



AUSTRALIAN FILM, TELEVISION AND RADIO SCHOOL, THE ENTERTAINMENT QUARTER, FOX STUDIOS, AUSTRALIA

PRELIMINARY ASSESSMENT REPORT to accompany a PART 3A PROJECT APPLICATION

**Prepared for
CFS Managed Property Ltd and Gandel Retail Management
on behalf of
CFS Gandel Retail Trust and the Direct Property Investment Fund
By
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1. INTRODUCTION AND OVERVIEW

1.1 Purpose of this Report

This Preliminary Assessment Report accompanies an application to the Director-General under Section 75E of the Environmental Planning and Assessment Act 1979 ("the Act") for approval to carry out a project as defined in Part 3A of the Act ("a major project").

The major project to which this application relates is the construction of a building within the Entertainment Quarter at Fox Studios, to be occupied by the Australian Film, Television and Radio School.

The Minister for Planning has expressed an opinion that the construction of the building is a major project for the purposes of State Environmental Planning Policy (Major Projects) 2005 ("the major project SEPP") and Part 3A of the Act. A copy of the letter from the Minister is provided at Appendix 1.

The purpose of this report is to seek the Director-General's Environmental Assessment Requirements for the Project Application for the Australian Film, Television and Radio School.

The Preliminary Assessment Report comprises:-

- site description and analysis;
- overview of design concept;
- preliminary assessment;
- plans and reports proposed to be lodged with the environmental assessment; and
- legislative framework.

The report is accompanied by:-

- a completed application form; and
- the required fee, as advised by the Department of Planning, being \$2,281.25.

A checklist of this report against the matters required to be addressed in the Draft Guidelines for Major Projects is provided at Section 1.5.

1.2 Summary of Project

The project comprises the use by the Australian Film, Television and Radio School and the erection of a new building to be located on land within the Entertainment Quarter of Fox Studios, to the east and south-east of Heritage Park (in the approximate location of Temporary Building 132, presently used for the purposes of site management offices), which

is film-related development. The building will be used for film, television, radio and video production, teaching, staff training, exhibitions, post-production facilities, set production, satellite communications, storage facilities, and offices. The development will use and support operational and other linkages to other film-related developments carried out at Fox Studios.

1.3 Capital Investment Value

The Capital Investment Value of the project, as defined in the Major Projects SEPP, is \$35 million.

1.4 Approvals Framework

The land to which the Project Application relates is land entirely within that area bounded by a heavy black line on Map 8 of Schedule 2 to the Major Projects SEPP. Pursuant to the SEPP and Section 75B of the Act, the proposal is a Project to which Part 3A of the Act applies, and is demonstrated to be of State and Regional Planning Significance. A letter has been received from the Minister for Planning (refer Appendix 1), expressing an opinion in this regard.

Through the operation of the Major Projects SEPP, the Minister is the consent authority for the project.

The land upon which the building is proposed to be erected forms part of the Entertainment Quarter at Fox Studios. Fox Studios forms part of entertainment, leisure, film studios, sporting facilities and parklands at Moore Park. All of this land lies within the Local Government Area of the City of Sydney.

The erection of the proposed building for use by the Australian Film, Television and Radio School is permissible pursuant to the provisions of State Environmental Planning Policy No. 47, pursuant to which film-related development is permissible with consent. This has been confirmed by Noel Hemmings QC of Allens Arthur Robinson, Lawyers.

The Fox site is subject to a master plan development consent approved in April 1996. Pursuant to the provisions of the approved master plan, all detailed works and uses need to be the subject of a separate development application. This Project Application satisfies that requirement.

An assessment of the proposal with reference to the legislative framework is provided at Section 7 of this report.

1.5 Application Checklist

A draft Department of Planning Guideline, "Steps in the Assessment and Approval of Major Projects under Part 3A", dated 14 September 2005, lists the matters to be addressed in a Project Application. The following table sets out the matters and notes where or how each requirement is addressed:-

Requirement	Where addressed
(a) A written and graphical description of the project and any ancillary components, including relevant preliminary plans	Section 4 and Appendix 3
(b) The location(s) and a map identifying the site(s) / alignment / corridor	Section 2 and all Figures
(c) The capital investment value and other relevant information in relation to parameters set out in the Major Project SEPP or any relevant order relevant for determining whether Part 3A applies to the project	Section 1.3; Minister's Opinion at Appendix 1 Section 7.2.1
(d) The planning provisions applying to the site and whether the project is permitted under the prevailing EPIs, DCPs, policies etc, and if the project is inconsistent with such instruments/plans/policies	Section 7
(e) The views of the other agencies, local council and/or the community if known	Section 3
(f) List any other approvals required in particular if a licence from the Department of Environment and conservation under the Protection of the Environment Operations Act is required	Section 7.1.2
(g) If relevant, justification as to why the project should be considered to be a major project under Part 3A, taking into consideration the relevant criteria	Minister's Opinion at Appendix 1 Section 7.2.1
(h) A preliminary assessment to identify the likely environmental issues	Section 5
(i) A completed application form	A completed application form is provided under separate cover
(j) The prescribed application fee	The application fee for lodgement of this Project Application is \$2,281.25
(k) The number of copies of application documents requested by the Department, including documents in electronic format	A total of 14 copies of the Project Application is provided and an electronic copy of the application is

Requirement	Where addressed
	provided on CD. Detailed plans of the proposed building will be provided with the Environmental Assessment.
(I) Any other matters required by the Director-General, following consultation with the Department	A meeting was held with the Department on 5 October 2005, and the proponent was not advised of any further requirements during that meeting or in subsequent correspondence.

