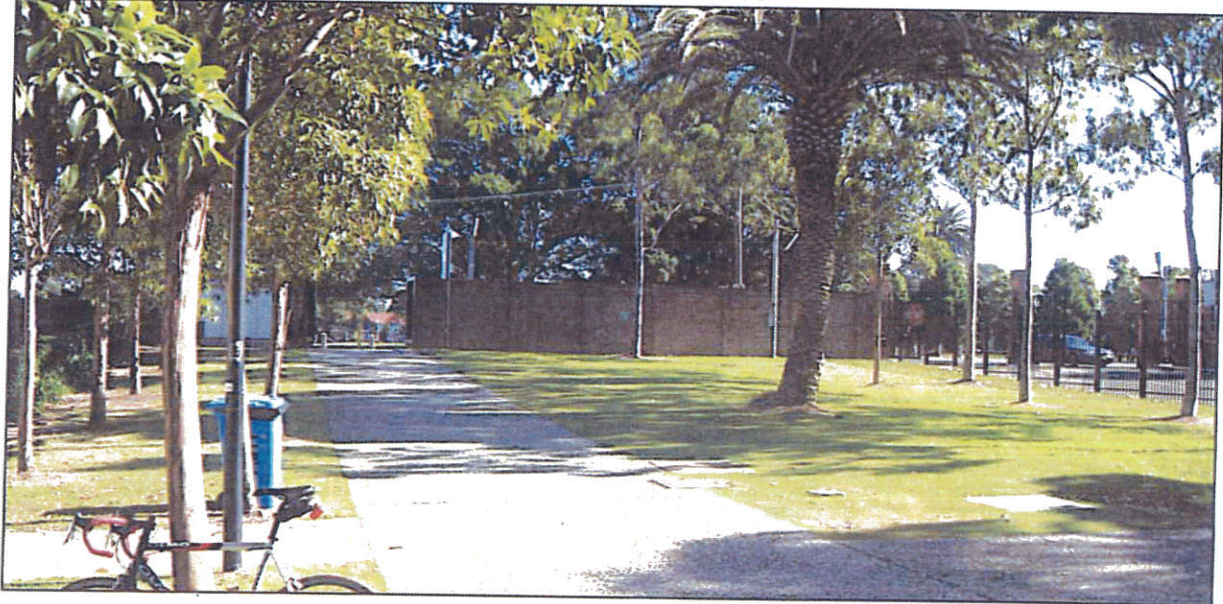
Key urban design elements identified within the EQ include the Driver Avenue entrance, Chelmsford Avenue pedestrian axis/view corridor, Errol Flynn Boulevard axis/view corridor, the significance of Bent Street and Main Street public domain and the showground parade ring and heritage park precinct (see Figure 15).

Figure 15: EQ Urban Design Elements

Concerns were raised following exhibition of the EA with respect to the proposed locations of Buildings A and D in existing areas of open space and the subsequent requirement to relocate the existing children's playground equipment from next to Building 212. The site

identified for Building A (see Figure 16) is poorly activated and as 'open space', is underutilised due to its disconnected character. Notwithstanding this, the open space area, formally known as Century Square, was identified within the Moore Park Showground Conservation Strategy 1995 (MPSCS) as having 'exceptional significance' within the former showground precinct. Accordingly, the proponent considered comments provided by the NSW Heritage Branch and deleted Building A, retaining it as open space.

Figure 16: Former Century Square (former Building Envelope A site)



In response to concerns raised with respect to the children's playground equipment, the proponent has indicated that the facility was not originally installed as a permanent facility within the EQ, but acknowledges its popularity. They have indicated that an appropriate alternative location will be found and have committed to preparing an Open Space Strategy to guide further landscape and land use planning for the retention, public use and appreciation of public open space areas, including the former showground parade ring. The proponent has also committed to the relocation of the existing Fig Tree from within the footprint of Building Envelope F, subject to arboricultural advice on its health and condition. The tree was previously relocated from elsewhere within the site to its current location. In this regard, the Department raises no objection to its relocation and consideration within the future Open Space Strategy.

