

PlanningNSW

PLANNING REPORT

DEVELOPMENT APPLICATION: DA 201-6-2002

SITE: Luna Park Entertainment Complex, Milsons Point

PROPOSAL: Stage 2 DA for **Phase E** - Detailed design of Luna Park Entertainment Complex

APPLICANT: Metro Edgley Pty Ltd

FILE: S02/01513 Pt 1

1.0 INTRODUCTION

1.1 Summary

A development application (DA) has been lodged by Metro Edgley Pty Ltd for the Stage 2 detailed design for the Phase E area of the Luna Park Entertainment Complex. The subject DA occupies the central and northern portions of the Luna Park Entertainment Complex, and excludes the southern portion of land for the Luna Park car park and café/restaurant buildings, which are dealt with under a separate DA for Phase D.

These proposed buildings were approved in use and building envelope as part of a Stage 1 development consent for the Luna Park Entertainment Complex site, approved by the Minister on 31st January 2002.

In summary, the Phase E proposal includes: -

- Construction of the *Circus* and *Circus Foyer* buildings
- Façade alterations to the *Wild Mouse* ride,
- Introduction of Restaurant and Function room to ground level of *Wild Mouse*;
- Alterations to the former big dipper slab and demolition of the “mountain” to accommodate the relocated *Dodgem Car*, *Tumble Bug* and *Spider* rides and the new *Circus Foyer* building;
- Internal alterations to the existing *Administration* building;
- Retention of the *Tango* and *UFO* rides on the western elevation of the Administration building;
- Establishment of a new Children’s Play Area north of Coney Island;
- Details of the public pedestrian link between Glen Street to the Luna Park Entertainment Complex; and
- Associated landscaping, signage, lighting and weather protection elements.
- Note that a proposal for cliff stabilisation has been deleted from this DA.

The Minister for Urban Affairs and Planning is the consent authority under clause 10 of State Environmental Planning Policy No. 56 – Sydney Harbour Foreshores and Tributaries (SEPP 56). The Development Application is integrated development under section 91 of the EP&A Act, as an approval is required from the Waterways Authority, under Part 3A of the Rivers and Foreshores Improvement Act 1948. The Waterways Authority has provided general terms of approval in the event that the DA is granted approval.

1.2 Main Issues

The main issues relating to the DA includes design issues associated with the location of certain rides within the Children’s Play Area, acoustic impact of rides, the design of the Luna Circus roof structure and Foyer, public access from Glen Street, and compliance with relevant stage 1 consent conditions and relevant environmental planning instruments. These, and other issues, are addressed under report section 6.

1.3 Recommendation

It is recommended that consent be granted, subject to conditions **tagged A**.