2. SITE DESCRIPTION

2.1 Location and Ownership

The land to which this Project Application applies forms part of the Entertainment Quarter at Fox Studios. “Fox Studios” is a generic term used in this report to describe the totality of the land occupied by CFS Managed Property Ltd as trustee of the Bent Street Trust in the case of the Entertainment Quarter, and by Fox Studios Australia Pty Ltd in the case of the Working Studio Precinct. Each of these precincts comprises a separate parcel of land operated by a separate organisation.

The Bent Street Trust is managed by both CFS Managed Property Ltd and Gandel Retail Management on behalf of CFS Gandel Retail Trust and the Direct Property Investment Fund, which hold a ground lease over the Entertainment Quarter through the Bent Street Trust. Fox Studios is located in the Eastern Suburbs of Sydney, some 2.2 kilometres east of Central Railway Station, 3.3 kilometres south-east of the Sydney GPO and approximately 1.8 kilometres west of Bondi Junction, as shown on Figure 1.

The Entertainment Quarter occupies the southern part of Fox Studios. The location of the Entertainment Quarter is identified on Figure 2.

The land upon which the building for the Australian Film, Television and Radio School is to be erected, is located in the southernmost part of the Entertainment Quarter between Cook Road and Heritage Park, as identified on Figure 2.

The Entertainment Quarter comprises Lot 52 in DP 1041134, having an area of 11.08 hectares.

Fox Studios (and thus, the Entertainment Quarter) is owned by the Centennial Park and Moore Park Trust.

2.2 Site History and Heritage

The Agricultural Society established 10 acres within Moore Park in 1882, and held the first exhibition the same year. The initial area was bound by the Rifle Range, the Cricket Ground and the City Corporation’s eastern boundary of Moore Park. Plantings and development occurred throughout the period from 1882 to 1901. By this time, the general layout that was to continue throughout the subsequent expansion of the site was established, the central focus being the grassed Parade Ring.

The Parade Ring was modified in the course of an 1886 building program that included an extension of the Trotting Track to the west of the Parade Ring, now Park Road. Bent Street has been the central circulation path around the Parade Ring throughout the Showground’s history.

The area affected by the Australian Film, Television and Radio School proposal was part of the area on which the Main Pavilion was constructed, part of the original Moore Park

Showground development of 1882. Demolished in 1912, the Main Pavilion site became an open space known as the Picnic Area. The Picnic Area and its landform were identified as of Exceptional Significance in the Conservation Strategy prepared for the Moore Park Showground in 1995 by Godden Mackay Pty Ltd and the *Ficus rubignosa* species as of Considerable significance. Shortly after its demolition, the Royal Agricultural Hall was constructed on the space adjacent to the Picnic Area. The nearby Dairy Pavilion, one of a number of pavilion-roofed halls at the former Showground, was also built at this time. When the Royal Agricultural Hall was demolished (some time after 1975 and before 1978), its equipment and facilities were moved to the Government Pavilion and the Sesqicentenary (Commemorative) Pavilion. The lower part of the eastern wall of the Royal Agricultural Hall remains on-site. Although it was not separately identified and assessed in the Conservation Strategy, Godden Mackay Logan, as heritage specialists advising the past and current lessees of the Entertainment Quarter, have identified it as of Considerable significance.

When Fox Studios assumed the lease of the Moore Park Showgrounds in 1996, the Picnic Area was renamed Heritage Park, and was slightly modified by low-height retaining walls on its Bent Street frontage. A significant number of buildings were constructed around this time as part of the Fox Studios Family Entertainment Precinct, including Building 108 that now encloses the former Dairy Pavilion Building.

In the late 1990's, Fox Studios created the set of "*Babe*" on the site of the former Main Pavilion, adjacent to the Picnic Area. While the set was intended to remain on permanent display, structural deterioration necessitated its removal. The landform remaining after removing of the "*Babe*" set encroached upon the north-eastern side of Heritage Park, and extended over the alignment of the former Wheat Road. Wheat Road is of Considerable significance as part of the pre-1913 road pattern of the Showground.

Soon after the demolition of the set, a single-level administration building (Building 132), currently occupied by Gandel Retail Management, was established on the site. In 2002, Adventure Mini-Golf established a temporary mini-golf course on the site of the former "*Babe*" set, which remains operational today. The mini-golf course was only ever approved for a five-year period, in anticipation of a replacement building.

