



SUTHERLAND ENTERTAINMENT CENTRE MAJOR REFURBISHMENT




Design Integrity Panel Report for DA

Version Control

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Endorsement

This Report has been reviewed and endorsed by members of the Design Integrity Panel:

PANEL MEMBERS		
Name	Signature	Date
Darlene van der Breggen		03/02/2020
Colin Sargent		30/01/20
Craig Gamble		28/1/20.

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1 Introduction

Sutherland Shire Council (Council) aims to create an exciting new cultural facility in Sydney's south. This project is the major refurbishment of the Sutherland Entertainment Centre (SEC) – a project that will transform the outdated civic hall into a vibrant centre for the performing arts.

This report seeks to satisfy the Planning Secretary's Environmental Assessment Requirements (SEARs) item 3 - Design Excellence by providing a background, demonstrating how the design has responded to the comments and recommendations made by the Design Review Panel (later referred to as the Design Integrity Panel or DIP) and outlining the design excellence strategy developed in consultation with the Government Architect NSW to ensure design integrity through the planning, detailed design and delivery of the development.

This report should be read in conjunction with the NBRS / CHROFI presentation materials dated 2nd December and 10th December 2019, a copy of which are provided at **Appendix C and D**. The Scoping Report and Planning Secretary's Assessment Requirements are provided at **Appendix A and B** for background.

2 Background

2.1 Consultant Design Team Procurement

Council conducted a two-stage tender process to appoint an architect-led consultant design team to the project. Stage one was an open call for expressions of interest to which thirty organisations responded and three firms were shortlisted. In Stage 2 the shortlisted organisations were invited to provide a tender response in two parts: an architectural concept design proposal and a proposal for the provision of consultant design services.

The design merit of the submitted concepts, as well the supplementary value management and cost saving opportunities, was assessed by a Design Review Panel (DRP or the panel). The designs were also exhibited on-line and at the SEC and over 400 responses were received from the community.

The panel members were;

- **Darlene van der Breggen** (GANSW, panel chair) Darlene is an accomplished architect and urban designer and is Strategic Design Advisor to the Government Architect NSW.
- **Colin Sargent** (Design & Project Management consultant, panel member) Colin is an expert in major project delivery. He is currently Senior Development Manager for Transport for NSW on the Central Precinct Renewal and a former Director, Planning and Design for the Barangaroo Delivery Authority with over 18 years' experience in design and delivery management roles across the public and private sectors.
- **Craig Gamble** (Setting Line, Theatre Consultant, panel member) Craig is a theatre design consultant with over 35 years national and international experience working in, designing and building theatres, museums, galleries and other cultural and creative spaces.

The panel recommended the design strategy proposed by the NBRS+CHROFI team, who were subsequently appointed by elected Council. Council made its decision having received the reports and recommendations of both the DRP and Tender Evaluation Panel, together with the results of the community feedback on the concept designs.

2.2 Maintaining Design Integrity

The Scoping Report, dated October 2019 provided at **Appendix A** and submitted to the Department of Planning and Environment (DPIE) by DFP Planning Consultants on behalf of Council, outlined a Design Excellence Strategy in section 6.2 to ensure that design integrity and the outcomes envisaged by Council, the community, stakeholders and the Design Review Panel are maintained throughout the process.

The strategy proposed that Council would retain the DRP in the form of an ongoing Design Integrity Panel (DIP) which will review the design at key design milestones – including prior to submission of the Environmental Impact Statement (EIS) and any design modification/s that affect the design intent.

Council will be advised by NBR+CHROFI in relation to design intent integrity. The DIP review sessions, findings and endorsements will be documented for Council, and will form part of the EIS.

In response to the Scoping report, item 3 (Design Excellence) of the Planning Secretary's Environmental Assessment Requirements (SSD-10379) dated 8th November 2019 (the 'SEARs', provided at **Appendix B**) requires that the EIS shall detail:

“- a design excellence strategy, developed in consultation with the Government Architect NSW detailing the design competition process, and an ongoing process to ensure design integrity through the planning, detailed design and delivery of the development.

- demonstrate how the design has responded to the comments and recommendations made by the competition jury.”

3 Design Excellence

3.1 A Process to Ensure Design Integrity, the Design Excellence Strategy

In response to the first part of the SEARs item 3, the Design Excellence Strategy has been further developed in consultation with Government Architect NSW from that proposed in section 6.2 of the Scoping Report, to ensure Design Integrity throughout the planning, detailed design and delivery phases of the development. The strategy is in five parts;

1. The two-stage tender process with a Design Review Panel (DRP), assembled by Council to evaluate the design merit of Architectural concepts submitted by architect led consultant design teams.
2. Retaining the DRP in the form of a Design Integrity Panel (DIP). The DIP will convene to review the design at the pre-DA stage (this report), pre-Tender (March) and prior to any substantive design change to ensure the design integrity is maintained.
3. The participants of the DIP will be retained for the duration of the project. Changes to membership of the DIP, in the event panel members are unable to continue with the DIP, will be decided by Sutherland Council in consultation with the GANSW. Council may seek recommendations from the DIP on proposed alternative membership.
4. The Design Integrity Panel Terms of Reference (ToR) are provided at **Appendix E**.
5. Novation of the NBRs+CHROFI led design team to the Contractor for design completion / finalisation. The deed of novation will contain a 'whistle-blower' clause allowing the design team to alert Council in the case of the Contractor instructing a design change considered a change to the design intent.