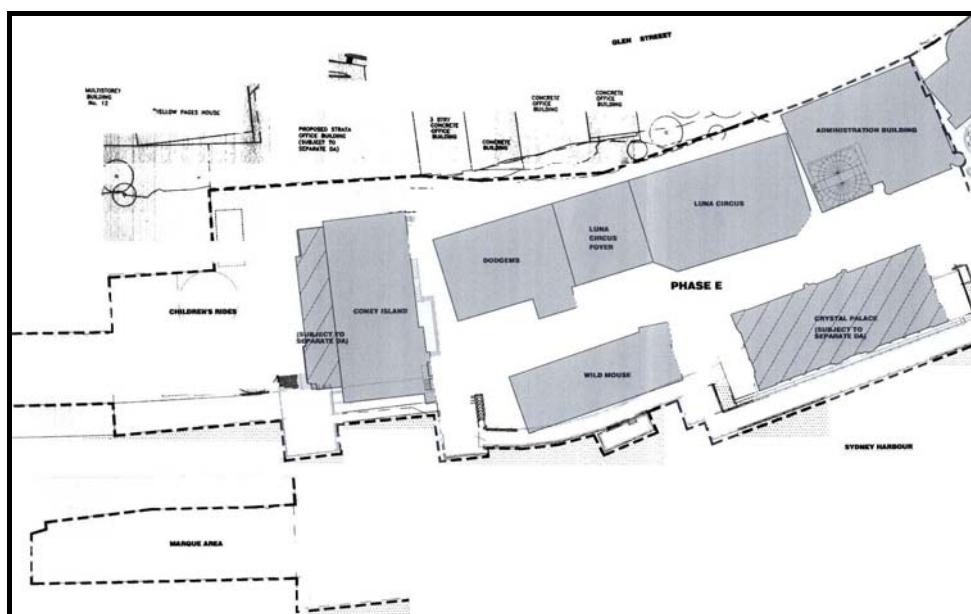
2.0 BACKGROUND

2.1 *Siting and Location*

The Luna Park site extends along the south-eastern tip of Milsons Point, between the higher slopes of Glen and Northcliff Streets and the waterways and foreshore of Lavender Bay. The site contains a foreshore boardwalk, pedestrian walkways, recreation space for amusements and rides, administration facilities, and plant. Surrounding land uses include: -

- the North Sydney Olympic Pool directly south of the site;
- Bradfield Park, southeast of the site, and under the Sydney Harbour Bridge northern gantry;
- a number of commercial and residential office buildings, directly east of the site, and significantly elevated to dominate the Milsons Point skyline; and
- land owned by the State Rail Authority, northeast of the site, used for the stabling of trains.

Luna Park Phase E (subject Stage 2 DA), relates to the land that extends north from the Ferris Wheel and Luna Park car park, and between the foreshore boardwalk and the base of the cliff.



2.2 *Past approvals and statutory decisions*

The site is already subject to a number of recent development approvals and site decisions: -

1. DA 316/00 for the removal of the Big Dipper, approved by North Sydney Council on 20 December 1999.
2. DA 427/00 for alterations to the Crystal Palace and additions to Coney Island, approved by North Sydney Council on 27 March 2000.
3. S96 modification to DA 427/00, including the generation of noise levels, approved by North Sydney Council on 15 September 2000.
4. DA 772/00 for a Staged DA for Master Plan parameters relating to the site, and including a car park for 500 spaces. North Sydney Council approved the DA on 23 October 2000, with conditions limiting the car park to 100 spaces, and refusing two alternate car park locations.
5. On 2 February 2001, Amendment 4 to SEPP 56 was gazetted, which included the transfer of the Luna Park from Schedule 2 to a Schedule 1 of this instrument. A consequence of this amendment makes the Minister the consent authority for the Luna Park site.
6. DA 154-06-01 Stage 1 Luna Park Complex and Stage 2 commercial office building fronting Glen Street, Milsons Point, was approved by the Minister for Planning on 31st January 2002. The subject Stage 2 DA – Phase E relates to this Stage 1 approval

3.0 DESCRIPTION OF THE PROPOSAL

3.1 *The development application*

The subject development application seeks the Minister's consent for a Stage 2 consent pursuant to Section 80(4) of the EPA Act 1979, and comprising the following elements: -

- Construction of the **Luna Circus** and **Circus Foyer** buildings to accommodate a range of entertainment based uses including circus, concerts, sports events and corporate promotions/events. The circus will achieve a maximum height of RL 20 and contains a maximum seating capacity for 2,000 persons. The Circus Foyer will achieve a maximum height of RL 16 and will include foyer, bars and back of house activities.
- Façade alterations to the **Wild Mouse** ride including removal of the "cheese" façade. Additions to the Wild Mouse include the introduction of **Restaurant** at ground level. The Wild Mouse will accommodate a range of generic entertainment and amusement activities.
- Alterations to the **former big dipper slab** and demolition of the "mountain" to accommodate the relocated *Dodgem Car*, *Tumble Bug* and *Spider* rides and the new *Circus Foyer* building;
- Internal alterations and additions to the existing **Administration** building;
- Retention of the **Lighthouse**, **Tango** and **UFO** rides on the western elevation of the building Administration building.
- Establishment of a new **Children's Play Area** north of Coney Island, and including *Ranger*, *U-drive*, *Octopus*, *Space Shuttle*, *Magic Castle*, *Carousel* and *Mini Wheel* rides, a marquee area and associated landscaping.
- Details of the **public pedestrian link** connecting Glen Street to the Luna Park Entertainment Complex, via the west façade of the Glen Street office building.
- Associated **landscaping, signage, lighting** and weather protection elements