The site for the Australian Film, Television and Radio School is occupied in part by the site of the Adventure Mini-Golf Course, in part by Building 132 and in part by the former Dairy Pavilion. It is the intention of Gandel Retail Management to relocate the Adventure Mini-Golf Course to another location within the Entertainment Quarter.

2.3 Existing Improvements

The location of existing buildings, pathways, roads, parking spaces and trees on and in the vicinity of the site are identified on the Site Plan (SK07) (option 2G-revF) in the set of plans provided in Appendix 3.

2.4 Immediate Surrounds

To the north of the proposed building is Building 125, which is also known as Sound Stage 12, the current use of which is as a television studio and orchestral sound stage. It previously

accommodated the “*Simpsons Show*” when the Backlot was operational within Fox Studios. Running around the northern side of this building is the boundary between the Working Studio Precinct and the Entertainment Quarter.

To the east of the site selected for the Australian Film, Television and Radio School is an elevated open car park occupying an area previously used as stables. As part of the approved Fox Master Plan, a new building was to be erected in this area adjacent to the Cook Road boundary wall. It was to be used as a workshop and stores.

To the south of the selected site is the northernmost part of the Centennial Park Equestrian Centre, which is surrounded by a high boundary wall.

Heritage Park extends to the west and north-west of the identified site. To the south-west, is Building 206/207/208, which accommodates the Hoyts Cinema Complex, retail and office activities, and various other buildings associated with Bent Street.

2.5 The Entertainment Quarter

The Entertainment Quarter, formerly known as the Family Entertainment Precinct, today comprises cafes, two cinema complexes, film studios, media and film-related offices, restaurants, cinemas, themed attractions, shops and car parking. Daytime visitors are attracted for the purpose of children’s entertainment, cafes and restaurants, shopping, cinemas and the special ambiance of the Parade Ring.

The Parade Ring accommodates a variety of markets, which occur throughout the week. Evening and night-time users are more interested in the café and restaurant offer, the cinemas and entertainment uses.

The Entertainment Quarter is also integrated with operations on adjacent sites including the Royal Hall of Industries and the Hordern Pavilion and is a popular destination for users of the Sydney Cricket Ground and Sydney Football Stadium.

Throughout the Entertainment Quarter are film-related offices which either support or are used in conjunction with the working film studios. Commercial premises are able to be developed within both the Entertainment Quarter and the Working Studio Precinct, but must by definition be related to the film and television industry. Many film and television industry-related activities occur within both the Entertainment Quarter and the working studios Precinct.

Within the Entertainment Quarter, there are around 350 – 400 direct jobs engaged in film/television/media-related industries. These businesses include Showtime, NCN, TV1 and Trackdown and occupy around 10,000m² of floor space.

The Entertainment Quarter provides in excess of 2,130 car spaces. The main car park structure provides 2,000 spaces; 151 of these spaces are currently reserved for tenants, the majority of these only reserved on week days between 7.00am and 7.00pm. A further 42 car spaces cater for disabled uses.



There are 25 reserved car spaces associated with Building 17. The car park to the rear of Building 132 (being the building proposed to be removed to accommodate the proposed AFTRS) provides 106 usable car spaces, which are all accessible via security card. Currently, 60 of these car spaces are utilised on a regular basis.

3. VIEWS OF AGENCIES AND COMMUNITY, IF KNOWN

Until May 2005, with the advent of State Environmental Planning Policy (Major Projects) 2005, the Minister was the consent authority for all development within Fox Studios. This situation was in place for around 10 years following the gazettal of State Environmental Planning and Policy No. 47 in 1995.

Sydney City Council is now the consent authority for minor developments at Fox Studios. No consultation has yet occurred with the Council in relation to this Major Project. However, Gandel Retail Management intends to consult with Sydney City Council prior to lodging the Preliminary Assessment Report with the Department of Planning. This will occur concurrently with the review of the report by the Centennial Park and Moore Park Trust. The Minister remains the consent authority for Major Projects at the Fox site.

Over the last 10 years, following the approval of the Fox Site Master Plan and numerous subsequent development applications, the Department of Planning has built up an excellent working knowledge of the operations of Fox Studios (including the requirements of the various consents which have been granted and the management plans which have been prepared), and the nature of concerns of local residents, as expressed from time to time in relation to individual proposals.

Although no specific consultation has been undertaken with the community in relation to the proposal, the displacement of a temporary adventure golf course, administration block and the remnant parts of the Dairy Hall with a new building primarily for daytime use for film-related purposes, is unlikely to give rise to public interest issues and concerns around environmental impacts. In the past, those proposals which could potentially impact on the amenity of local residents, such as extended trading hours, licensed premises, and noise-generating outdoor activities, have all been the subject of resident submissions. None of these aspects characterise the current proposal.

