



PLANNING REPORT

FOX STUDIOS AUSTRALIA

**DA 332-11-01: EXPANSION OF PROFESSIONAL STUDIOS IN
FORMER BACKLOT AREA**

**DA 333-11-01: SUBDIVISION INTO 2 LOTS – WORKING
STUDIO PRECINCT AND FAMILY
ENTERTAINMENT PRECINCT**

1. SUMMARY

Fox Studios Australia (FSA) submitted two development applications, DA 18 (332-11-01) and DA 19 (333-11-01) to PlanningNSW on 13 November 2001 seeking consent for:

- the inclusion of part of the former Backlot area into the Working Studio Precinct and its conversion to professional film and television studios, and
- the subdivision into 2 lots of the Working Studio Precinct and the Family Entertainment Precinct.

The applications fall under the provision of State Environmental Planning Policy 47 – Moore Park Showground (SEPP 47) and the Minister for Planning is the consent authority. The proposals are integrated development as they also require approval by the Heritage Council of NSW under section 60 of the Heritage Act.

In accordance with the requirements of SEPP 47, the DAs were placed on public exhibition from 23 November until 24 December 2001, relevant authorities were notified and a letterbox drop was undertaken in the nearby residential areas.

A total of 18 submissions were received and the key issues raised include; loss of public access to heritage items such as the Commemorative Pavilion and Busby's Bore, intensification of use on the site and consequent noise and traffic increases, erosion of the integrity of the original Moore Park Showground due to subdivision and financial impacts on the Centennial Park and Moore Park Trust.

The following report assesses the proposals and addresses issues raised in submissions. The report concludes that all relevant environmental issues have been adequately addressed and that potential impacts from the development can be managed. It is therefore recommended that the Minister grant consent to DA 332-11-01 and DA 333-11-01 subject to the recommended conditions of consent.

2. THE DEVELOPMENT AREA AND SUBJECT SITE

The proposed development is located at FSA, and this DA relates to Lot 1 in DP 861843. The FSA site is located within the City of South Sydney, approximately 3.3 km south-east of the CBD.

The site is bounded by the residential streets of Poate Road to the north east, Furber Lane and Cook Road to the east, and the Sydney Football Stadium and Sydney Cricket Ground immediately to the west. A site plan is attached at Tag 'F'.

3. THE DEVELOPMENT PROPOSAL

DA 332-11-01

The proposal seeks consent for the inclusion of part of the former Backlot area at FSA into the Working Studio Precinct and its conversion to professional film and television studios. The proposal involves demolition of some existing fit-outs and removal of certain cosmetic adornments on specific buildings. The fit-out and the use of the buildings will be for film and studio related purposes and associated works. The buildings to which this DA applies includes:

- Sound Stages 5 and 6 – to be converted to offices and will comprise the installation of new windows;
- The Character House – to be converted to offices and craftshops;
- The Sound Factory – use not defined, however awning to be trimmed and steps, landing and handrails to be removed;
- The Commemorative Pavilion – to be converted to a sound stage in the main pavilion and offices/ workshops/ operational support facilities and storage in the basement. Removal of the Titanic Experience will occur;
- Lights, Camera, Chaos – filming and performance to live studios; and
- The Bent Street Stand – to become mixed service needs for film production.

A map identifying these buildings is attached at Tag 'B'.

DA 333-11-01

It is proposed to subdivide Lot 1 DP 861843 into 2 new allotments. The proposed subdivision will enable:

- Fox Filmed Entertainment and Lend Lease Corporation, as partners in the operation of FSA, to restructure their holdings in the project so that Fox will be solely responsible for the capital and operational requirements of the professional Working Studio Precinct. Fox and Lend Lease will continue their joint venture arrangements in relation to the Family Entertainment Precinct; and
- The expansion of the area used for film and television production purposes within the Working Studio Precinct from 11.5 hectares to approximately 13.2 hectares.

Physical works that will be undertaken as a result of the subdivision, will comprise the security fencing along the line of the proposed subdivision boundary. This is necessary for security purposes.

A map showing the subdivision line is attached at Tag 'C'.