3.2 Design Review Panel (competition jury) Response

In the 2nd December presentation document, provided at **Appendix C**, the design team led by NBRS+CHROFI sought to address the second part of the SEARs Design Excellence requirement by demonstrating how the design has responded to the comments and recommendations (evaluation) made by the competition jury (Design Review Panel) in April 2019.

At the time, the Design Review Panel identified the following 'weaknesses' in the tender design;

- *Black Box is no longer a free-standing pavilion.*
- *The new foyer addition is too big and too grand for its context – the frontage has doubled in size, overwhelming the original building, absorbing the Black Box and taking out a number of high value trees.*
- *if not fully activated, the foyer could feel very empty – risk of a massive space with nothing in it actually detracts from the Centre and creates a negative audience experience.*
- *The mesh skimming of the existing roof has maintenance and cleaning impacts. Encasing the roof is redundant and may not be a high value proposition.*
- *Lack of clarity about the materiality of the new structure - Is it timber? If so, it doesn't match proportions of existing structure (beams, columns). The material choice will drive the proportions very strongly.*

The DRP considered that the proposed design changes arising from the subsequent value management process resulted in a better design outcome, particularly the relationship of the new foyer addition to the existing building as well as the operation of the foyer space itself.

4 Design Integrity Panel Evaluation

4.1 Panel Observations

2nd December 2019

1. The Panel observed from the images presented, as well as the project model, that the slenderness of the foyer columns appeared disproportionate to the foyer height. The number, spacing and size of columns seemed to be a departure from the tender design.
2. Instead of the previously proposed mesh skimming, the current design shows a replacement of the existing roof tiles with metal sheeting and a deep profile metal product 'Aramax' cladding to the external walls.
3. The removal and re-building of the back third of the building provided an opportunity for better planning of the back of house areas.
4. The lack of windows on the Merton St / eastern elevation and subsequent lack of natural light.
5. That placeholders for any external signage should be shown on plans submitted with the DA.
6. The Panel noted that environmentally sustainable design practices must be addressed in the DA and that retaining most of the existing structure and compliance with BCA Section J 2019 were positive steps.
7. The Panel observed a lack of amenities to service the level two Chorus rooms, particularly considering the number of people these rooms are designed to accommodate.
8. The Panel noted that the design must allow for proper maintenance of the foyer surfaces and services, including platform access to the ceilings for maintenance and operations.
9. The Panel raised concerns with the queuing that would occur outside of the male and female amenities in the foyer and issues caused by having male and female entrances on opposite ends.
10. That separation of F&B and theatre operations in the design was good.
11. Omission of the orchestra pit and replacement with a recessed area was considered a good value management decision albeit the increased manual handling as a result. A proprietary product should be investigated in lieu of custom-made recess infill panels.
12. Concerns that beams of light from lighting bridge 2 striking the acoustic panels at the rear of lighting bridge 1 will:
 - a. reduce the effectiveness of lights on bridge 2 and
 - b. affect the audience experience in the auditorium.

Modelling should be undertaken to test the impact of lighting splash onto lighting bridge 1.

13. The Panel observed that Peace Park was an important civic space. It was noted that the existing water feature and central path were proposed to be removed and that Aboriginal groups were being engaged through the ACHAR process.
14. That the landscape design team would need to consider events and stage areas, connectivity with the Japanese garden and local green grids.

Outcomes

1. The Panel endorse the Design Excellence Strategy as described in 3.1 of this report satisfying the first part of the SEARs item 3.
2. The Panel were satisfied that the design had responded to the comments and recommendations (evaluation) made by the competition jury (Design Review Panel) satisfying the second part of the SEARs item 3, except as noted at item 3 below:
3. That the following issues should be further considered by the design team:
 - a. proportions and structure (including column spacing) of the foyer addition,
 - b. the Merton St / eastern elevation,
 - c. lighting splash to acoustic ceiling panels and
 - d. amenities in the foyer and level two chorus room

An additional meeting of the Design Integrity Panel is to be convened to address these issues prior to lodgment of the DA.

