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Dear David

**Advice on Response to Submissions – Adaptive Reuse of the Royal Hall of Industries (SSD – 9726)**

Thank you for your correspondence dated 8 November 2019 requesting for the City of Sydney Council ('The City') to comment on the Response to Submissions for the Adaptive Reuse of the Royal Hall of Industries (RHI). The proposal is to provide a high performance sport and community facilities for the AFL Sydney Swans and NSW Swifts.

It is noted that the proposed scheme is generally the same as originally submitted and that supplementary information has been provided with the RTS to address the issues raised from the exhibition period.

The City has reviewed the RTS and supplementary information submitted and is satisfied that some concerns raised in our objection letter dated 9 August 2019 has been alleviated. However, the following matters are highlighted to the Department of Planning, Industry and Environment (DPIE) for consideration:

**1. Permissibility**

The City raised significant concern in our objection letter regarding the justification provided to demonstrate permissibility of the development in accordance with *State Environmental Planning Policy (State and Regional Development) 2011* (SARD SEPP) and *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP).

**1.1. Permissibility as a State Significant Development under State Environmental Planning Policy (State and Regional Development) 2011**

The site is subject to *State Environmental Planning Policy 47 – Moore Park Showground*. The RTS nominates that the permissible land uses of 'demolition' and 'car parking and coach parking' under Clause 11 of the SEPP enables the overall development to be identified as a State Significant Development (SSD) and satisfy the two-part test stipulated by the SARD SEPP.

The City defers consideration of permissibility with respect to the reliance of these land uses to the DPIE as the consent authority.

## 1.2. Reliance on the permissibility of adjacent land uses under State Environmental Planning Policy (Infrastructure) 2007

The proposal also seeks to rely on the zoning of adjacent land uses under Sydney LEP 2012 to permit the development and use as a 'recreational facility (indoor)' under the ISEPP.

The RTS outlines that a meeting was held with the applicant and DPIE regarding the submission of a Site Compatibility Certificate (SCC) to demonstrate permissibility under the ISEPP. It is noted that advice was given to the applicant that the SCC can be submitted and assessed concurrently with the subject SSD.

Therefore, the City defers the determination of the suitability of the site by virtue of the SCC to the DPIE for consideration.

## 2. Public Benefit and Contributions

The City has considered the Section 7.11 Development Contributions prepared by the applicant and disagrees with the 'function centre' development type use that has been predominately utilised to calculate the contributions for the proposal.

In consideration of the land use terms prescribed in Table 7 of the City of Sydney Development Contributions Plan 2015 (the Plan), the Section 7.11 Development Contributions is estimated in the table below:

Land Use Term	GFA	Rate	Worker
Function Centre <i>(Central multipurpose field, central netball court, entry foyer, museum/memorabilia/function space)</i>	3018sqm	119sqm/worker	-21.9
Business Premises <i>(player lounge areas, wet rooms, gym, circulation, service and loading areas, club dining, child minding, foundational tenancies)</i>	5545sqm	35sqm/worker	158.4
Office Premises <i>(offices, boardrooms, meeting rooms, hot desks, lunch rooms, amenities, call centre)</i>	1505sqm	33sqm/worker	45.6
Medical Centre	414sqm	43sqm/worker	9.6
Food and Drink	155sqm	21sqm/worker	7.4
<b>TOTAL</b>	<b>10,637sqm</b>		199.1

In light of the above, the proposal would result in a net population increase of 199.1 workers. The current CPI released in September 2019 amounts the development contributions payable for the proposal to be **\$544,844.48**.

A credit of 119sqm per worker has been applied in the calculation for the existing use of the RHI building as a 'function centre'. The City considers that the Plan does not enable the foundational tenancies to be exempt from the payment of contributions. Accordingly, the business premises land use type has been applied.

### **3. Heritage**

The revised Heritage Impact Statement (HIS) as well the submission of the Conservation Management Plan (CMP) generally addresses the issues outlined in the City's objection letter. The amended proposal aptly addresses the heritage significance of the building as required under *State Environmental Planning Policy 47 – Moore Park Showground*.