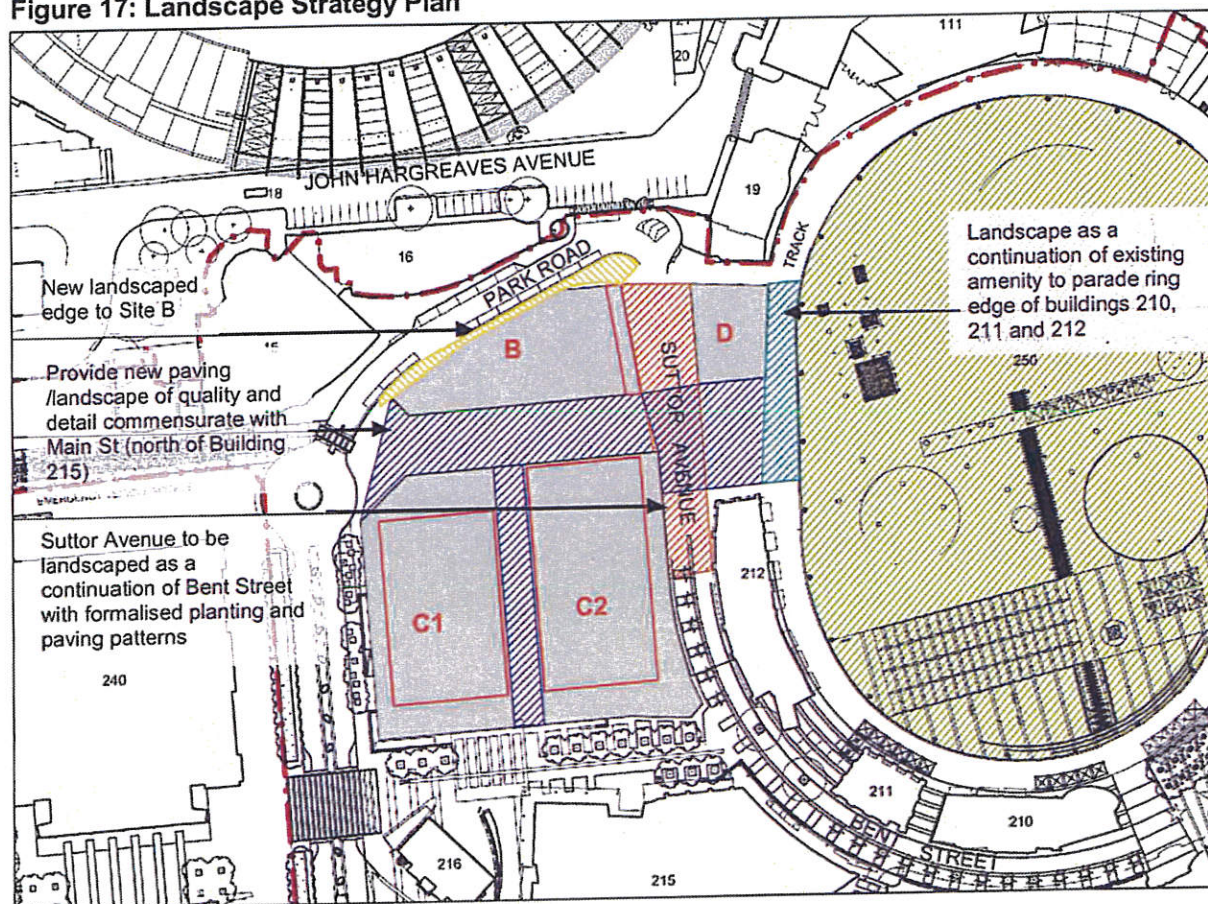
Building Envelope D, together with the deletion of Building E from the proposal, responds positively to the existing urban structure of the former showground and will add to the built form elements that currently reinforce the enclosure of the parade ring.

The proponent has prepared a Landscape Strategy Plan (see Figure 17) that identifies the treatment for the public domain space between the proposed building envelopes. The plan details that works to the new public domain between Building Envelopes B and C1/C2 will be embellished with new paving and landscaping comparable to Main Street, while the existing landscaping and paving of Bent Street will be continued along Suttor Avenue. The Open Space Strategy to be prepared by the proponent will guide future landscape works within the precinct and use of public open space areas including the showground parade ring, roads and footpaths.

In addition, it is recommended that a requirement for any future application be imposed requiring that the Open Space Strategy be prepared and approved by the Director-General prior to the any future application for any building works proposed as part of this Concept

Plan, which will identify a suitable alternative location for the children's playground equipment during the development of the precinct (Condition 2, Schedule 3).

Figure 17: Landscape Strategy Plan



5.4 HERITAGE

A key consideration of the Concept Plan proposal is the potential impact of the proposed building envelopes on the existing heritage and cultural significance of the former Moore Park Showground. During the preparation of the 1996 Moore Park Showground Master Plan, the *Moore Park Showground Conservation Strategy 1995* (prepared by Godden Mackay Logan) identified the significant cultural heritage of the Moore Park agricultural showground, noting that many components of the precinct's heritage significance were embodied in the landscape, built form, roads, street furniture and walls/entries, with Century Square and Chelmsford Avenue referred to as having 'exceptional significance'.

Within the HIS submitted as part of the EA, dated February 2009 and also prepared by Godden Mackay Logan, an assessment of the proposed buildings and their envelopes was undertaken, having consideration to the existing heritage significance of the surrounding built form, landscape, roads and showground parade ring. Recommendations relating to the scale and setback for each building envelope were developed within the HIS, which have been committed to by the proponent, with the exception of Building Envelopes B and C1/C2, due to the subsequent envelope modifications in the PPR.

During the exhibition of the proposal, concerns were raised in relation to the impact the proposed Concept Plan would have on key views and vistas to significant buildings and landscapes and the overall cumulative impact on the heritage significance of the former Showground. Further, comments provided by NSW Heritage noted the significance of Century Square and Chelmsford Avenue, identified within the MPSMS as being of 'exceptional significance'. In response, the proponent sought to retain the significance of the

space, deleting Building Envelope A from the Concept Plan proposal. The individual and cumulative heritage impacts of the proposal have been addressed further below.

5.4.1 Concept Plan Building Locations

Buildings B and C1/C2

The location of Building Envelope B requires the demolition of the existing administration building for the Royal Agricultural Society, Building 17. The existing building is identified as having low heritage significance and its proposed removal will have minimal heritage impact.