10th December 2019

An additional session was organized for the 10th of December to address those issues identified by the Panel at the 2nd December presentation. The DRP agreed that the proposed design, incorporating those changes shown in the presentation documents dated 10th December (**Appendix D**) and addressing the particular issues outlined below, was of a suitable standard for SSD submission;

1. The Panel supports the removal of one column from the western façade shown as Option 1 in the 10th December Presentation documentation addressing concerns around the proportions of the foyer structure.
2. The Panel supported the Merton St / eastern elevation changes that allowed more natural light to enter the building. It was noted that the orientation of the brick fins could be adjusted if necessary.
3. That a reconfiguration of the foyer amenities as shown, reduced queuing into the foyer area and satisfied the Panel's concerns.
4. That the additional amenities on level two, adequately provided for the number of people that could be accommodated in the chorus rooms. It was noted by the design team that the introduction of amenities would reduce available chorus room area and would have to be endorsed by the relevant stakeholders.
5. That the lighting splash appeared to be adequately addressed by raising lighting bridge 1. However, this issue will require ongoing monitoring by the design team's theatre lighting design specialist.
6. The public domain strategy, prepared by a suitably qualified landscape architect, should demonstrate how the new public plaza would integrate with existing open spaces including the Japanese Garden as well as potential connections to the extended 'green grid' network. The public domain strategy should be presented by the Landscape Architect at all future

presentations to the DIP. The Panel emphasized the importance of the landscape architect's role given the importance of the public domain in this design.

END OF REPORT

APPENDIX A: State Significant Development Scoping Report



planning consultants

State Significant Development

Scoping Report

Sutherland Entertainment Centre and Peace Park



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1.	CIV Cost Calculation
2.	Summary Design Report and Architect Design Process
3.	Community and Stakeholder Consultation: <ul style="list-style-type: none">• Presentation of SEC upgrades to Arts and Culture Sub-Committee meeting of 24 September 2019• Minutes of the Arts and Culture Sub-Committee meeting of 24 September 2019• Feedback from Engadine Musical Society
4.	Concept Architectural Plans
5.	Concept Landscape Plans for Peace Park upgrades

1 Introduction

1.1 Sutherland Entertainment Centre

DFP has been engaged by NBRS Architecture on behalf of Sutherland Shire Council (Council) in relation to alterations and additions to the Sutherland Entertainment Centre (SEC) at 30 Eton Street, Sutherland (the site). Upgrading of the adjoining Peace Park is also proposed.

The SEC was built in the 1970s primarily as a musical venue. The building was designed such that it had limited connection with the adjoining public domain. It was also built before the development of Peace Park to its north.

The existing SEC hosts over 230 events each year, with annual patronage of 90,000. Approximately, 60% of the events are deemed community events. Many of these events are subsidised by Council.

The new facility will provide Council with opportunities to increase its revenue with greater content envisaged for the SEC. The provision of multi-purpose spaces (including studios and rehearsal space) will increase capacity of the Centre at varying times including the traditional quieter mid-week times.

The SEC is now a 40+ year old building which, although it is in good physical condition, is not suitable for use as a modern day community venue. Today, buildings such as the SEC are required to be multi-function facilities that are flexible and able to cater to a diversity of cultural and technical needs. Council has also recognised that the relationship between the building and its surrounds needs to be improved.

Therefore, it is proposed to undertake alterations and additions to the SEC which will offer indoor/outdoor stages and exhibition spaces, a more integrated relationship with Peace Park and an opportunity to provide a variety of spaces which can be adapted depending on the needs of the user.

1.2 Planning Pathway Justification

The proposal involves works relating to an '*entertainment facility*' which is defined in Sutherland Local Environmental Plan (LEP) 2015 as follows:

***entertainment facility** means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.*

Pursuant to clause 13 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (State and Regional Development SEPP), if the capital investment value (CIV) of development for the purposes of cultural, recreation and tourist facilities is more than \$30 million, the development is State significant Development (SSD) and a SSD application is required to be prepared.

Entertainment facilities are included in the description of development referred to as *Cultural, recreation and tourist facilities* in clause 13 of Schedule 1 of the State and Regional Development SEPP.

The CIV of the project has been assessed as being in excess of \$30 million. A copy of the QS cost estimate report is included at **Appendix 1** to this scoping report. Therefore, the development is considered to be State Significant Development (SSD) and a SSD application will be required to be submitted to NSW Department of Planning, Industry and Environment (DPIE).

1.3 Purpose of this Report

This report accompanies a request to DPIE to obtain the Secretary's Environmental Assessment Requirements (SEARs) as required under Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulations 2000* (EP&A Regulation).

Matters relating to the proposed development, permissibility, strategic planning context, associated impacts and justifications are discussed in detail in this report.

2 Background

2.1 Design Excellence Competition

Following review of these submissions, ten (10) firms were shortlisted and interviewed. The selection of shortlisted firms was undertaken by a Tender Evaluation Panel (which comprised Council staff) which assessed the submissions to determine the organisations which demonstrated relevant experience in similar performing arts spaces and evaluated them against the selection criteria.