It should be highlighted that careful consideration should be made to the location and selection of trees near the RHI building to ensure it has a low impact to fabric and does not visually obscure the building.

### **4. Environmental Sustainability**

The revised Ecologically Sustainable Design (ESD) Report submitted with the RTS generally addressed the concerns raised in the City's objection letter. The Report has identified that the development will achieve a 5 Star Green Star Design and As Built rating under version 1.2 of the tool. The City recommends that the development should apply the version 1.3, given it is the most recent version.

With respect to the National Construction Code (NCC), the City suggests that the development comply with Section J of NCC 2019. This would align with the 5.5 Star NABERS rating requirement under Sydney DCP 2012. Energy and water points under the Green Star rating should be employed. The use of gas fired hot water systems is discouraged.

The ESD Report should address façade shading to allow solar gain in winter and prevent direct solar gain in hot summer months. The City recommends that a separate meter is to be installed for the make-up lines for the cooling towers and swimming pool and spa. Further, whilst the ESD Report identifies that reuse of the existing structure will reduce waste, the development is to reuse or recycle at least 80% of construction and demolition waste, either on site or diverted for reuse and recycling. Car parking areas should also be designed and constructed so that electric vehicle charging points can be and are installed. These matters have not been clearly identified in the amended ESD report.

### **5. Transport and Access**

The issue raised in the City's objection letter regarding the Green Travel Plan (GTP) for the proposed development remains outstanding in the RTS. The proposal remains reliant on a significant number of 225 staff driving to work in a private vehicle and the capacity of a nearby multi-story car park to accommodate this traffic generation into the future. A genuine attempt to reduce modal car parking has not been demonstrated to encourage a behavioural shift in players, staff and visitors travelling to the site to use more sustainable transport modes. Therefore, the GTP is inadequate and does not satisfy the SEARs requirement for measures to promote sustainable travel choices for employees or visitors. The implementation of a location-specific travel plan and provision of end of journey facilities has not been provided. At a minimum, it is recommended that the quality and quantum of bicycle parking be increased and reflective of an attempt to make a modal shift as a minimum.

## 6. Public Domain

Having regard to the increase of patronage to the site, the City provided some recommendations in the objection letter to improve the surrounding public domain. It is acknowledged that the recommendations are generally located outside the site boundaries and at the discretion of the Centennial Park and Moore Park Trust. However, the proposal is missing an opportunity to improve movement in and around the site to provide safer options for those accessing the precinct by foot.

Further consideration should be made to improve the connections from the public car park on other side of Errol Flynn Boulevard as well as increase the definition of pedestrian links and footpaths to the site. Pedestrian paths of travel around and within the site should be prioritised in order to improve connectivity and safety.

Further, the entry driveway on Errol Flynn Boulevard should be realigned so that the layback and crossover are perpendicular to the footpath to reduce vehicular speed at this point. The angle of the driveway indicated on the plans favours vehicular movement and not pedestrian safety. Vehicles should be encouraged to slow down when using a vehicle footway crossing in any setting, and this is more pertinent in busy public areas.

## 7. Landscape and Tree Management

The submitted *Arborist Addendum* and the previously submitted *Arboricultural Impact Assessment & Tree Protection Specification* prepared by *Allied Tree Consultancy* have been reviewed. Additional discrepancies as well as inconsistencies with the references of the updated documents have been identified as follows:

- a) The group planting of Trees 10-79 on Errol Flynn Boulevard are identified to have a young age rating. This is inaccurate as many of the trees are semi-mature and mature.
- b) *Section 7.1.3 - Trees directly conflicting with design* of the *Arborist Addendum* does not include the removal of Tree 60 for the proposed driveway crossover.
- c) The encroachment within the Tree Protection Zone (TPZ) of Trees 8 and 9 have not been included, however a minimum of 20% canopy loss for Tree 8 and 13% for Tree 9 is proposed.
- d) The six trees located within the plaza have not been assessed or included for tree protection measures.
- e) The Landscape Details indicate trees are planted into 'structural vaults'. The landscape plans do not clearly show where these vaults will be located.