4. PROPOSED BUILDING

4.1 Project Overview

The AFTRS studio development seeks to:-

- remove the former Dairy Hall Building (Building 140), temporary Administration Building (Building 132) and Gondola Building;
- retain the majority of the remains of the Royal Agricultural Hall;
- construct a three-level building of approximately 12,126m² to include studios, workshops, a library, café and retail functions. The building would be located on the site of the existing Mini Golf Course, Dairy Hall and Administration Building, around the southern and western sides of Heritage Park; and
- undertake minor landscaping works around the proposed new building.

Preliminary concept plans of the proposed development are provided in Appendix 3.

As illustrated on those plans, the proposed building comprises two perpendicular wings. One wing of the building would be located on the site of the existing Adventure Mini Golf Course, while the second wing would be constructed in place of the existing former Dairy Pavilion.

Around 100 – 150 staff would be accommodated within the proposed building along with around 120 students.

4.2 Floor Area

The proposed building has a floor space area of around 12,126m², excluding the loading dock.

4.3 Height

The proposed building comprises part two and part three storeys and a predominant maximum height of around 14.0 metres (i.e. RL 59.5 metres). Four roof-top plant rooms extend around 3.0 metres above the predominant roofline to RL 62.5 metres.

4.4 Parking

It is proposed that some 40 existing spaces located at the rear of Building 132 be dedicated to users of the new building and that other parking demands would be catered for by payment at the public parking station.

4.5 Servicing

The proposal will include loading facilities to allow for the building's servicing needs. These servicing needs include:-

- loading/unloading of film sets, props, etc;
- general goods and services dock; and
- waste removal and collection.

4.6 Hours of operation

Although the AFTRS will require flexibility in its operating hours, the core usage hours will be 9:00am to 5:00pm, Monday to Friday.

5. PRELIMINARY ASSESSMENT

5.1 Purpose of Preliminary Assessment

The purpose of the Preliminary Assessment is to provide the basis for the issuing of the Director-General's Environmental Assessment Requirements. The Preliminary Assessment also seeks to identify any likely environmental constraints on the site.

5.2 Summary of Key Issues

5.2.1 Modification of the Approved Master Plan

The consent for the Fox Master Plan DA relating to the Fox site took effect from 3 May 1996 ("Fox Master Plan Consent"). The Fox Master Plan Consent gives approval to the land uses outlined in Section 1.3 of the Fox Master Plan Statement of Environmental Effects, and to the development concept, floor space, height and parking provisions identified elsewhere in the Statement of Environmental Effects ("Fox Development"). The Fox Master Plan Consent requires that detailed works and uses must be subject to further DA's.

The original Master Plan identified an indicative spatial configuration of buildings, car parking and landscaped areas on the Fox site, and the proposed means of vehicular and pedestrian access. It comprised three inter-related components:-

- a Working Studio;
- a Studio Tour/Backlot; and
- Family Entertainment facilities.

Each of these components had its own locational and operational characteristics, but nevertheless formed part of an integrated film studio and entertainment facility, structured into two distinct precincts:-

- the Working Studio Precinct; and
- the Family Entertainment Precinct.

The studio tour/backlot was the only family entertainment-type activity which extended into the Working Studio Precinct.

Multiple DA's for detailed works and uses have been approved since the Master Plan DA was originally approved in 1996. Every time a DA for a detailed work or use has been approved at Fox Studios, to the extent that the DA was inconsistent with the approved Master Plan – for example, in terms of the height, footprint, use or location of a building or buildings – following appropriate assessment and consideration, the Master Plan has been varied by a condition of consent on the new DA. (Pursuant to Section 80A(1)(b) of the Act, a

consent authority can impose a condition on a development consent requiring another development consent to be modified.)

Accordingly, consents for development at Fox Studios generally comprised two schedules:-

- the first schedule sets out the conditions of consent for the detailed work or use which is approved by the consent; and
- the second schedule sets out how and in what way, the Master Plan consent is modified.

Consequently, the detail of the Master Plan is continuously evolving, although within the context of the land use approval for a concept comprising a working film studio and a family entertainment precinct with a retail component. With all these variations, the Master Plan is different from what was originally approved nine years ago. Nevertheless, all the variations to the Master Plan have been approved by the Minister. The consequence of all of the amendments which have been made is that the original Master Plan has been changed (with approval) to that provided in Appendix 2.

The Master Plan consent, as amended, gives approval to the following floor areas within each of the precincts on the Fox site as follows:-

- Working Studio Precinct: 73,500m²;
- Family Entertainment Precinct: 43,754m²;
- Total Floor Area: 117,254m²

This reflects the amount of floor area for which consent has been sought to date. It is substantially less than the limit of 144,000m² imposed by Clause 16 of SEPP 47.

The delineation of two precincts within the Fox site appeared on Figure 14 of the original Fox Master Plan. This figure showed:-

- a blue area, being the Working Studio Precinct; and
- a pink area, being the Family Entertainment Precinct (now referred to as the Entertainment Quarter), superimposed on the original Fox Site Master Plan.