The submitted HIS originally recommended that the height of the western edge of Building Envelopes B and C be restricted to three storeys or 13.8m so as to ensure that the scale of the built form did not detrimentally impact on the significance of the Hordern Pavilion and Building 15 (Banquet Hall) and its clock tower. However, as a result of the modifications, the maximum heights of both Building Envelopes B and C1/C2 are proposed to be increased to 21.1 metres and 25.1 metres, respectively. Similar to Building 17, the envelope design continues to reinforce the alignment of Park Road and Suttor Avenue, whilst providing the opportunity for the continuation of Chelmsford Avenue through to the Showground Parade Ring (see Figure 18).

Notwithstanding the amendments made to the envelope designs within the Concept Plan, the proponent provided an extract of a plan from the Conservation Plan of Sydney Showground 1988, detailing that Chelmsford Avenue originally terminated at Park Road and did not extend to the showground parade ring (see Figure 19). The proposed concept plan merely provides the opportunity for the continuation of Chelmsford Avenue towards the showground parade ring and provides a heritage interpretation of the existing qualities of the site.

The Department also notes that Building 17 currently obscures views from Chelmsford Avenue through to the showground parade ring and concurs with the proponent that the proposed demolition of Building 17 under the concept plan offers the opportunity to continue the alignment and enhance the significance of Chelmsford Avenue.