The Evaluation Panel then interviewed the ten (10) organisations and used the interview process to determine a level of assurance as to each organisation's overall appreciation for the project including their own vision, objectives and definitions of a successful outcome in terms of design.

Three firms were further shortlisted and invited to submit a concept proposal. These firms were required to submit a proposal in two parts.

Two separate panels were established which undertook the following assessments:

- Part A - Design Concept evaluated by the independent Design Review Panel (DRP). The DRP was responsible for the evaluation of tender submissions and comprised the following members:
 - Darlene van der Breggen Strategic Design Advisor to the Government Architect NSW
 - Colin Sargent Senior Development Manager, Transport NSW
 - Craig Gamble Theatre Consultant, Setting Line Theatre Consulting
- Part B - Design Services Proposal evaluated by the Tender Evaluation Panel (TEP)

Following assessment of the concept designs (by the DRP) and the cost estimates by the TEP, and taking into account community feedback, the Evaluation Panel then selected NBRs and Chrofi Architects as the architectural team which would be able to provide the best outcome as envisaged by Council and the community.

As set out in the summary Design Report at **Appendix 2**, during the course of the competition, the project evolved to respond to feedback from the community and stakeholders.

2.2 Community and Stakeholder Consultation

The community was asked to provide feedback in relation to the concept designs from the three shortlisted firms between 20 March 2019 and 3 April 2019.

The following platforms were used to consult with the community:

- Online survey;
- Concept exhibition at Sutherland Entertainment Centre;
- The Sutherland and St George Leader (local newspaper) advertisement;
- Social media;
- Website¹;
- Displays and response boxes at Council Libraries;
- Displays at Council Service Centres;
- Council publication; and
- Briefings with surrounding local businesses.

The following is a summary of the community engagement process:

¹ Refer: <http://www.sutherlandshire.nsw.gov.au/Community/Arts-and-Culture/A-New-Era-for-the-Sutherland-Entertainment-Centre>

2 Background

- 423 surveys completed;
- 719 video viewings and 241 completed online surveys. Videos of the three concept designs were available for viewing by the community. The community was able to select the features of each concept that they preferred in the categories of:
 - external appearance;
 - entrance and foyer;
 - theatre experience; and
 - connection with the park.

Along with a technical, non-price and price assessment, these results contributed to the selection of the successful architectural team for this project.

- 173 people engaged with the public exhibition space in the entertainment centre;
- 3,083 people became aware of the project via the website;
- 10 telephone calls were received by Council in relation to the project;
- 3 emails were received by Council in relation to the project;
- 20,648 people reacted to the project via social media; and
- 212 engage via social media.

In relation to the online surveys of the three concept schemes, the NBRS/Chrofi scheme ranked highest for all four assessment criteria. A summary of the online survey results is included in the Design Report at **Appendix 2**.

2.2.1 Stakeholder Workshops

Three stakeholder workshops were held during May 2019 to gauge feedback in relation to the initial proposals for the SEC, having regard to the specific and particular needs of each interest group.

Different groups who provided feedback included:

- Council staff
- Dance groups
- School user groups
- Music festival users
- Symphony orchestra
- Musical societies and theatre groups

Where possible and relevant, the comments have been considered and addressed as part of the concept scheme for the refurbishment of the SEC.

2.2.2 Arts and Culture Sub-Committee

On 24 September 2019 a meeting of the Arts and Culture Sub-Committee was convened. As well as community representatives, Council offices and Councillors, the following community groups were represented at this meeting:

- Engadine Musical Society
- Sutherland Shire Historical Society
- Miranda Musical Society
- Sutherland Theatre Company
- Arts Theatre Cronulla

2 Background

- Sutherland Shire Symphony Orchestra
- Sydney Tramway Museum
- Ettingshausen's Dance School

The proposed refurbishment of the SEC was presented to the Sub-Committee and key features of the upgrade were discussed. A copy of the material presented to the Arts and Culture Sub-Committee is included at **Appendix 3**.

Also included at **Appendix 3** are the minutes of the Arts and Culture Sub-Committee meeting.

2.3 Scoping Meeting

On 7 August 2019, the proponent (Sutherland Shire Council) met with members of the DPIE major projects team to discuss the most appropriate planning pathway for the proposed development. At that stage the cost estimates had not been finalised, but initial estimates indicated that the costs for the entire project (i.e. including the works within Peace Park) might exceed \$30 million. At that meeting a brief overview of the project was provided and the proponent was advised that if the CIV of the project did exceed \$30 million, the application would be SSD.

A follow up meeting was held with DPIE on 13 September 2019. At that meeting, a more detailed overview of the project was provided, including details of the components of the existing structure that would be retained. Details of the design excellence competition and community consultation held to date were also discussed.