In practice, these boundaries became blurred as the Fox development progressed in accordance with the various DA's which have been approved. Then, in April 2002, the Minister for Planning approved the subdivision of the Fox site into two lots: the Working Studio Precinct and the Family Entertainment Precinct. The subdivision boundary is now shown on the existing Fox Site Master Plan (as updated) provided in Appendix 2. The precincts as they now exist, are shown on Figure 5.

The existing floor area in the revised Family Entertainment Precinct is 40,731m². This is 3,023m² less than what was permitted in the Family Entertainment Precinct pursuant to the provisions of the approved Master Plan prior to the boundary change between the two precincts as a consequence of the site subdivision approved in April 2002.

The proposal will result in the demolition of Buildings 132 and 140, which have respective floor areas of 1,500m² and 1,103m². With a floor area of 12,126m², the proposal will therefore result in a net increase in floor area of 9,523m².

Accordingly, the proposal necessitates an increase in the permissible floor space area within the Entertainment Quarter (formerly the Family Entertainment Precinct) from 43,754m² to 50,254m².

5.2.2 Cultural Heritage

Godden Mackay Logan, heritage consultants, have provided heritage advice to lessees of the former Moore Park Showground since 1996. They also prepared the 1995 Conservation Strategy.

The erection of the proposed building for the Australian Film, Television and Radio School will necessitate the demolition/removal of:-

- the Adventure Golf Course;
- existing offices in Building 132; and
- the former “Dairy Hall”, being Building 140.

Neither the Adventure Golf Course nor Building 132 has any heritage significance. Only Building 140 (being the former Dairy Pavilion) has been identified as having “some significance”. However, the former Dairy Hall is now largely concealed by a new façade along Bent Street. The removal of Building 140 does not give rise to any significant adverse heritage impact.

It is a requirement of the Master Plan development consent that all applications for detailed works and uses be accompanied by a Heritage Impact Statement. A preliminary Heritage Impact Statement has been prepared by Godden Mackay Logan in relation to the proposed Australian Film, Television and Radio School building.

The preliminary Heritage Impact Assessment notes the following positive impacts:-

- The retention of the area of Heritage Park and the further delineation of the eastern edge of Heritage Park with a small retaining wall on that boundary;
- The retention of part of the former Wheat Road as part of the pedestrian access to the building that will allow for its interpretation;
- The retention of the wall remnant of the Royal Agricultural Hall (1912 to 1970s) within the new building which will allow for its interpretation;
- The construction of a new built form of a similar scale and location to the former Royal Agricultural Hall.
- Public access to AFTRS building will activate public access to and appreciation of this part of the site.

- Removal of the intrusive former Gondola Building a building identified as Intrusive in the Moore Park Showground Conservation Strategy 1995

The negative impacts identified are:-

- The loss of the Dairy Pavilion (Some significance in 1995 Conservation Strategy - Masterplan approval to retain but approved for removal in later DAs).
- The proximity of the AFTRS to the east side of Heritage Park would have some impact on its setting generally.

The preliminary Heritage Impact Statement concludes as follows:-

“The overall proximity of the ARTRS building to Heritage Park will have some impact on the setting of Heritage Park but this should be seen in context of the scale and location of the former Royal Agricultural Hall that was located on the eastern alignment of Wheat Road; the same alignment for a substantial portion of the main northern wing of the proposed building. The proposed AFTRS building would also provide a positive sense of enclosure to Heritage Park and the public access to the AFTRS building will assist the activation and appreciation of the heritage values of this part of the former Moore Park Showground site. The Heritage Assessment report contains a suggested mitigative measure that an interpretation plan be prepared and implemented to interpret the history and significance of heritage items in the vicinity of the AFTRS building including Heritage Park, the Royal Agricultural Hall, the Dairy Pavilion and Wheat Road. The Heritage Assessment report identifies that the proposed AFTRS building would not have a negative impact on the former Moore Park Showground as a whole provided that the suggested mitigative measure described here is implemented.”

The suggested mitigative design measures described in the Preliminary Heritage Impact Statement will be examined in detail as part of the detailed plans to accompany the Environmental Assessment Report.

5.3 Traffic and Transport

5.3.1 Traffic Generation

Masson Wilson Twiney, Traffic and Transport Consultants have provided traffic advice to lessees of the former Moore Park Showground since 1998. They will prepare a Traffic and Transport Analysis as part of the Environmental Assessment Report.

Their preliminary assessment notes that the proposed AFTRS development would operate predominantly between the hours of 9.00am and 5.00pm. These hours are generally outside the peak operation of the remainder of the Fox Studios site which are typically associated with major public events or the Entertainment Precinct activities such as restaurants, cinemas and the like. As such, the proposed AFTRS would not generate additional traffic movements during the peak traffic-generating periods of the Fox Studios site which typically

occur at weekends or evenings. Therefore, the traffic generation associated with the proposal will primarily be during the day and will therefore not coincide with evening and weekend peak periods.