Figure 18: Overlay of Proposed Chelmsford Avenue Alignment Continuation

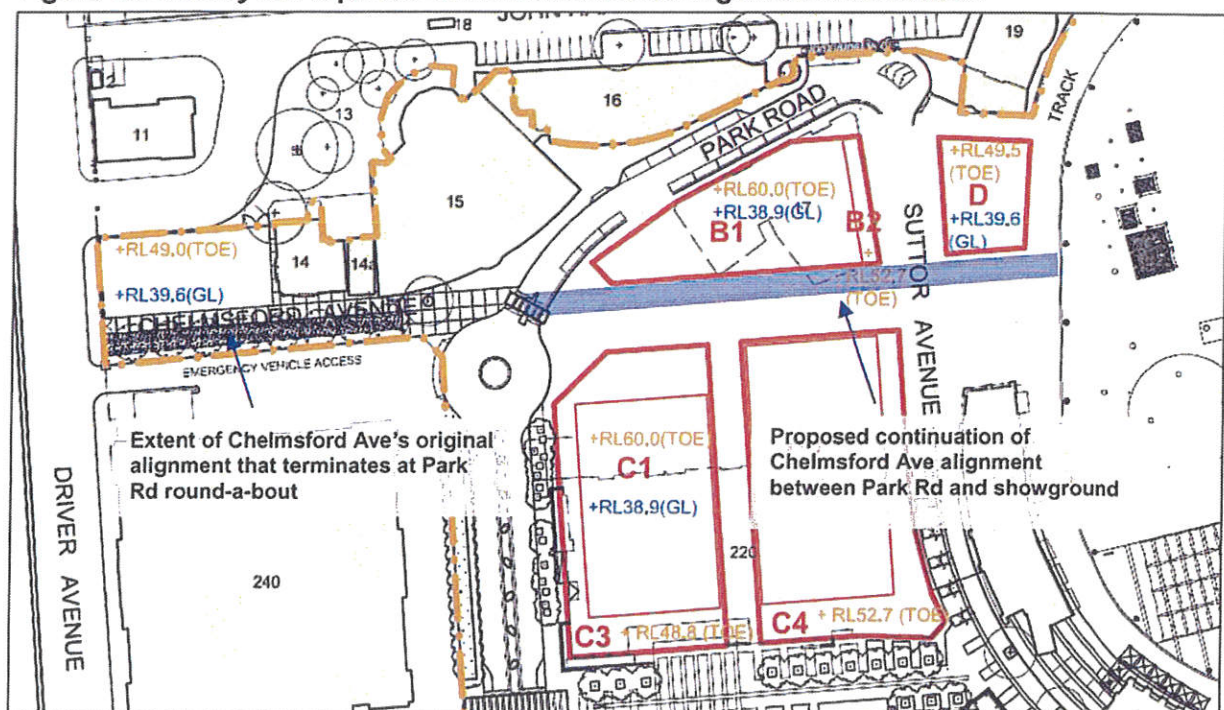
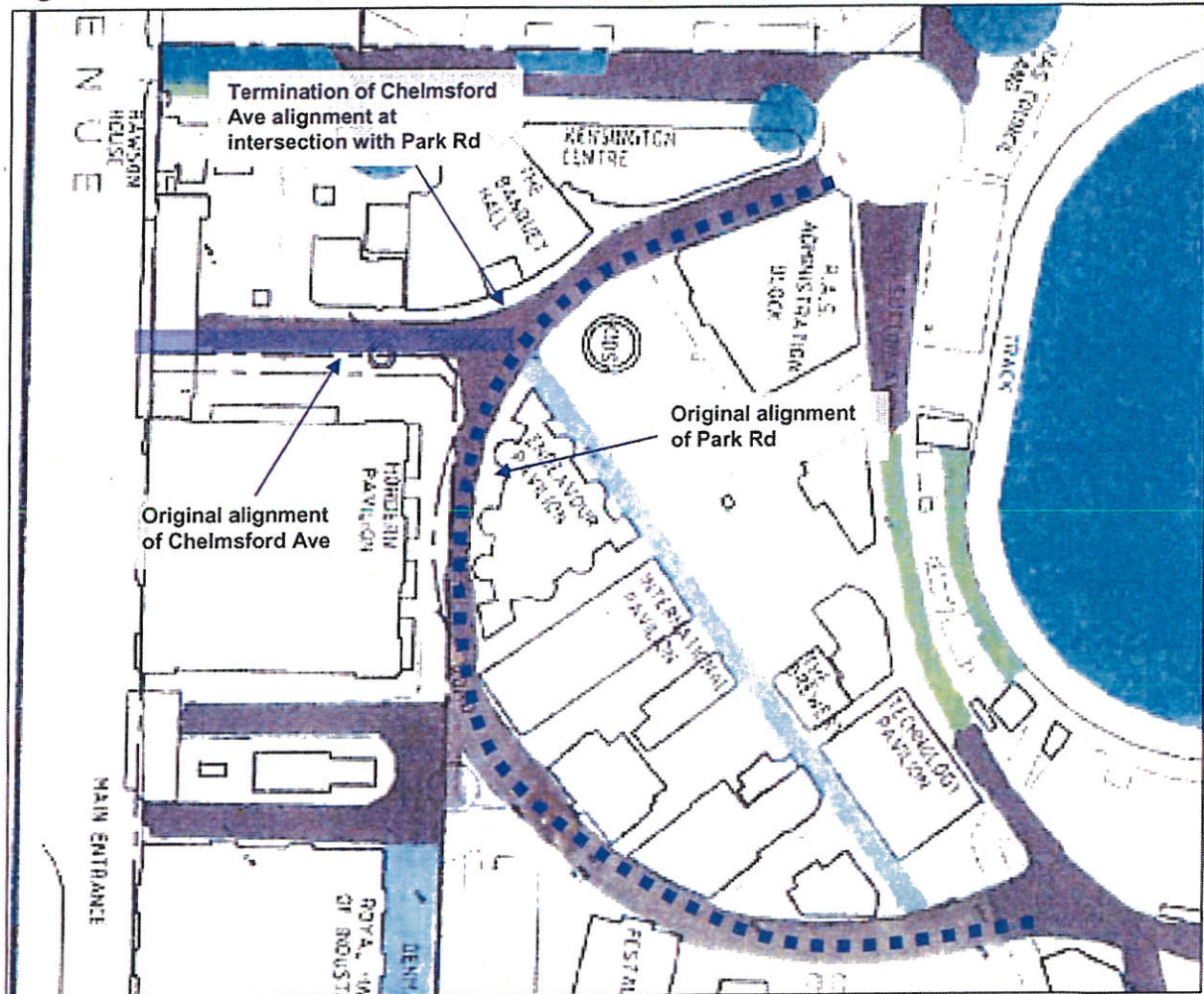
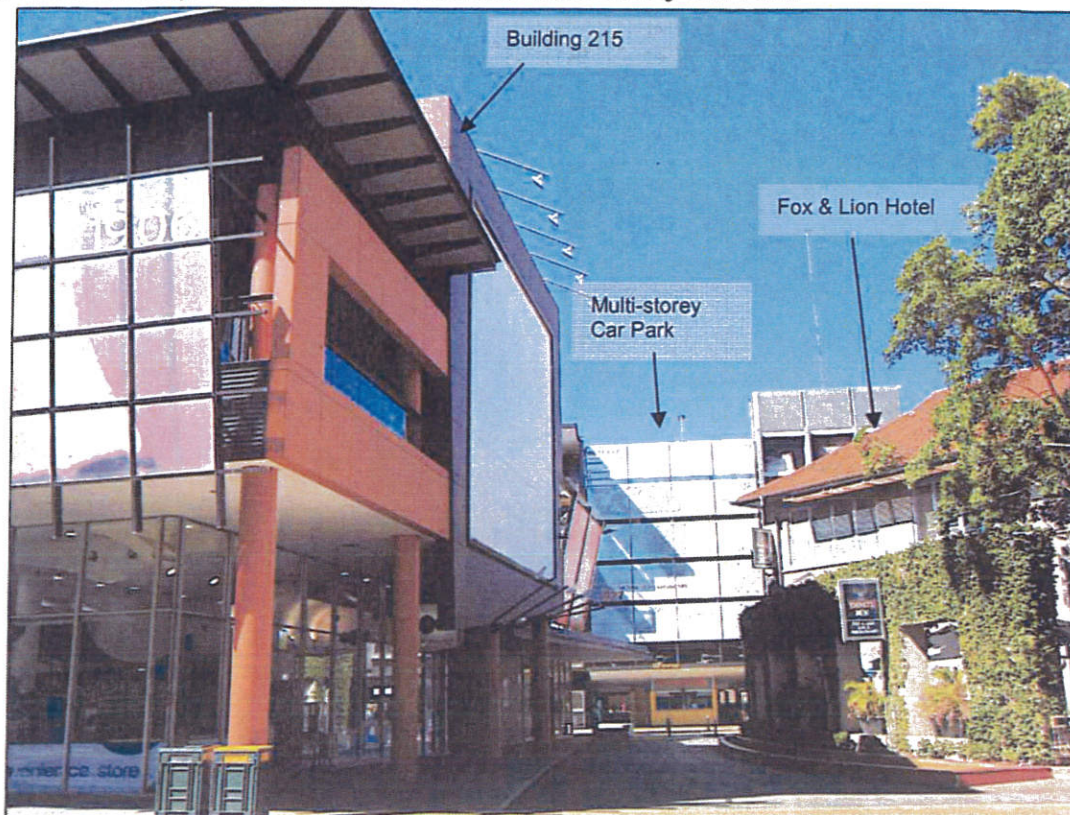