4. STATUTORY CONTEXT

The site is covered by State Environmental Planning Policy No. 47 - Moore Park Showground (SEPP 47) and the Minister for Planning is the consent authority for development on the site.

SEPP 47 permits, with development consent, a range of uses including a film and television studio, film related development, amusement and entertainment facilities, restaurants and shops, and associated/ancillary development.

The overall development concept for the Showground site is contained in the Masterplan (DA No.1/96) which identified a Film Studio Precinct and a Family Entertainment Precinct. The Masterplan DA was granted consent by the Minister, effective from 3 May 1996.

Under clause 15 of SEPP 47 in assessing DAs, the Minister must consider a range of matters that are, in his opinion, relevant to the proposed development (Tag 'G'). These matters must be considered in addition to the heads of consideration under section 79C of the Environmental Planning and Assessment Act 1979 (EP&A Act). All relevant matters under SEPP 47 and the EP&A Act are addressed in this report.

Additionally, the proposals are integrated development as they also require approval by the Heritage Council of NSW under section 60 of the Heritage Act. The proposals require integrated approval because Busby's Bore which is affected by the proposals is an item listed on the NSW Heritage Council. The Heritage Council of NSW has provided their general terms of approval for the proposals and these have been incorporated into the recommended conditions of consent.

5.0 PUBLIC CONSULTATION

Statutory Advertising and Notification

Advertising and exhibition of the proposals was undertaken in accordance with Clause 14 of SEPP 47. The proposals were advertised in the Sydney Morning Herald on Friday, 23 November 2001. The DAs and supporting documentation were placed on public exhibition from 23 November 2001 to 24 December 2001 at the following locations:

- Department of Planning Infocentre
- South Sydney City Council Administration Centre
- Paddington Town Hall Library

Copies of the DAs and supporting documentation and a letter requesting comments were sent to:

- South Sydney Council
- Heritage Council of NSW
- Centennial Park & Moore Park Trust
- Clover Moore MP
- Australian Heritage Commission
- Centennial Park Residents Association
- Poate & Furber Rd Residents Association

A letter advising of the proposals was forwarded to various relevant agencies, organisations and resident committees. In addition, four notices were displayed at the site explaining the proposals, and a letter-box drop was undertaken in the adjacent areas.

Submissions Received

A total of 18 submissions were received with 11 objections (6 being form letters) and 4 letters of support. The other 3 submissions neither supported or objected to the proposal.

South Sydney Council: No submission was received from South Sydney Council.

Heritage Council of NSW: The proposals are integrated development and therefore require approval by the Heritage Council of NSW. The general terms of approval are attached at Tag 'F' and require that public access to Busby's Bore be made available for a minimum of four days per year. The Heritage Council of NSW states they are not opposed to the proposals, however make recommendations to ensure protection of heritage items. These recommendations have been considered in the assessment process, and where appropriate included in the recommended conditions of consent.

Centennial Park and Moore Park Trust (CPMPT): PlanningNSW received no submission from CPMPT. The CPMPT however provided landowners consent for DA lodgment purposes and therefore are fully aware of the proposals.

Clover Moore MP: Clover Moore, Independent Member for Bligh, urges the Minister to reject the DAs due to potential restrictions on public access to heritage items, potential adverse impact on residential amenity due to intensification of use on the site for film making purposes and potential financial impacts on Centennial Park and Moore Park Trust. These issues are addressed in section 6 of this report.

Australian Heritage Commission(AHC): AHC raised concern at the potential loss of public access to items of heritage significance on the site, in particular Busby's Bore. Additionally, the AHC were concerned in regard to loss of public access to, and impacts as a result of alterations to the Commemorative Pavilion. The AHC recommend that access to heritage items be made available. These issues have been considered in the assessment process.

Centennial Park Residents Association and Poate and Furber Roads Residents Association: The CPRA and the P&FRRA are opposed to the proposals. The main issues raised in their submissions include; increased traffic to the commercial area, increase in film studio area and consequent noise increases, erosion of the integrity of the original Moore Park Showground due to Subdivision, loss of public access, particularly to heritage items, financial impacts on the Centennial Park and Moore Park Trust and decrease in publicly accessible space on the Fox Studio site. These issues are addressed in section 6 of this report.