Above: Aerial view of proposed Luna Park Entertainment Complex

Below: Aerial view of proposed Luna Park entertainment complex south-east from Lavender Bay



4.0 STATUTORY CONTEXT

The Minister for Urban Affairs and Planning is the consent authority under clause 10 of State Environmental Planning Policy No. 56 – Sydney Harbour Foreshores and Tributaries (SEPP 56).

5.0 CONSULTATION AND SUBMISSIONS

5.1 *Notification and Exhibition*

The DA was advertised in accordance with Section 79A of the EP&A Act 1979. An advertisement was placed in the Sydney Morning Herald and the Mosman Daily on 12 July 2002. Relevant public authorities and nearby landowners and occupants were notified by mail. The notification was carried out in accordance with the North Sydney DCP 2002, however, the exhibition period was 7 days longer than the minimum specified in the DCP. The notification mail-out was based on the same area PlanningNSW and North Sydney had earlier notified in previous consents for the site with addresses taken from the North Sydney Council rates database in accordance with the DCP to approximately 4725 properties. The DA was placed on public exhibition at PlanningNSW's principal office and at North Sydney Council between 12th July 2002 and 2nd August 2002.

Submissions continued to be received and considered after the public exhibition period until the time of writing of this report, 8 November 2002.

5.2 *Summary of Public Submissions*

A total of 21 public submissions were received from surrounding residents, businesses, general public and government departments/relevant authorities. Relevant issues raised in public submissions are addressed under the report section 6 "Consideration of Submissions".

By way of location, 15 submissions (71 %) were directly from residents, businesses and Council located in Milsons Point, Kirribilli, Lavender Bay and North Sydney precincts, and 6 submissions (29%) were from outside the North Sydney local government area.

5.3 Local Member

The site is within the electorate of North Shore. The local member, Jillian Skinner, MP, did not provide any specific submission on these applications, but is understood to not support the application. Ms Skinner objected to the stage 1 application (DA 154-06-2001) and has written on 1 October to the Minister with concerns about the carpark entrance and tree removal.

5.4 Summary of Submissions from Government Agencies/Authorities

The DA was referred to a number of Government authorities/agencies. The following summary details relevant submissions. A response to issues raised is addressed under report section 6: -

5.4.1 North Sydney Council. As a consequence of a Council meeting on 19th August 2002, North Sydney Council has submitted a letter dated 27th August 2002, highlighting the following issues relevant to Phase E: -

- Noisy rides such as the “Octopus” and the “Ranger” should be eliminated from the area to the north of Coney Island, on the grounds that such rides cannot comply with noise control regulations. Council considers that insufficient information has been provided within the Statement to enable the rides at the northern and Marquees at the northern end of the Park to be competently dealt with and should be subject to further application.
- Public access along the link between Glen Street and the Lavender Bay Boardwalk should be available 24 hours a day, 7 days a week in the same terms as access along the Lavender Bay Boardwalk is allowed. Such access should be guaranteed by way of legal agreement with Council, at no cost to Council.
- The applicant be requested by PlanningNSW to surrender previous consents, relating to Coney Island and Crystal Palace and include these buildings within the current application process. Hours of operations of these facilities and the carpark should then be restricted to close at 1.00am due to the intensification of use across the whole of the site and the consequent effect on the amenity of the residents in Milsons Point and Lavender bay and beyond into North Sydney.
- Construction hours be restricted in accordance with Council's normal construction hours.
- The applicant be requested to investigate the practicality of access to the site for the removal of spoil and construction access by way of either Sydney Harbour or the Rail yards to the north of the site, with the use of such access being **mandatory** wherever practicable.
- Wherever practicable, construction access is to be limited to arterial roads.
- The applicant be required to carry out a comprehensive dilapidation survey of:
 - a) Properties at the corner of Paul and Northcliff Streets.
 - b) Council's infrastructure in the area bounded by Cliff Street, Alfred Street, and

Lavender Bay including Olympic Drive.