Figure 19: Extract of Conservation Plan of Sydney Showground – Landscape and Roads

Having regard to the comments provided from both the NSW Heritage Branch and the proponent, the Department considers that creating the visual connection from Driver Avenue, along Chelmsford Avenue, through to the showground parade ring, is both a positive heritage and urban design outcome that is afforded by the proposal. The creation of the new public domain space between the future built forms will reinforce the alignment and provide for a satisfactory visual setting of the existing Banquet Hall and its clock tower.

Having regard to Building Envelope C, the NSW Heritage Branch commented that no objections were raised to the location of the proposed envelope, subject to the clarification of an area referred to in the HIS as being 'intrusive' and the context behind its description. In response, the proponent noted that the area identified for Building C was previously occupied by temporary structures until the construction of a kiosk building, which was removed during the redevelopment of Fox Studios, having no significant heritage value.

The proposed RL48.8 stepped edge of Building Envelope C1 (see Figure 18) positively responds to the existing height and scale of the Hordern Pavilion and Fox and Lion Hotel, while the scale transition to the stepped edge of Building Envelope C2 (RL 52.7) is considered to be consistent with the existing scale of Building 215 (RL53.10 to RL55.45) opposite (see Figure 20). In this regard, the scale of Building Envelopes C1 and C2 along Errol Flynn Boulevard and Main Street are considered satisfactory and appropriately respond to the existing built form, thereby ensuring that the significance of the Hordern Pavilion and Fox and Lion Hotel are preserved.

Figure 20: Building 215, Fox & Lion Hotel and Multi-storey Car Park**Building D**

Concerns were initially raised following exhibition of the EA with respect to the impact of Building Envelope D on the adjacent heritage listed Building 19. The HIS states that the development of Building Envelope D will result in a positive impact on the existing setting of Building 19 and reinforce the existing urban structure fronting the showground parade ring. Further, the proposed two storey scale of the envelope is not considered excessive considering the scale of existing built form that presently fronts the showground parade ring and the role future built form would play in providing a transition in scale to Building Envelopes B and C1/C2 behind (see Figure 21). The form of Building Envelope D was later modified to accommodate the continuation of Chelmsford Avenue through to the showground parade ring.

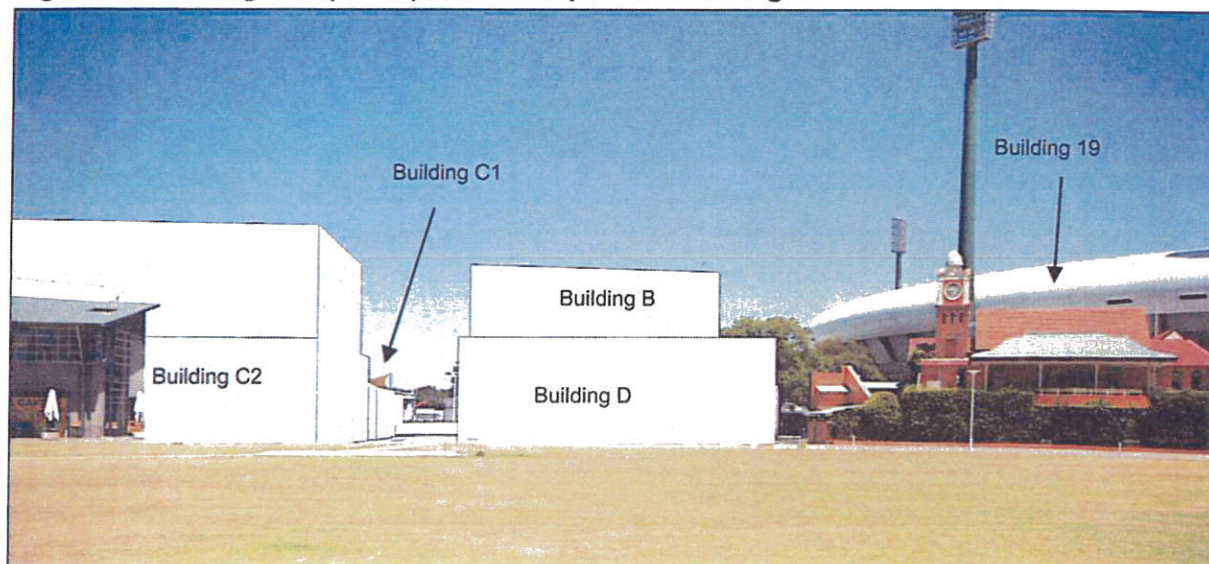
Figure 21: Building B, C (C1/C2) & D Envelopes and Building 19

Figure 22: Building 215, Fox & Lion Hotel and Multi-storey Car Park**Building F**

The HIS noted that the proposed development of the identified envelope will activate the street edge of Errol Flynn Boulevard (and Park Road) and assist in screening the unsympathetic façade of the existing parking station (see Figure 22). In this respect, the proposed envelope wraps around a significant portion of the multi-storey car park façade and will be of similar scale to that of the existing structure.