The level of traffic generation associated with the proposal will be affected by a number of factors, namely:-

- the site's good access to public transport services;
- the restricted provision of free on-site car parking; and
- restricted on-street car parking surrounding the Fox Studios site (ie. time-restricted resident parking).

A previous study by Masson Wilson Twiney (i.e. Monitoring Report on Traffic, Parking and Transport Levels at the Fox Studios Site, 2004) contained the following estimate of transport modes utilised by staff travelling to the Fox Studios site:-

- 50% catch public transport;
- 4% ride a bicycle/motorcycle; and
- 46% arrive by car (either as driver or passenger).

When these mode splits are applied to the proposed AFTRS development, it is estimated that the staff and students have the potential to generate in the order of 115 vehicle trips per hour in both the am and pm peak periods.

This level of traffic generation is unlikely to have any discernible impact on the road system.

5.3.2 Public Transport Use

Around 50% of staff at the Fox site catch public transport to work. This same percentage is likely to apply to staff at the AFTRS.

5.3.3 Car Parking

A total of 40 dedicated spaces will be provided at the rear of the proposed AFTRS in a location presently occupied by car parking spaces. There will thus be no net increase in car parking on this part of the site.

Reliance will otherwise be placed on the available car parking within the public parking station on the site. Demand for parking in the parking station is greatest during the evening and weekend periods associated with the entertainment activities on the site. Demand generated by the proposed AFTRS would utilise surplus parking capacity during the 9.00am to 5.00pm Monday to Friday periods.

Previous surveys have demonstrated that the car park is infrequently at full capacity, mainly on occasions when there are event days in the Moore Park Precinct such as cricket matches,

rugby league matches, rugby union matches and major exhibitions/sales/concerts at the Hordern Pavilion and Royal Hall of Industries. These events generally occur at weekends and during evenings. Otherwise, there is generally ample spare capacity, especially during the day on week days.

5.3.4 Servicing

Service vehicles will be able to access the AFTRS Building via the internal road system on the Fox site which is generally designed to adequately accommodate turning and manoeuvring requirements of service vehicles.

The design concept shows a loading dock with sufficient space for two to three medium rigid trucks. Access will be from the service lane on the southern side of the building which will be an acceptable arrangement and will meet the needs of the AFTRS.

5.3.5 Traffic summary

The preliminary assessment undertaken by Masson Wilson Twiney of the traffic and transport aspects of the proposal contains the following summary:-

“With regards to traffic, transport and parking it is considered that the proposed AFTRS development will minimise the potential adverse implications of additional traffic generation as the AFTRS activities will occur at different times to the peak traffic generation and parking demand periods at the Fox Studios site which are typically associated with major public events and entertainment activities.

The design concept makes adequate provision for parking and building deliveries.

In summary, the proposed AFTRS is considered to be an appropriate use for the site with regard to traffic and transport implications on the surrounding area.”

5.4 View and Outlook Impacts

The site selected for the AFTRS lies close to but below the level of Cook Road, on the eastern side of which are residential properties comprising dwellings and apartments.

The erection of a building on the subject site has the potential to impact on the outlook from these residential properties. However, the following matters need to be taken into account:-

- Around the entire perimeter of the Fox site, including along Cook Road, is a high boundary wall which prevents views into the Fox site except from elevated positions;
- When the original Fox Site Master Plan was approved in April 1996, a new building (Building 17) was proposed adjacent to the Cook Road boundary wall, to a height of RL 60 metres. The building had a length of around 100 metres;

- By comparison, the top of the boundary wall adjacent to Cook Road immediately to the east of the proposed AFTRS is RL 56.24 metres as shown on Section AA on Ground Floor plan SK01 in Appendix 3;
- This building has never been constructed and no longer forms part of the amended Master Plan;
- The Dairy Hall which is to be removed as part of the proposal, is identified on the approved Master Plan as having a height of RL 65 metres;
- The Hoyts Cinema complex in Building 206 to the south-west of the Dairy Hall, has a approved roof height of RL 63 metres;
- The proposed AFTRS Building has a predominant roof ridge at around RL 59.5 metres, although four pop-up plant rooms rise to RL 62.5 metres;
- The predominant line of view from properties on the eastern side of Cook Road is to the north-west towards the Sydney CBD; and
- From the lower levels of buildings, that view is obstructed by the existing Cook Road boundary wall, by other structures on the Fox site and by the grandstands associated with the Sydney Cricket Ground and Sydney Football Stadium, which are much higher than the building now proposed.

Sections, including Section A-A which extends through to Cook Road, and a context diagram illustrating the relative position of the sports stadium and the CBD, are provided in Appendix 3. It can be concluded from this preliminary analysis and from the observations above that there are unlikely to be any significant impacts associated with the AFTRS on views and outlook from residential premises in Cook Road.

5.5 Noise

The activities associated with the new development will be conducted internally to the new building, with a building addressed to the existing pedestrian plaza areas within the Entertainment Quarter. However, a loading dock is proposed to be situated on the southern side of the new building, adjacent to the existing site compactor area, to service the production workshop area within the new building. The loading dock will be oriented toward the Equestrian Centre and will be provided with interior sound absorption treatment, if found necessary during design development, to mitigate against noise emissions.