At the meeting on 13 September 2019, DPIE officers advised the information to be addressed in the scoping report and request for SEARS and material to be submitted with that request, including (but not limited to):

- Details of the community consultation undertaken to date, including how input from stakeholders has been considered in the concept designs.
- Discussion as to how design excellence will be evaluated as the project progresses and how design integrity will be maintained.
- Concept design plans for the proposal.

This scoping report addresses the matters raised by DPIE at the meeting on 13 September 2019 and includes copies of the concept design plans at **Appendix 4**.

3 Site Context

3.1 Location

The SEC is located at 22 and 30 Eton Road, Sutherland. Peace Park adjoins the SEC to the north. The legal property description of 30 Eton Road, Sutherland is Lot 1 DP1253156. 22 Eton Street is legally described as Lot 7, Section 46, DP802.

Figure 1 is a location plan of the site within the Sutherland town centre and **Figure 2** is an aerial photograph of the site with the cadastre overlaid.

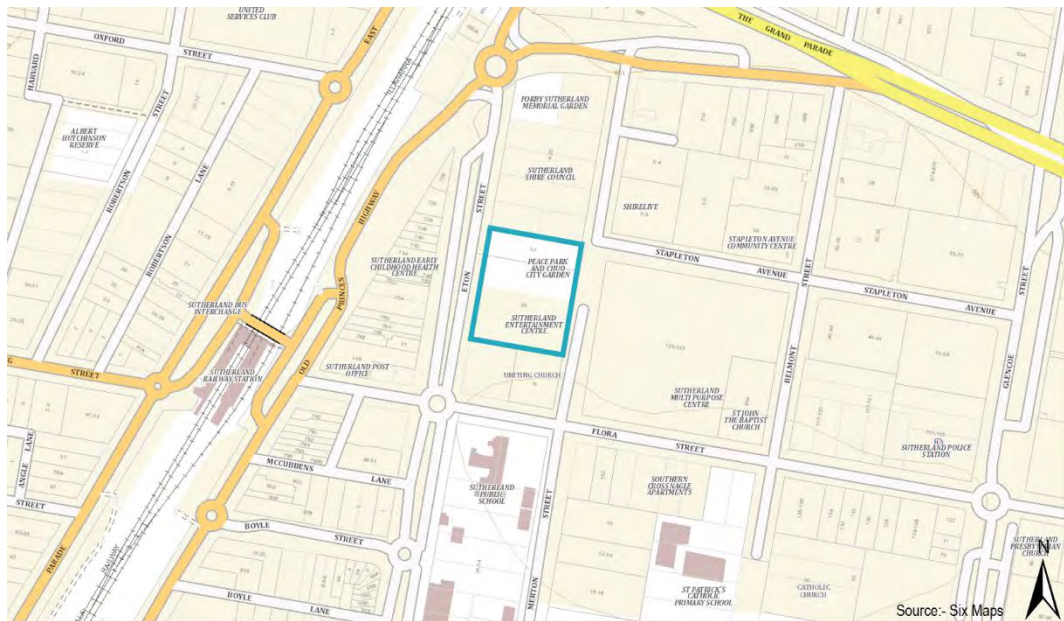


Figure 1 Site Location



Figure 2 Aerial photograph of the site

The existing two/three storey entertainment centre and some hard and soft landscaped elements associated with the adjoining Peace Park are located on Lot 1 DP 1253156. Peace Park is partly located on Lot 1 and partly on Lot 7 (see **Figure 2**).

The site has frontage to Eton Street (to the west) and Merton Street to the east.

There is an existing War Memorial located in the north western corner of Peace Park. The War Memorial is listed as a heritage item in Sutherland LEP 2015.

3 Site Context

There is a moderate change in levels between the foyer of the SEC, Eton Street and Peace Park as demonstrated in **Figure 3**.

Existing vegetation within Peace Park comprises lawn areas with some selected tree planting. There are street trees along the Eton Street frontage of the site.



Figure 3 Looking east towards Peace Park. War Memorial is evident in the left of the photograph and the SEC is on the right hand side of the photograph (Source: Google Streetview)

3.2 Surrounding Development

Figure 4 is a plan identifying the site in the context of surrounding development.