Other public submissions received objected to the proposal on the basis of loss of public access to items of heritage significance, potential for increased noise and traffic impacts and loss of integrity of the site due to subdivision.

Submissions supportive of the proposal were also received, and these identified the potential increase in employment for people in the film industry and the ability for these proposals to make available more areas for local film industry needs.

6.0 CONSIDERATION OF ISSUES

Heritage

The key issues in regard to potential impact on heritage value of the site relate to restricted public access and disturbance to heritage fabric of specific buildings.

Public Access to Heritage Items

The proposal to expand the working studio area does result in further restrictions on access to heritage items. Initially Busby's Bore was only publically accessible by means of payment for the Backlot Tour. Since the closure of this tour, Busby's Bore has been publically accessible free of charge this however has been for a limited period of time. The Commemorative Pavilion previously had limited internal access for the Titanic Experience which was part of the Backlot tour. Currently there is no internal access to the Commemorative Pavilion and limited access to the exterior of the building. PlanningNSW has assessed the potential loss of access in consideration of past access to these heritage items and also the requirements for security and privacy in the working studios area.

Access to the Commemorative Pavilion in the past has been restricted. Whilst Fox Studios have occupied the site, access was limited to being on a paid Backlot Tour. Previous to this, the Commemorative Pavilion was open to the public during the Royal Easter Show period, and again this was for a limited period of time and required payment.

Busby's Bore is an item listed on the NSW State Heritage Register. It was exposed by Fox Studios during construction associated with the Backlot Tour and was initially limited for viewing to the Backlot Tour. Since this tour ceased in October 2001, Busby's Bore has been opened for free public viewing.

While Fox Studios intend to maintain and protect the heritage significance of both these items, they have expressed the need for security and privacy on the site for filming purposes. The location of these heritage items is such that public access would compromise the privacy needs of the production companies.

Therefore, in accordance with the Heritage Council's general terms of approval, PlanningNSW supports the requirement that these heritage items be publicly accessible on a limited basis. The general terms of approval, state that Busby's Bore must be publicly accessible for a minimum of four days per year, this is included in the recommended conditions of consent. These 'open' days are required to be advertised in Sydney-wide newspaper and will provide access free of charge on the specified days. In addition, the recommended conditions of consent ensure that access, although restricted, is maintained to the Commemorative Pavilion.

Heritage Building Fabric

The proposal includes the removal of cosmetic adornments on the Bent Street Stand and the removal of handrails, stairs and awnings which were constructed for the purposes of the Backlot tour. The removal of these items is considered appropriate by PlanningNSW, and also supported by the Heritage Council of NSW as the removal will expose more of the original facade.

The interpretative display for Busby's Bore is proposed to be retained, however realigned and moved closer to the exposed Bore Shaft. PlanningNSW considers that this is a minor change and will not compromise the interpretative value of the display.

In relation to the Commemorative Pavilion, the Titanic display will be removed and the building will be converted to a sound stage. This conversion will re-instate the spatial context of the building and therefore have a positive effect on the heritage significance of the Commemorative Pavilion.

The conversion of the Commemorative Pavilion into a sound stage also requires sheeting of windows and covering of internal surfaces. The Heritage Council of NSW has raised concern in regard to the potential damage to the existing coved skirtings and other original design features of the building. According to Godden Mackay Logan, however, design solutions such as a taper or chamfer can overcome this problem. PlanningNSW has considered these concerns and included appropriate measures in the recommended conditions of consent to safeguard against any damage to the internal fabric of the Commemorative Pavilion.

Additional windows are proposed for sound stages 5 and 6. The windows are proposed for the sides of the buildings, and will be consistent with the style, colour and size of the existing windows on the front of the buildings. The proposed windows will be on the same elevation, and it is not expected that this change to the building will cause any detrimental impact.

The proposal also includes the illumination of the Stained-glass decorative map of Australia which is located above the main entrance of the Commemorative Pavilion. This will occur through internal boxing of the window and the appropriate backlighting. PlanningNSW has considered this aspect of the proposal, and considers that this action will highlight the map, particularly of an evening, for viewing from the main parade ring. PlanningNSW has required that the works are undertaken in a manner which will not cause damage to the Stained-glass map and will allow future removal without damage to the map.