New building services plant will be included as part of the new building. This will involve enclosed air handling plant and roof level cooling equipment. Actual plant locations have yet to be determined, although environmental noise emissions will be fully controllable by standard engineering methods. The incorporation of appropriate noise emission controls to the plant areas anticipated at the south-eastern corner of the new building will be a most critical aspect of the design development for the building with respect to environmental noise management.

Activities on the Fox site are the subject of a Noise Management Strategy approved by the (then) Department of Urban Affairs and Planning for the Fox site. The Strategy is operational throughout the Fox site during all hours of operation. The Strategy has been specifically devised to ensure no adverse noise impacts arise in relation to on-site activities on the surrounding residential environment. The proposed AFTRS development will comply with the Noise Management Strategy approved by the Department.

A Preliminary Noise Impact Assessment has been prepared by Norman Disney and Young. The author of the assessment is Mr Bob Fitzell, who has been associated with noise impact assessment at Fox Studios since 1995. The conclusion of the Preliminary Analysis states:-

“The findings of this report are that noise associated with the new buildings will be largely generated internally and, therefore, will be controlled by the building envelope. The building envelope will require analysis to ensure that the contribution to overall site noise emission is acceptable, however the inherent controls evolving from the need to isolate most of the internal production areas from external noise intrusion will ensure that noise breaking out of the premises will be minimal.

Owing to the proximity of the site to Cook Road, assessment and control of noise emission from external building services equipment for the proposed AFTRS development will be an important aspect to consideration during the detailed design stage.”

5.6 Public Amenity

Potential impacts on surrounding residents include:-

- visual impact and views;
- traffic and car parking; and
- noise.

Each of the above impacts has been the subject of preliminary assessment as detailed in the previous sections of this report. Further information will accompany the Environmental Assessment.

6. INFORMATION TO BE PROVIDED WITH ENVIRONMENTAL ASSESSMENT

6.1 Introduction

This Project Application seeks the issuing of Director-General's Environmental Assessment Requirements (EAR's) for the project. While the final format and content of the Environmental Assessment to be lodged by the Proponent will be guided by the EAR's, the following provides an indication of the documentation which is believed to be appropriate to be submitted.

6.2 Plans

- Survey plan 1:500;
- Floor plans 1:500;
- Sections and Elevations; and
- View line analysis.

6.3 Reports

- Environmental Assessment Report, which will include as appendices:-
 - Heritage Impact Statement;
 - Transport Review;
 - Acoustic Analysis; and
 - Urban Design Analysis.

The Environmental Assessment will also be accompanied by a draft Statement of Commitments.

6.4 Post-Project Approval Plans and Studies

It is intended that the following will be undertaken following the approval of the Project Application, during detailed design development:-

- detailed design of internal fit-out; and
- detailed landscape treatment.

7. LEGISLATIVE FRAMEWORK

7.1 Relevant Acts

7.1.1 Part 3A Environmental Planning and Assessment Act 1979

On 1 August 2005, a new Part 3A was introduced to the Environmental Planning and Assessment Act 1979 ("the Act"). Part 3A and its accompanying Regulations and Guidelines (the latter yet to be gazetted), contains a new assessment and determination framework for major projects.

The Minister has expressed an opinion that the development to which this application relates is a project for the purposes of Part 3A of the Act (refer letter at Appendix 1). The Minister has further determined that a concept plan is not required. This Project Application is therefore lodged pursuant to Section 75E of the Act, for approval to carry out a project as defined in Part 3A of the Act.

7.1.2 Approvals Under Other Acts

If not for the operation of Part 3A of this Act, no separate approvals would need to be obtained under any other Act.

7.2 State Environmental Planning Policies

7.2.1 State Environmental Planning Policy (Major Projects) 2005

State Environmental Planning Policy (Major Projects) 2005 was gazetted in May 2005 and aims to identify development of economic, social or environmental significance to the State or regions of the State, so as to provide a consistent and comprehensive assessment and decision-making process for that development. The Minister for Planning is the consent authority for development of the type, value or in a location, generally as identified in the SEPP, and Part 3A of the Act applies to the development, referred to as "projects" or "major projects".

Subsection 6(1) of the SEPP specifies that:-

"Development that, in the opinion of the Minister, is development of a kind:

(a) that is described in Schedule 1 or 2 ...

is declared to be a project to which Part 3A of the Act applies."

Schedule 2 of the SEPP is entitled "Part 3A Projects – Specified Sites". These sites include, under Clause 9 of Schedule 2, "Sydney – Fox Studios, Moore Park Showground and Sydney Cricket Grounds". Clause 9 of Schedule 2 of the SEPP identifies:-

“Development within the area identified on Map 8 to the Schedule that:

- (a) is the subdivision of land (not including strata subdivision or boundary adjustments), or*
- (b) has a capital investment value of more than \$5 million.”*

Map 8 encompasses all of Fox Studios.