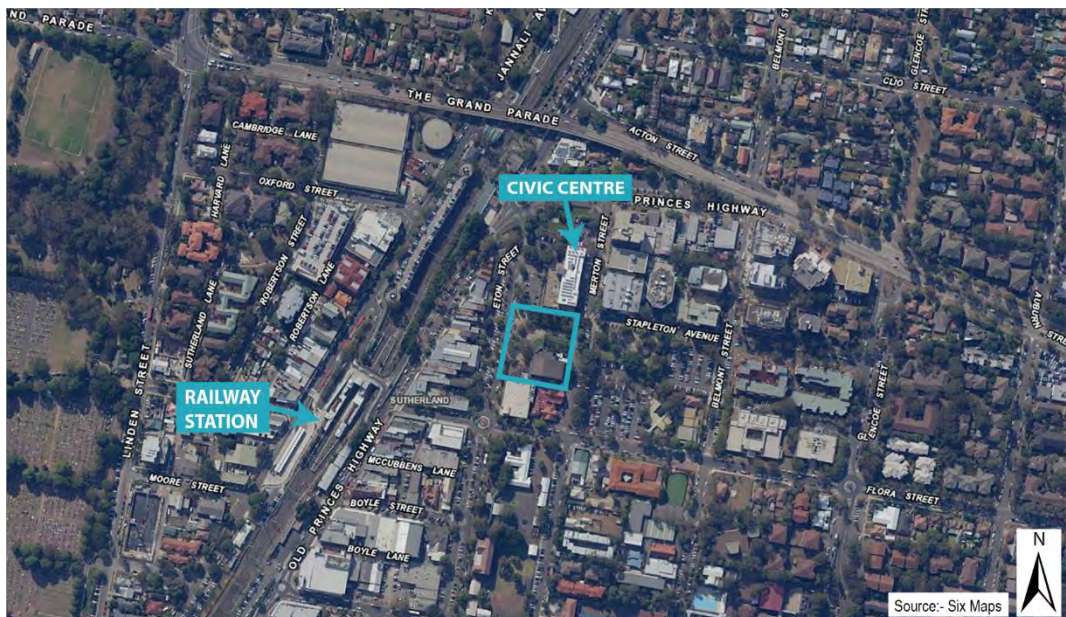


Figure 4 Location plan of site within the Sutherland town centre

To the **north** of Peace Park is the at grade car park associated with the Sutherland Council civic centre and the civic centre building. The civic centre building is a 4 storey structure.

3 Site Context

To the **east** of Merton Street is an at grade car park and Japanese Gardens (which are located to the east of and have an interface with Peace Park). Merton Street continues north from the Japanese Gardens to link with the Princes Highway. Merton Street continues as a pedestrian link only through the Japanese Gardens.

To the **west** is Eton Street. In the vicinity of the site, the carriageway of Eton Street is separated by angled car parking. To the west of Eton Street are retail and commercial buildings associated with the Sutherland town centre. Sutherland railway station, which is to the west of Old Princes Highway, is approximately 220m (walking distance) from the SEC.

To the **south** is a two-storey commercial building (Centrelink office) and the Sutherland Uniting Church. The building associated with Sutherland Uniting Church is a heritage item. The existing SEC building directly abuts the Sutherland Uniting Church as demonstrated in **Figure 5**.



Figure 5 Existing interface between SEC and the Sutherland Uniting Church as viewed from Merton Street

4 Proposed Development

4.1 Objectives of the Proposed Upgrades

The objectives of the alterations and additions to the SEC are:

- To ensure the SEC operates as a multi-function venue with a variety of flexible spaces suitable for use by a variety of groups.
- To provide an auditorium facility that is capable of hosting larger and more varied performances than are currently able to be accommodated to meet community needs.
- To provide a new address for the Entertainment Centre by virtue of a more integrated relationship with Peace Park.
- To re-affirm Peace Park as the civic heart of Sutherland with improved connections to the Library and Council Administration building and the Sutherland Town Centre.
- To appreciate that spaces within Peace Park such as the War Memorial and the Chuo City Garden can function as a series of connected landscape areas but still maintain their own identity and purpose.
- To develop the relationship between the Entertainment Centre and Peace Park such that they function as extensions of each other.

4.2 Proposed Development

In order to achieve these objectives, the following works will be undertaken:

- The auditorium will be renovated with the existing flat floor space remodelled into a tiered theatre. The new theatre will provide an enhanced viewing experience for up to 650 people, with improved excellent sight lines and acoustics.
- The stage will be upgraded so that it is capable of hosting major theatrical productions. This includes the reconfiguration and expansion of new back of house areas and the provision of a full fly tower.
- New loading/unloading facilities from Merton Street will be provided with direct access to the back of house areas.
- Accessibility will be improved through the provision of three lifts – two for public and one for back of house.
- The front entry to the SEC will be provided with a pergola to improve the relationship with the park and, provide an appropriate address to Eton Street. This space will also function as a quasi exhibition space/performance area.
- A multifunctional lobby and foyer, with improved circulation will be provided.
- Way finding and improved connectivity through Peace Park from areas to the east, including the Flora Street car park will be provided
- The southern interface of the park with the SEC will be made more permeable and active, by the addition of a verandah. This space would serve as a protected, lively and welcoming threshold which will activate both the building and park.
- Upgrades to Peace Park, including revitalisation of the connection of Peace Park with Eton Street will be undertaken.

Details of the upgraded SEC facilities, including details of those sections of the building that will be retained and upgraded, are detailed in the concept architectural plans at **Appendix 4** to this scoping report.

In addition to these built elements, upgrading of the landscape treatments within Peace Park are also proposed as demonstrated in the concept landscape plan at **Appendix 5**.