Noise

The key issues in regard to potential noise generation relate to the demolition and fitout works and the potential for operational noise generation.

Demolition / Fitout Noise

The proposal involves:

- The demolition and fitout works to the front first floor parts of the Commemorative Pavilion to convert this building into a Sound Stage and offices,
- The removal of the Titanic Experience from the Commemorative Pavilion,
- The removal of cosmetic adornments on the Bent Street Stand,
- Minor fence and retaining wall reconfiguration adjacent to "Lights, Camera, Chaos!" (new Stage 8, which adjoins the Frank Hurley Grandstand),
- Removal of displays and addition of facilities to the Character House, and
- At this stage, only removal of decorative awnings and handrails on the Sound Factory.

In general, demolition works will comprise relatively minor activities. The works will be undertaken to remove additions that were constructed for the Backlot Tour. Demolition works will be restricted to between the hours of 7am to 5pm Monday to Friday and 7am to 2pm on Saturdays. No demolition or fitout works are to occur on Sundays or public holidays. Demolition works to the Titanic Experience will be more

extensive, however these will comprise predominantly internal works and therefore demolition noise will be contained within the building. The demolition works are expected to be completed within approximately six months of the commencement of works. PlanningNSW does not consider that these demolition activities will cause significant impact to the existing local amenity.

Fitout activities will also occur, however, these will be predominantly within the buildings and therefore noise generated by these activities is expected to be contained within the buildings and have limited impact. Demolition and fitout activities will require transport of materials on and off the site and also storage of materials on the site. FSA, as part of the DA and supporting documentation, have included a Demolition, Fitout and Associated Traffic Management Strategy to ensure the demolition, fitout and traffic on the site during this period is managed to minimise impact on local amenity. PlanningNSW is satisfied that adherence to this Demolition, Fitout and Associated Traffic Management Strategy will effectively manage the proposed demolition and fitout works. The recommended conditions of consent has required that compliance with Strategy is ensured by all contractors on the site.

Due to the works being undertaken and the strategies identified to address noise minimisation, PlanningNSW does not expect that these activities will cause detrimental impact on the local amenity.

Operational Noise

The proposal provides for an additional sound stage, offices and support facilities for the film industry. The use of offices and support facilities is not expected to generate noise that will cause impact on local amenity.

The conversion of the Commemorative Pavilion to a sound stage will provide additional facilities and therefore enable an increased use of the site for filming and studio related uses. Appropriate acoustic treatment of the building is proposed both for filming purposes and to minimise noise spill. It is not expected that filming within the new sound stage will cause additional noise impact.

Although there is potential for additional persons to be on the site, the Noise Management Strategy and Outdoor Filming Strategy will continue to apply and therefore the net noise generated will not exceed current levels. This Strategy requires on-going monitoring and reporting that is required to be submitted to the Director-General.

PlanningNSW considers that the overall noise impact from operational uses on the site can be managed in accordance with the above mentioned Management Strategies, and therefore will not cause significant impact.

Traffic and Parking

The proposal increases the number of offices on the site for film related industry. The use of the new offices on the site is not expected to generate a level of additional traffic that will cause impact on the local existing local amenity.

The DA and supporting documentation indicate that adequate provision for public transport to the site, or where necessary on site parking is available. The main period when additional parking will be required is during filming, PlanningNSW considers that the multilevel car space and the provision for on-site parking within the Working Studio Precinct will be adequate to cater for potential parking demand.

Concern was raised in regard to additional staff potentially parking on adjacent residential street. PlanningNSW anticipates that the current residential parking schemes, managed by South Sydney Council adequately controls parking in these areas by means of time limited restrictions and therefore does not expect an increase in impact on local amenity.

Subdivision

Subdivision of the identified land is unlikely to cause environmental or social impact. The subdivision will not impact on surface or ground water, cause odour, dust or pollution to deteriorate air quality, increase noise or traffic impact, cause heritage or visual disturbance, or negatively impact on the existing flora and fauna.