The PPR amendments to the lower two levels of the envelope will improve the visual connection of pedestrians to the adjacent Fox & Lion Hotel and nearby Royal Hall of Industries. However, the proposed siting of the envelope requires the removal of the existing fig tree (see Figure 23). A modification is recommended to ensure that the Open Space Strategy developed for the precinct identifies a suitable location, for a replacement mature fig tree (Condition 5, Schedule 3) or a replacement, subject to an accompanying acoustic report.

Figure 23: Existing Multi-storey Car Park – Envelope F Site

The Department considers that the proposed location and scale of the revised Building Envelope F will have acceptable impacts in terms of heritage conservation. Further, the curved nature of the envelope fronting Park Road will positively reinforce the existing curved alignment of Park Road, which itself has been identified as being of exceptional heritage significance.

Building G

The proposed development of the site identified for Building Envelope G is supported from a heritage standpoint, noting that the future built form will have a positive effect on activating the Lang Road pedestrian entry along Errol Flynn Boulevard and Desmond Avenue. Desmond Avenue is identified as having historical significance, as it provides evidence of early road alignments within the former showground. The proposed two storey scale of the envelope is considered to complement the character and scale of the adjoining stables of the Centennial Park Equestrian Centre. Further, the future development of the subject site will provide a transition in built form to the adjoining multi-storey car park.

The HIS recommends that the siting of future built form retains the brick face boundary wall along Errol Flynn Boulevard to retain the sense of enclosure and is designed to complement the adjoining Centennial Park Equestrian Centre. The location and proposed scale of Building G is supported by the Department, noting that future development within this locality will retain the brick face boundary wall and help activate the Lang Road entrance to the former Showground. No objection was raised to Building Envelope G by the NSW Heritage Branch.

5.4.2 Archaeology Impacts

The submitted HIS notes that as a result of the extensive development works and changes that have taken place over the history of the Moore Park Showground, it was unlikely that any Aboriginal, or pre-Showground occupation or peripheral landscape elements and deposits of meaningful value would have survived. In this respect, it was considered that the works associated with Building Envelopes B, C and D would have negligible impacts and that the impact from previous development works, and changes and disturbances to the Moore Park Showground would result in any relics found having minimal heritage value. A similar conclusion was reached in relation to the potential impact of Building Envelope F, which was noted as having no to low potential for archaeological remains having survived previous works within the surrounds of the proposed envelope.

The proposed site of Building Envelope G was identified as having some low to medium potential of containing archaeological deposits, as minimal building activity and disturbance has taken place. Accordingly, the proponent has committed to the implementation of the recommendations made within the HIS to minimise any future potential archaeological impacts.

5.4.3 Cumulative Impacts

It is noted within the HIS that the potential exists for the future development proposed within the Concept Plan to have an adverse impact on the heritage significance of the Moore Park Showground, due to the cumulative loss of open space and changes to the urban character of the precinct. The Concept Plan proposal will provide the opportunity for the development of a further 26,187sqm of floor area, above that which currently exists within the EQ precinct.

It is considered that positive built form interventions are proposed within the Concept Plan, including the provision of the view corridor from Driver Avenue to the showground parade ring, complementary built form along edge of the showground and the identification of new built form along Errol Flynn Boulevard to assist in activating this street edge.

To ensure that the future built form is designed to complement the existing heritage significance of the precinct, appropriate modifications are recommended in addition to the proponent's commitments (Modifications B7 and B8, Schedule 2 and Condition 2, Schedule 3). Additionally, the proponent has committed to the preparation of an Open Space Strategy to assist in guiding further landscaping and public domain improvements which, as recommended within the HIS, will mitigate impacts associated with the proposed development and assist in revitalising the under-utilised open space of the showground itself.

5.5 TRANSPORT

5.5.1 Traffic Impacts

Traffic impacts associated with future land uses were assessed by the proponent based on the development of two different land use scenarios, including one that assumed a proportionate increase in the existing land uses, where commercial/office uses account for approximately 49% and cinema/entertainment/recreational uses account for approximately 32% and another that assumed a greater commercial/office land use uptake, accounting for approximately 70% of land uses. The traffic analysis modelling undertaken indicated that the existing vehicular site entry at the intersection of Lang Road and Errol Flynn Boulevard would continue to operate satisfactorily.

However, comments provided from the RTA's Sydney Regional Development Advisory Committee (SRDAC) noted that discrepancies existed within the modelling, and intersections surrounding the site would require remodelling to properly assess the impact of the proposed Concept Plan on Anzac Parade – being a State road and major public transport corridor.

Additional traffic modelling was undertaken by the proponent modifying the AM/PM peak turn volumes and signal phasing with input from RTA data. The analysis demonstrated that there would be an average decline in the level of service at each intersection, with the exception of the Anzac Parade/Lang Road/Cleveland Street intersection, which currently operates at a poor level of service. The Anzac Parade/Lang Road/Cleveland Street intersection currently experiences capacity constraints and vehicle delays with or without the proposed development during the PM peak period. Notwithstanding this, the AM peak period was modelled to operate satisfactorily with or without the proposed development.