The land to which the Project Application will relate is land entirely within that area bounded by a heavy black line on Map 8 of Schedule 2 for the Major Projects SEPP.

The Minister has expressed an opinion that the project is a major project to which Part 3A applies (refer letter at Appendix 1).

7.2.2 State Environmental Planning Policy No. 11 (Traffic Generating Developments)

State Environmental Planning Policy No. 11 (Traffic Generating Developments) (“SEPP 11”) establishes the Roads and Traffic Authority as the traffic management authority to be consulted in relation to development proposals, and ensures it is given the opportunity to make a representation on a development application before the local council decides whether to approve a proposal. Schedules 1 and 2 of SEPP 11 identifies forms of development which are required to be subject to varying levels of consultation.

As only existing parking spaces are proposed to be used as part of the Project Application, the development is neither a Schedule 1 or Schedule 2 development for the purpose of application of SEPP 11 and accordingly, does not require referral to the RTA or a local traffic committee.

7.2.3 State Environmental Planning Policy No. 55 (Remediation of Land)

State Environmental Planning Policy No. 55 (Remediation of Land) (“SEPP 55”) aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying certain considerations to be had in determining development applications in general, by requiring that remediation work meets certain standards.

Given the general absence of contamination from the Fox site, the contamination analyses and subsequent remediation works which preceded the Master Plan consent (as part of the MCI works), and the nature of the proposed use (ie. non-residential), they are no obstacles to the proposal proceeding from a land contamination perspective.

7.2.4 State Environmental Planning Policy No. 47

This policy, gazetted on 17 November 1995, and subsequently amended on 22 December 1995 and 1 November 1996, applies exclusively to the former Moore Park Showground.

The aims of SEPP No. 47 are as follows:-

- “(a) to enable the redevelopment of the Moore Park Showground in a manner that it consistent with its status as an area of importance for State and regional planning in New South Wales; and*
- (b) to improve and enhance the cultural and recreational facilities of Sydney for the people of New South Wales by furthering the development of Sydney as a world class film, television and video production centre; and*
- (c) to recognise the State significance of a film and television studio on the Moore Park Showground in terms of employment generation and additional revenue for the State; and*
- (d) to allow a range of film, television, video and related development, commercial uses associated with the film, television and video industry and other entertainment, recreational and educational activities on the Moore Park Showground; and*
- (e) to ensure that a range of impacts is considered by the consent authority in determining development applications; and*
- (f) to ensure that community and equestrian uses can continue on parts of the Moore Park Showground and that provision is made for public access; and*
- (g) to recognise the heritage significance of the Moore Park Showground and protect any archaeological relics.”*

SEPP No. 47 refers to a map which identifies two parts of the former Moore Park Showground (one vertically hatched, the other diagonally hatched), on each of which particular types of development are permissible with and without development consent.

The Fox site comprises all of the land shown diagonally hatched in which a person may, with the consent of the Minister, carry out development for any one or more of the following purposes:-

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

The proposed building and use by the AFTRS comprises film-related development and is permissible with development consent.

SEPP No. 47 requires that prior to granting consent to an application for development approval, the Minister has to consider the following matters:-

- “(a) the management of noise emanating from the development and the views of the Environment Protection Authority in relation to noise;*
- (b) traffic and parking generated by the development, measures to facilitate the use of public transport and the views of the Roads and Traffic Authority and Department of Transport;*
- (c) the height, scale and bulk of the development and whether the development maintains the original road layout and vistas;*
- (d) overshadowing impacts on open spaces and adjoining residential properties;*
- (e) the capacity of on-site sewerage and drainage systems and their performance in a manner that will not cause adverse effects on the quality of the Centennial Park ponds and Botany wetlands and the views of the Environment Protection Authority in relation to these matters;*
- (f) the extent to which the development is ecologically sustainable;*
- (g) whether there is contamination on the site, or asbestos is present in buildings, and remediation and validation of remediation so as to protect public health;*
- (h) the appearance of external lighting at the site and measures to minimise spill;*
- (i) the impact of the development on the amenity of the adjoining residential areas;*
- (j) the provisions of the Conservation Strategy for the Moore Park Showground and the views of the Heritage Council;*
- (k) how the proposed development would affect the heritage significance of the site and any relic known or reasonably likely to be located at the site.”*

All of these matters will be addressed in the Environmental Assessment Report.

Pursuant to Clause 16 of SEPP No. 47, the Minister must not grant consent to an applicant to erect or alter a building on the Fox site if the total area of buildings thereon will exceed 144,000m².

The amount of building area approved on the Fox site to date is 117,254m². Of this, 73,500m² is approved in the Working Studio Precinct and 43,754m² is approved in the Family Entertainment Precinct. In both precincts, the approved building areas have yet to be reached.



FIGURES



APPENDICES



APPENDIX 1

Letter from Minister



APPENDIX 2

Fox Site Master Plan, as approved



APPENDIX 3

Draft Project Application Plans