- PlanningNSW be requested to apply Section 94 Contributions in accordance with Council policy.
- PlanningNSW be requested to impose a condition to the effect that “No part of the heritage brick wall facing

5.4.2 The **Waterways Authority** (Integrated Development authority, requiring approval under Part 3A of the Rivers and Foreshores improvements Act). The Authority has provided standard conditions in the event of development consent being granted.

5.4.3 The **Sydney Harbour Design Review Panel** (SHDRP), at its meeting of 2nd August 2002, has provided the following comments: -

- **Support** for: -
 - The colours proposed.
 - The new public connection from Glen Street is supported with the connection moved south and a new stair travelling north rather than across the roof of the north facing terrace.
 - Graphics proposed as static to the public domain and changing and flexible to the Midway.
- **Concern** that: -
 - The circus roof form does not address the Midway as a reactive wall as originally proposed. The circus roof could reflect the traditional circus tent form as a tensile structure as an alternative to a fabric draped over a portal truss. The tensile structure could celebrate the Midway, forming a more interesting and higher structure and create colour and drama on the central space, with lower form and restrained colour to the adjoining residential on the northern boundary.
 - The roof material should be colour fast and easily cleaned to maintain the colour concept for as long as possible. The proposed fabric should be reviewed.
 - The foyer lacks celebration and distinction.

The SHDRP has **recommended**: -

- a) Revise the roof design of the circus building to address the above concerns. The panel believes that the experience along the Midway should be realised as originally proposed, with more expression, activity and fun. The language on the Midway can be different.
- b) The foyer should be redesigned to celebrate the entrance to the circus.

5.4.4 **Rail Estate** has advised (dated 31 July 2002) that: -

- The establishment of the Children’s Play Are north of Coney Island may be subject to noise generated from the Authority’s Lavender Bay rail sidings.
- Appropriate landscaping will assist in screening views to the sidings.
- Cranes and construction should not impinge over the rail corridor SRDAC ; and
- Stormwater and drainage should not divert onto the rail corridor.

6 CONSIDERATION OF SUBMISSIONS

A summary of the principal and relevant issues in submissions is provided below.

6.1 Response to Stage 1 consent conditions

An assessment of the Stage 2 DA for Phase E response to the Stage 1 consent conditions (DA 154-06-11) is appended to this report. The Stage 2 DA for Phase E generally complies with the relevant Stage 1 consent conditions, including S96 amendments for the Luna Circus envelope and route of the Glen Street pedestrian link.

Comment: The recommended Stage 2 determination notice includes conditions to: -

- retain those relevant conditions in the stage 1 consent, and
- strengthen the implementation of the Stage 1 consent conditions through submitted Stage 2 DA consultant reports – for example transport management, pedestrian safety and security, noise emissions, lighting, heritage interpretation, and compliance with BCA and Australian Standards.

6.2 Noise

A total of 13 submissions have raised concerns with the anticipated generation of noise from the Phase E buildings and rides.

Comment: By letter dated 14 August 2002, Acosutic Logic Consultancy Pty Ltd recommends the installation of certain acoustic attenuation measures for the Wild Mouse and Luna Circus, and that these buildings will comply with the following Stage 1 consent condition: -

“102. The LA_{10} , 1-hour noise level emanating from buildings and internal spaces shall not exceed 60dB(A) at any time, measured at the closest residential facade.”

Furthermore, a recommended Phase E consent condition requires that the Luna Park management comply with the following criteria: -

- (a) Environment Protection Authority noise criteria prescribed under the Environment Operations Act 1997 and the noise quality objectives proposed by the Environment Protection Authority in the Environmental Noise Control Manual;
- (b) any conditions prescribed for Licensed Premises under the Liquor Administration Act; and
- (c) the recommended Noise Management Strategy and Annual Review strategy contained in the “*Acoustic Plan of Management*”, (report sections 11 and 12 respectively), prepared by Hyder Consulting, dated 4 June 2002. A copy of each annual review report shall be submitted to the Department and Council.