### 7.1. Tree Removal

The City reiterates that Trees 58, 59 and 60 on Errol Flynn Boulevard **must be retained**. The trees are semi mature to mature healthy trees with a medium landscape significance rating. The trees form part of a group of planting along Errol Flynn Boulevard that make a positive contribution to the landscape.

Further, the proposed north-eastern driveway cross over for the car park exit will have a significant encroachment within the TPZ of Trees 56 and 61. As an alternative, it is suggested that the proposed north-eastern driveway crossover be amended to utilise existing crossovers or be relocated so that a section of trees with lesser value, size and health be removed instead. As such, consideration should be made to Trees 42-46, which are of less significance and remove Tree 43 and 45.

It should be noted that the photos of excavation (test pits) within the TPZ of Trees 56-61 have not been provided. Observation 4 of the *Arborist Addendum* states that the photos are available on request. These photos must be submitted to assess the impacts of excavation.

Additionally, it is recommended that only minor pruning of less than 10% of street Trees 8 and 9 be undertaken. It is reiterated that all trees surrounding the site on Council owned land be retained as well as all other trees impacted by the development, including the six trees in the plaza, be protected.

## 7.2. Tree Planting

The Landscape Plan, prepared by Arcadia, has suggested planting of 26 trees of mixed species. The majority of the selected tree species will be under 10 metres in height at maturity. The proposed tree species of *Zelkova serrata* 'Musashino' should be amended to native tree species that is in keeping with the surrounding vegetation. Further, the proposed tree species selection should be amended to include a greater number of trees that will grow greater than 15 metres in height and meet the City's canopy coverage requirement of 15%. The southern landscaped area (grass) between the existing palm trees and the new netball court has the potential for medium sized tree planting.

The Landscape Specification states that on-slab areas will be cover the bottom of the planter with a geotextile turned up to 300mm and taped to the side of the planter. This is likely to result in turning and circling of the roots, which is likely to impact the trees future growth and structural condition.

Ten ground level car parking spaces are proposed along the frontage of the RHL. It is appropriate to apply the principles of Section 3.5.2(7) of Sydney DCP 2012 with respect to tree planting within ground level parking areas as follows:

*One tree per 4 car spaces is to be provided within ground level parking areas in addition to perimeter planting. This planting is to:*

- (a) be planted in bays with a minimum dimension of 2m and soil depth of 1m unencumbered deep soil. The bays are to be provided with a raised kerb barrier and native ground cover planting;*
- (b) be planted in soil with a suitable rooting volume for the required number of trees;*
- (c) use trees that develop a clean trunk height greater than 4.5m and a crown canopy of at least 50sqm to provide adequate shade and vehicle clearance;*
- (d) improve pedestrian amenity;*
- (e) not to hinder the visibility of either drivers or pedestrians, with open sightlines maintained between parking areas, public streets and paths;*
- (f) not conflict with lighting and services; and*
- (g) break up large areas of impervious surfaces.*

Newly planted trees must meet *Australian Standard 2303: Tree Stock for Landscape Use (2015)*. Young trees should be self-supporting without ties attached to their trunk and stakes are to be used as protection not as supports. Pruning of young trees should be done by an AQF Level 5 Arborist only.

## 8. Waste

The revised Waste Management Plan is acceptable and adequately addresses the matters raised in the City's objection letter.

As previously mentioned, the supplementary documentation has addressed some matters raised in our objection letter. Therefore should approval be granted for the development, it is requested that the City be given the opportunity to provide input on any conditions that will be imposed to any consent.

Should you wish to speak with a Council officer about the above, please contact Reinah Urqueza, Specialist Planner, on 9265 9333 or at [rurqueza@cityofsydney.nsw.gov.au](mailto:rurqueza@cityofsydney.nsw.gov.au).

Yours sincerely,



**Andrew Rees**  
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