5 Planning Framework

5.1 Introduction

The following legislation, environmental planning instruments and development controls plans are relevant to the proposed educational establishment development, which are addressed in detail below:

- *A Metropolis of Three Cities – The Greater Sydney Region Plan*;
- *South District Plan*;
- *Environmental Planning and Assessment Act 1979*;
- *Biodiversity Conservation Act 2017*;
- *State Environmental Planning Policy No 19—Bushland in Urban Areas*
- *State Environmental Planning Policy (Infrastructure) 2007*;
- *State Environmental Planning Policy (State and Regional Development) 2011*;
- *State Environmental Planning Policy No. 55 - Remediation of Land*;
- *State Environmental Planning Policy No. 64 - Advertising and Signage*;
- *Draft State Environmental Planning Policy (Remediation of Land)*;
- *Draft State Environmental Planning Policy (Environment)*;
- *Sutherland Local Environmental Plan 2015*; and
- *Sutherland DCP 2015*.

5.2 The Greater Sydney Region Plan

The Greater Sydney Region Plan, A Metropolis of Three Cities (the Regional Plan) is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The Regional Plan integrates land use, transport and infrastructure planning between the three tiers of government and across State agencies.

The Regional Plan includes 10 Directions. Three Directions are directly relevant to this project: Direction 5 is to provide a city of great places. In order to achieve this, Objectives 12 and 13 relate to designing places for people:

- Objective 12 Great places that bring people together
- Objective 13 Environmental heritage is conserved and enhanced

The EIS will address how the proposed alterations and additions to the SEC and upgrading of Peace Park will achieve these objectives.

The Regional Plan further separates the Sydney Region into 5 districts. The Sutherland local government area (LGA) is located within the South District.

5.3 South District Plan

The South District Plan is a guide for implementing the Regional Plan at a district level and is a bridge between regional and local planning. Sutherland is identified as a strategic centre in the South District Plan.

The District Plan includes four Planning Strategies – Infrastructure and collaboration, Liveability, Productivity and Sustainability – and also adopts the same 10 Directions as the Regional Plan.

There are planning priorities relative to each Direction. Under the Liveability Strategy /A City for People Direction are the following planning priorities:

- Planning Priority S3 - Providing services and social infrastructure to meet people's changing needs

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- Planning Priority S4 - Fostering healthy, creative, culturally rich and socially connected communities

And under the A City of Great Places Direction, is the following planning priority:

- Planning Priority S6 - Creating and renewing great places and local centres and respecting the District's heritage.

The EIS will discuss how the proposed alterations and additions to the SEC and upgrading of Peace Park will help achieve the outcomes sought in the Regional Plan and the District Plan.

5.4 Environmental Planning and Assessment Act 1979

The assessment framework for SSD is established under Part 4 Division 4.1 of the EP&A Act with Section 78A requiring a Development Application (DA) for SSD to be accompanied by an Environmental Impact Statement (EIS). Matters relevant to the preparation of an EIS (including the application for SEARs) are set out under Schedule 2 of the Regulation.

Section 89D of the EP&A Act identifies that the Minister is the consent authority for SSD.

5.5 Biodiversity Conservation Act 2017

Section 7.9 of the Biodiversity Conservation Act 2017 (BC Act) requires that an application for development consent for SSD must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless an exemption for this requirement has been granted by the Biodiversity and Conservation Division (BCD) within DPIE.

In this instance, a separate request for a waiver for the requirement to prepare a BDAR will be lodged with BCD.

5.6 State Environmental Planning Policy (State and Regional Development) 2011

Clause 13 of Schedule 1 of the State and Regional Development SEPP identifies development for the purposes of cultural, recreation and tourist facilities with a capital investment value (CIV) of more than \$30 million as State significant Development (SSD). The CIV for all proposed works, including the upgrading of Peace Park (which forms part of the works) is \$33,545,570. Therefore, a SSD application is required to be prepared.

The proposed development includes works relating to the upgrading of Peace Park which are not, in themselves, works identified in the State and Regional Development SEPP as SSD. However, pursuant to clause 8(2) of the SEPP:

If a single proposed development the subject of one development application comprises development that is only partly State significant development declared under subclause (1), the remainder of the development is also declared to be State significant development, except for

- so much of the remainder of the development as the Director-General determines is not sufficiently related to the State significant development, and*
- coal seam gas development on or under land within a coal seam gas exclusion zone or land within a buffer zone (within the meaning of clause 9A of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007), and*
- development specified in Schedule 1 to State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.*

As part of the project is SSD (being the alterations and additions to the SEC), and the proposal is not identified in subclauses (a), (b) or (c) of clause 8(2), the entire project can be considered as SSD.

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5.7 State Environmental Planning Policy No. 55 – Remediation of Land

The provisions of State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) apply to the site and are a relevant matter for consideration as part of the assessment of the proposal.