6.3 Location of certain rides within the Children’s Play Area

A total of 9 submissions have raised concerns that rides such as Ranger, U-Drive and Octopus proposed for the Children’s Play Area are infact not rides for children and should be deleted from this area.

Comment: This assessment notes that children will not be prohibited from enjoying these rides unless they fail to comply with certain requirements e.g. minimum height restrictions.

This assessment notes that the objections appear to be directed at the noise generation of these rides rather than the legitimacy of children to access the rides. In addition existing Stage 1 conditions, and those proposed under report section 6.2 above, this assessment notes that the adjoining cliff top Yellow Pages building and the approved Glen Street commercial office (once constructed), will assist in providing acoustic buffering to adjoining residential buildings.

6.4 Noise permeability of the Luna Circus canvas

A total of 2 submissions have raised concerns that the canvas structure of the Luna Circus will not prevent noise impact to adjoining residents.

Comment: This assessment notes: -

- (a) the Luna Circus building must comply with the Stage 1 consent condition requiring that *"The LA₁₀, 1-hour noise level emanating from buildings and internal spaces shall not exceed 60dB(A) at any time, measured at the closest residential façade"*.
- (b) the Acoustic Logic Consultancy Pty Ltd (27th May 2002), which recommends specific noise attenuation controls, which are reinforced by recommended Phase E consent conditions; and
- (c) a recommended Phase E consent condition requires the roof of the Luna Circus is to be constructed from Ortech with acoustically treated ceiling under.

6.5 Location of Wild Mouse

One (1) submission has objected to the location of the Wild Mouse as a potential source of noise generation to adjoining residences.

Comment: The Wild Mouse is already constructed arising out of earlier approvals and is part of the heritage fabric of Luna Park. The location of the Wild Mouse complies with the DA 154-06-01 Stage 1 Luna Park Complex approved by the Minister for Planning on 31st January 2002. Furthermore, the Wild Mouse building is required to comply with the Stage 1 consent condition requiring that *"The LA₁₀, 1-hour noise level emanating from buildings and internal spaces shall not exceed 60dB(A) at any time, measured at the closest residential façade"*.

6.6 Fixed glass Wild Mouse restaurant

One (1) submission has requested that fixed glass (not sliding) be applied to the east facade of the restaurant under the Wild Mouse.

Comment: This assessment notes that the acoustic treatment of all doors and window seals is recommended by consent condition to this DA and in accordance with the recommendations of Acoustic Logic Consultancy Pty in their report *Phase E – Noise Impact Assessment*". Furthermore the applicant is bound by the stage 1 condition requiring that *"The LA₁₀, 1-hour noise level emanating from buildings and internal spaces shall not exceed 60dB(A) at any time, measured at the closest residential façade"*. Consequently the recommendation if the objection is not supported.

6.7 Non compliance of Luna Circus envelope

One (1) submission objects to the Luna Circus exceeding the envelope approved under the Stage 1 consent. The envelope is exceeded in footprint but not in height. The footprint variation is a consequence of the curved "bullnose" skin wrapping around the Circus structure along east and west elevations. The envelope of the tent structures is within the approved envelope at ground level, but protrudes up to 1.25 metres beyond the envelope at a height of 10 metres above ground.

Comment: The planning report assessing the S96 application to vary the Luna Circus envelope, concludes the departure to be minimal with limited adverse environmental impact and consequently be recommended for approval. Furthermore, the "hoods" located at the Circus structure northern

and southern ends structure are decorative features to the “big top” theme, and are minor decorative structures that are permitted to exceed the envelope in accordance with the Stage 1 consent.

6.8 SHDRP request for Luna Circus design revisions.

The SHDRP resolved that the applicant be requested to resolve the following: -

- (a) Revise the roof design of the circus building to reflect the traditional circus tent form as a tensile structure as an alternative to a fabric draped over a portal truss
- (b) The experience along the Midway be realised as originally proposed, with more expression, activity and fun.
- (c) The foyer should be redesigned to celebrate the entrance to the circus.