The revised modelling was reviewed further by the RTA who noted that while the modelling indicates that additional queuing would be experienced on Lang Road, the RTA was satisfied that the additional queuing could be satisfactorily accommodated on Lang Road. Furthermore, the RTA was satisfied that nearby State roads would not be detrimentally compromised as drivers are likely to seek alternative routes, via Driver Avenue, Cook Road and Lang Road (north eastern direction), due to the extension of the queuing on Lang Road beyond Driver Avenue. Notwithstanding this, the traffic analysis prepared by the proponent indicates that both with and without development within the EQ, the existing Lang Road/Driver Avenue and Lang Road/Cook Road intersections will continue to operate at satisfactory levels of service.

In this respect, the Department is satisfied that the proposed traffic impacts projected under the Concept Plan are satisfactory and will not have a significant detrimental impact on the surrounding road network. Schedule 3 of the Approval requires that traffic assessment reports be submitted for each future application to develop the building envelopes. This modification requires detailed intersection analysis and associated cumulative impacts for the proposed development to be undertaken, demonstrating that the proposal will not detrimentally impact on the existing traffic network and necessary mitigation measures. The traffic reports will also be required to consider construction traffic impacts of future development, including the preparation of detailed Construction Traffic Management Plans.

In this regard, Modification B1 in Schedule 5 is recommended that requires the submission of a detailed Construction Traffic Management Plan prior to any demolition and development on site being undertaken and will be required to address, but not limited to:

- construction traffic generation;
- site access arrangements;
- heavy vehicle haulage routes;
- impacts on existing EQ operations; and
- construction hours.

5.5.2 Public Transport

The EQ is well serviced by public transport, specifically Sydney Buses, with services operating along Lang Road and Anzac Parade (including the Anzac Parade dedicated bus lanes), connecting to Bondi Junction, Sydney CBD, Coogee, Clovelly, Maroubra and other areas of the city. In addition, dedicated off road shared pathways exist along the site's Lang Road frontage, connecting with Anzac Parade, Centennial Park and the immediate surrounds.

In addition, current investigations are underway looking at the feasibility of extending Sydney's light rail network to Randwick, linking within the University of NSW, Royal Randwick Racecourse and Centennial Park and Moore Park, inclusive of the EQ. The future possibility of a light rail service along Anzac Parade would offer greater opportunities for public transport patronage and alleviate private vehicle use.

The proponent's Traffic Impact Assessment indicates that public transport, cycling and walking utilisation rates were considered high for existing employees and visitors. In addition, EQ staff and tenants are issued with an operations manual encouraging the use of public transport and advising that staff cannot use existing on site parking. Notwithstanding this, the proponent seeks to increase the mode share of public transport and non-private vehicle transport and has committed to the preparation of travel demand management plans for each future development. Further, the proponent has committed to appointing a traffic coordinator to ensure the implementation of workplace travel plans developed for each future development.

The Department considers that existing public transport services provide a suitable framework for future development within the EQ, and that through possible future endeavours in extending Sydney's light rail network along Anzac Parade to Randwick and the implementation of effective travel demand management plans, the demand for increased private vehicle usage will be minimised as precinct evolves under the Concept Plan.

5.5.3 Parking

The proponent seeks to cap car parking, proposing no additional spaces within the EQ beyond the existing 2000 space multi-storey car park (less 151 EQ and Working Studio reserved tenant parking) and scattered parking across the site (130 spaces). Comments provided from Transport NSW and the City of Sydney Council provided support for the proponent's car parking cap for the development, concluding that, in conjunction with appropriate car parking management plans and existing car parking arrangements, suitable provision for parking is currently available on site.

Concerns were raised by surrounding residents, Clover Moore MP and the Trust regarding the inability for car parking impacts to be adequately addressed where no detailed land uses had been provided for the proposed new buildings. Whilst specific building uses have not been identified by the proponent, as noted above, the submitted Traffic Impact Assessment analysed two different land use scenarios of uses permitted under SEPP 47, including one

that assumed a proportionate increase in the existing land uses currently operating within the EQ and another that assumed an increase in film related commercial/office land uses.

Currently there are approximately 2,130 car parking spaces within the EQ, of which 2,000 are located within the existing multi-storey car park, 151 spaces of which are currently reserved for Working Studio and EQ tenants between 7:00am and 7:00pm, weekdays. The proponent's Traffic Impact Assessment notes that the existing multi-storey car parking station operates at approximately 30% to 50% of the facility's capacity during normal trading hours, with car parking demand increasing significantly due to weekend events within the Hordern Pavilion and nearby Sydney Cricket Ground and Sydney Football Stadium. In this regard, an approximate 50% increase in traffic generation from the proposed development could be satisfactorily accommodated within the existing multi-storey car park.

Capping car parking provision within the EQ will encourage the use of non-private vehicle transport and public transport. In addition, the proponent has committed to the preparation of detailed travel demand management plans for future development within each building envelope to ensure that demand on existing car parking within the EQ does not exceed capacity. Further, the plans will provide directions to ensure that future development incorporates secure staff and visitor parking spaces, a taxi phone, mechanisms to create staff car-pooling and provision of detailed information relating to access and use of public transport and non-private vehicle transport modes.