Concern has been raised in regard to loss of the integrity of the site if the subdivision is approved. Fox Filmed Entertainment and Lend Lease Corporation, as partners in the operation of FSA, will restructure their holdings in the project so that Fox will be solely responsible for the capital and operational requirements of the professional Working Studio Precinct and Fox and Lend Lease will continue their joint venture arrangements in relation to the Family Entertainment Precinct. In this regard, it is considered that existing communication and management of the site will continue.

Additionally, processes under the EP&A Act, the assessment requirements of SEPP 47 and the Fox Studios Masterplan consent include consistent controls and monitoring requirements which will ensure the integrity of the site is maintained.

FSA has not identified to PlanningNSW any proposed use for the area which was previously included in the Backlot Tour, but will now be within the Family Entertainment Precinct. Any future use of this area will require a development application and be subject to assessment under the EP&A Act and SEPP 47.

Recognition of the past uses of the site and specific buildings will be retained through requirements for positioning informative plaques on the buildings that enable identification of the original names and purposes. This will be implemented in accordance with the Moore Park Showground, Heritage Interpretation Strategy which was approved by the Director-General on 4 December 1996.

PlanningNSW consider these provisions adequate to manage the consistency of the use and maintenance of the site and will enable the retention of the site's integrity.

Floor Space

The DA and supporting documentation states that there will be no additional floor area within the Working Studio Precinct as a result of the proposal. Currently the Working Studio Precinct comprises an area of 53,843 square metres and the total area for this precinct in accordance with the Masterplan consent is 73,500 square metres. The proposal therefore complies with the floor areas permissible under the Masterplan consent.

Lease Conditions

Under SEPP 47 and the EP&A Act, the role of PlanningNSW is to assess the proposals in terms of environmental and planning considerations. The NSW Department of State and Regional Development negotiates the lease conditions for

the FSA site. As such, PlanningNSW has not assessed the financial arrangement between FSA and the CPMPT.

PlanningNSW notes that the CPMPT have provided landowners consent for the proposal and therefore it is assumed they are satisfied with the current lease conditions.

7.0 SECTION 79C CONSIDERATION

The DAs have been evaluated in accordance with the matters for consideration listed under Section 79C of the EP&A Act (Tag 'H'). Based on this evaluation and the assessment of key issues in Section 6 above, it is considered that the proposals warrant approval.

8.0 CONCLUSION

The proposal for extension of the working studios areas and subsequent subdivision will have the following positive impacts:

- create jobs in the film industry and associated support industries
- reinstate the spatial significance of the Commemorative Pavilion
- remove cosmetic adornments to the Bent Street Stand which were added for decoration for the Backlot Tour.

It is noted by PlanningNSW that whilst public access to heritage items will remain limited, this will be adequately addressed by the requirement for Fox Studios to have open days whereby the public can access these buildings. The potential impacts of this proposal are considered overall to be minor and can be managed appropriately to minimise any change to the environment or in local amenity.

Overall it is considered that the proposals are consistent with the objectives of SEPP 47 and therefore warrant approval, subject to the recommended conditions in Schedule 2(DA 332-11-01) and Schedule 2 (DA 333-11-01). The applicant has been consulted in regards to the recommended conditions, and all concerns have been resolved.

9.0 RECOMMENDATION

It is RECOMMENDED that the Minister:

1. Grant consent to DA 332-11-01 for the expansion of the former Backlot area into the Working Studio precinct in accordance with section 80(1)(a) of the EP&A Act, 1979 and clause 8 of SEPP 47.

2. Grant consent to DA 333-11-01 for subdivision of Lot 1 DP 861843 into two allotments in accordance with section 80(1)(a) of the EP&A Act, 1979.
3. In accordance with section 23 of the EP&A Act, delegate to the Director, Urban Assessments, your function as consent authority to issue a subdivision certificate under section 109C of the EP&A Act in relation to DA No. 333-11-01, tagged 'D';
4. Sign and Date the Notice of Determination for DA 332-11-01 and DA 333-11-01 tagged 'E'.
5. Authorise that the applicant, and South Sydney City Council be notified accordingly.

Approved:

Alix Hussey
Environmental Planner
Urban Assessments

Robert Black
Director
Urban Assessments

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Published May 2002
NSW Department of Planning
www.planning.nsw.gov.au
2002/82
ISBN 0 7347 0337 6

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