Comment: The applicant has responded to the panel comments with the following: -

- Retain proposed tent structure in order to contain acoustic isolation.
- A tensile roof structure will increase the tent height beyond the approved Luna Circus envelope.
- Elevated display/performance platforms to assist in activating Midway and roof structure.
- Additional Midway booths are introduced to assist in activating Midway.
- The Luna Circus foyer is penetrated out to emphasise the entrance.
- A revised pattern of colours with graphics is applied to the Luna Circus tent structure.

This assessment concludes the applicant’s response and revised drawings to be acceptable in responding to the SHDRP comments.

6.9 Provision of lift from cliff top to Luna Circus

One (1) submission has requested a lift be provided from the Glen Street cliff top to the Luna Circus.

Comment: This assessment notes that public lift access will be available through the Glen Street office building to the Luna Park complex directly north of the Luna Circus.

6.10 Community Liaison Committee

One (1) submission seeks the establishment of a Community Liaison Committee with the Luna Park management to review the performance of Luna Park and any impacts on the adjoining neighbourhood.

Comment: This assessment notes that the Luna Park Entertainment Complex is bound by a Stage 1 consent condition 103(g) preparation of a “Noise Management Strategy” in accordance with chapter 8 of the NSW Industrial Noise policy, which requires the establishment of a consultative committee including representatives of the local community.

6.11 24 hour public access from Glen Street to LP complex

North Sydney Council has requested that 24 hour access be provided along the new pedestrian link from Glen Street to the Luna Park Entertainment Complex, and that such access should be

guaranteed by way of legal agreement with Council, at no cost to Council.

Comment: This assessment notes that a Stage 1 consent condition (no. 96) limits public access to the external public pedestrian link between Glen Street and the Luna Park entertainment complex between the hours of 5am and 10pm, 365 days a year. This condition responds to after-hours noise and security concerns raised by surrounding residents, and consequently enables the Luna Park management to monitor patron movement and behaviour during hours of the Luna Park operations. Council's request is therefore not supported.

6.12 Lighting spill

One (1) submission has raised concerns with the anticipated spillage of Luna Park lighting and impact on adjoining residential units.

Comment: A recommended Phase E consent condition requires that all lighting comply with the "Luna Park DA Lighting Strategy" prepared by Adamus Consulting Practice (Job number 2751, dated 23.04.02), and with relevant Australian Standards, in particular Australian Standards AS/NZS 1158.3.1.1999 "Pedestrian area (Category P) Lighting – Performance and installation design requirements.", and AS 4282 "Control of the obtrusive effects of Outdoor Lighting".

6.13 Council recommended conditions

North Sydney Council has requested that Planning NSW to apply the following conditions: -

- Construction hours be restricted in accordance with Council's normal construction hours.
- The applicant to investigate the practicality of access to the site for the removal of spoil and construction access by way of either Sydney Harbour or the Rail yards to the north of the site, with the use of such access being **mandatory** wherever practicable.
- Wherever practicable, construction access is to be limited to arterial roads.
- The applicant be required to carry out a comprehensive dilapidation survey of:
 - a) Properties at the corner of Paul and Northcliff Streets.
 - b) Council's infrastructure in the area bounded by Cliff Street, Alfred Street, and Lavender Bay including Olympic Drive.

Comment: Phase E consent conditions are recommended addressing all Council issues listed above, with the exception of the alternative access for construction access and removal of spoil. These issues are considered at length in the planning report for Phase D (DA151-05-2002), and the request is not supported for reasons stated in that report's consideration, being principally that such alternatives are either not practical or give rise to other unreasonable impacts elsewhere.

6.14 Proximity to State Rail land

Real Estate has commented on the proximity of the Luna Park entertainment complex and has: -

- recommended the introduction of on-site landscaping to assist the visual screening between adjoining uses; and
- requested that construction, cranes and stormwater do not impinge onto the rail corridor.

Comment: Phase E consent conditions are recommended addressing the above issues.