In addition to the proponent's commitments outlined above, the Department recommends a modification be imposed requiring that all future applications for the development of each building envelope are accompanied by a traffic assessment report to address associated traffic and parking impacts and ancillary cumulative impacts, and that staff change room facilities and amenities and lockers be provided to encourage walking and cycling (Mod 6, Schedule 3).

The Department considers that the position taken by the proponent to cap the existing parking provision on the site will have a positive impact on encouraging the use of public transport and other non-private vehicle transportation modes and that the existing on-site parking provisions are acceptable for the project. Whilst concerns have been raised in relation to the limited detail surrounding future land uses, the proponent's commitment to prepare travel demand management plans for each building development and proposed modifications will ensure that the use of other forms of transport are maximised in lieu of the use of private motor vehicles.

5.6 ENVIRONMENTAL AND RESIDENTIAL AMENITY

Potential overshadowing impacts have been reconsidered by the proponent within the submitted PPR, given the revision to building locations, heights and envelope size. Impacts on surrounding residences will be negligible due to the existing distance separation between the proposed buildings and existing residential development. Furthermore, any possible impacts from Building Envelope K are no longer relevant given the deletion of the proposed building envelope from the Concept Plan in the PPR.

Within the site, the greatest additional overshadowing impact is on the public domain area between Building Envelopes B, C1 & C2. However, sufficient provision of solar access is provided to the existing open space within the showground parade ring and surrounds. Minor additional shadowing is generated by Building Envelope D, however this is considered to be negligible in relation to the solar access offered elsewhere within the EQ precinct.

5.7 DEMOLITION

The proposed Concept Plan also seeks approval for the demolition of Buildings 17 and 220 to accommodate future development identified within the envelopes of Building Envelopes B

and C1/C2. As detailed above, Building 17 is identified as having low heritage significance and no objections were raised to its demolition. Building 220 was constructed during the redevelopment of Fox Studios and does not hold any heritage significance and its demolition is not considered to be detrimental to surrounding heritage items.

The proponent has provided a commitment to undertake all demolition in accordance with *Australian Standard AS2601-2001: The demolition of structures* and to ensure that all necessary sediment erosion controls and measures are applied during works. Further, Modification B1 in Schedule 5 is recommended requiring the preparation of a construction traffic management plan for the proposed demolition of Buildings 17 and 220 and the requirement for the preparation of an acoustic report prior to any demolition commencing on site.

The Department considers the demolition of the identified buildings to be acceptable as it will facilitate the future development of the respective building envelopes. Sufficient information has been provided within the Concept Plan documentation to allow the Department to form the opinion that project approval can be granted for the demolition of Buildings 17 and 220 under section 75P(1)(c) and subject to Modifications (in Schedule 5), with no further environmental assessment required.

6. RECOMMENDATION

The Department has reviewed the environmental assessment and considered the advice received from public authorities as well as issues raised in public submissions in accordance with Section 75I(2) of the Act. All the relevant environmental issues associated with the proposal have been extensively assessed.

The Department considers that the proposed Concept Plan, as modified in the PPR, has satisfactorily addressed concerns raised during the assessment of the proposal and that the proposed siting, scale and form of the proposed building envelopes are satisfactory, subject to recommended modifications. The proposal has appropriately considered the heritage significance of the site, resulting in the creation of new vistas and streetscapes.

The Department has also recommended appropriate modifications in response to key issues, including the requirement to prepare an Open Space Strategy (with consideration to the relocation of the children's playground and fig tree replacement), submission of land use details and associated traffic impact assessments for each future building development and that all future development be designed with consideration of the existing heritage significance of the site and existing heritage items. Further, the Department considers that no further environmental assessment is required in relation to the demolition of Buildings 17 and 220, with project approval for this element of the proposal recommended, subject to Modifications within Schedule 5.


Comments on the draft modifications from the proponent, the NSW Heritage Branch and Council were sought and where relevant, have been incorporated.

The proposal is consistent with key objectives in the State Plan, Metropolitan Plan for Sydney 2036 and draft Sydney City Subregional plan and would provide significant economic and entertainment benefits to the local and broader community through the provision of new developable floor area for the purposes of reinforcing the EQ as a unique employment and entertainment destination within the heart of the city.

The Department considers that the proposed Concept Plan is in the public interest and is satisfied that the impacts of the proposal can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance, pursuant to section 75O and 75J of the EP&A Act.

It is recommended that the Planning Assessment Commission of New South Wales:

- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the Concept Plan (MP 07_0144), subject to modifications, under section 75O(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above;
- c) **Approve** the demolition of Buildings 17 and Building 220 pursuant to Section 75P(1)(c) of the EP&A Act, as described by the Concept Plan, with no further environmental assessment required; and
- d) **Sign** the attached Instrument of Approval.



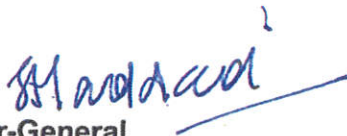
28.8.11

**Executive Director
Major Project Assessment**



31/8/11

**Deputy Director General
Development Assessment & Systems Performance**



Director-General

1/9/2011