6.15 Surrender of past consents

North Sydney Council has requested the applicant to surrender past development consent granted by Council for the hours of operation of Coney Island and Crystal Palace.

Comment: This assessment notes that both Coney Island and Crystal Palace do not form part of either the Phase E development application, or the approved Stage 1 DA for the Luna Park Entertainment Complex. Furthermore, the hours of operation for these buildings were considered adequate, and consequently granted, by North Sydney Council through specific DA consents (refer to planning report section 2.2). Council has not submitted any justification for considering that the existing conditions are no longer adequate.

6.16 Development sustainability

The applicant has submitted an ESD report prepared by Adamus Consulting Practice, dated 23/04/02. Specific to the Phase E proposal, the report confirms the following ESD initiatives: -

a) **General Initiatives** including:

- Minimise solar penetration through external shading/window treatment;
- High quality glazing;
- Thermal insulation;
- Water efficient taps and faucets;
- Appropriately sized plant

b) **Luna Circus** including:

- High level of thermal treatment to tent roof and wall linings
- Use of pre-cool and pre-heat modes before performances
- Variable outside air provisions for transient occupancy levels within circus/foyer;
- Economy cycle outside air provision to A/C units

c) **Wild Mouse** including:

- External shading devices to new external windows; and
- Use of higher performing glass.

These measures are reinforced by recommended Phase E consent conditions.

7.0 ASSESSMENT AGAINST SECTION 79C MATTERS

The Development Application has been evaluated in accordance with: -

- the matters for consideration listed under Section 79C of the EP&A Act, and a table summarising this assessment is found at an appendix to this report.
- The conditions of consent applied to the Stage 1 Development Consent to the subject site, and relevant to the site area defined by Phase E.

8.0 S. 94 CONTRIBUTIONS

North Sydney Council has requested that the Minister apply appropriate (unspecified) S94 levies to the Phase E development, calculated in accordance with the North Sydney Section 94 Contribution Plan (updated July 2001) – referred to as the “Plan”.

The Plan states under Plan section 1.4 that contributions will be levied on new residential development and new commercial development (including showrooms) within the North Sydney local government area.

The Phase E development does not propose any residential development. The North Sydney LEP 2001 defines commercial development as follows: -

“commercial premises means a building or place used as an office or for other business or commercial purposes, but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.”

This assessment notes that all Phase E buildings and land uses fall into other definitions within the LEP 2001 Schedule 2 definitions, and consequently cannot be defined as commercial development, for example: -

- *Refreshment Room* includes cafes and restaurants.
- *Shop* includes a building/place offering good for sale by retail, goods, merchandise etc.
- *Place of Assembly* includes a public hall, theatre, music/concert/dance hall.
- *Recreation Facility* includes a fun parlour.

This assessment also notes that there appears to be an inconsistency with the Plan's Table 4 entitled *“Contribution per 100sq m for commercial (including showrooms)/retail (or part of).”* The inconsistency is derived by: -

- the S94 Table 4 introduction of the word “retail” which is contrary to the definition contained within the Plan section 1.4 of development that attracts a S94 levy; and
- the North Sydney LEP 2001 definition of “commercial”, and the lack of any definition for “shop” under LEP 2001.

Consequently this assessment concludes that a S94 Plan is not applicable to the subject Phase E development by virtue of the proposed land uses, the provisions of the North Sydney Section 94 Contributions Plan, and the Schedule 2 definitions contained in North Sydney Local Environmental Plan 2001.

9.0 CONCLUSION

Issues including location of rides, design of the Circus roof and foyer, built form and building envelopes, and related environmental impacts raised in submissions, have been addressed in this planning report. It is concluded that the impacts arising from the proposed development are manageable subject to consent conditions.

It is recommended that the Minister grant approval to the Stage 2 DA for Phase E of the Luna Park Entertainment Complex.

Signed:

Endorsed:

Stephane Kerr
Town Planner & Urban Designer
Consultant to the Department of Planning

Alan Cadogan
Team Leader, Urban Assessments

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