The site land subject to the proposed works has been used as a park and SEC since the 1970s.

Whilst there is unlikely to be any major contaminants within the site, there is potential for contamination associated with building materials due to the age of some structures. Therefore, site contamination investigations and a hazardous material assessment will be undertaken.

The provisions of SEPP 55 will be considered as part of the EIS accompanying the DA and a preliminary contamination assessment will be lodged with the EIS. The purpose of all investigations will be to ensure that the land subject to the proposed works are suitable or can be made suitable for the intended use of the land.

5.8 State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 64 - Advertising and Signage (SEPP 64) sets out provisions relating to the assessment of development which comprises signage, including business identification signs. If any signage is included in the proposal it will be required to be assessed in accordance with the provisions of SEPP 64. Details will be provided with the EIS.

5.9 Sutherland LEP 2015

Lot 1 DP 1253156 is zoned part B3 Commercial Core and part RE1 Public Recreation under *Sutherland Local Environmental Plan (LEP) 2015*. Lot 7, Section 46, DP802 is zoned RE1 Public Recreation.

Figure 6 is an extract of the zoning plan as it applies to the site. Evident in **Figure 6** is the fact that at the time of publishing of the LEP land use zoning map, that part of the site on which the entertainment centre building is located actually comprised three (3) separate allotments. It appears that these allotments have since been consolidated into Lot 1 DP 1253156. Critical to project is the location of the boundary between the B3 and the RE1 zones that apply to the site.

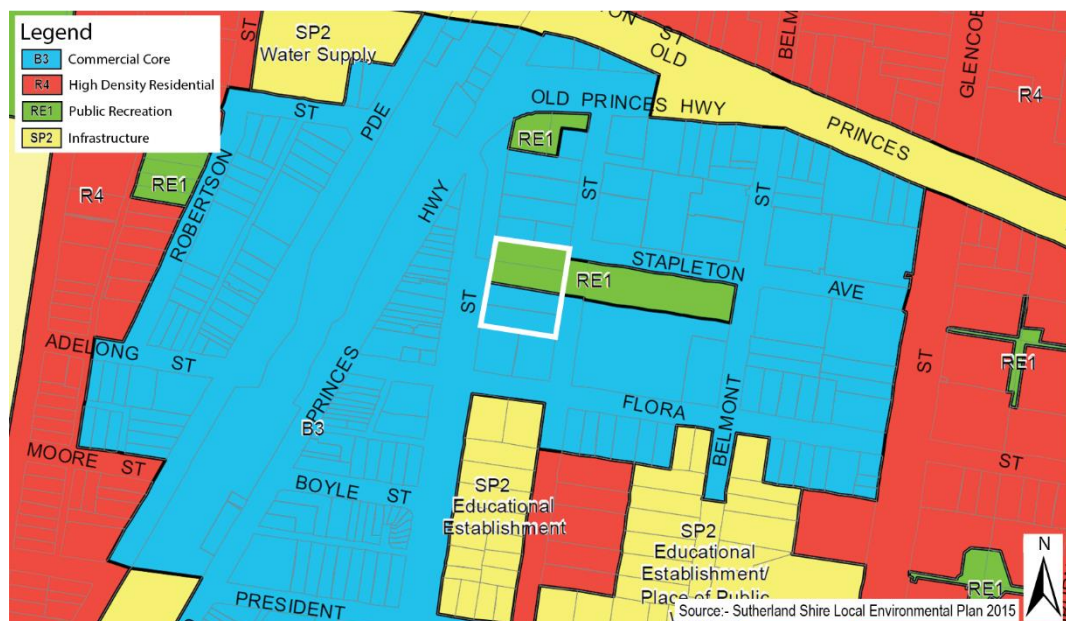


Figure 6 Extract from Sutherland LEP land use zoning map

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5.9.1 Land Use Tables

The following is an extract from Sutherland LEP 2015 of the B3 land use table, including the objectives of the B3 zone. Objectives and land uses relevant to the proposed redevelopment of the entertainment centre and Peace Park have been shown in **bold** text for emphasis.

The B3 zone land use is structured such that if a use is not prohibited, it is permissible.

Zone B3 Commercial Core

1 Objectives of zone

- **To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.**
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To strengthen the viability of existing commercial centres through increased economic activity, employment and resident population.*
- **To create an attractive, vibrant and safe public domain with a high standard of urban design and public amenity.**
- **To enhance commercial centres by encouraging incidental public domain areas that have a community focus and facilitate interaction, outdoor eating or landscaping.**
- *To provide for pedestrian-friendly and safe shopping designed to cater for the needs of all ages and abilities.*

2 Permitted without consent

Home occupations

3 Permitted with consent

*Centre-based child care facilities; **Commercial premises; Community facilities;** Educational establishments; **Entertainment facilities;** Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; **Any other development not specified in item 2 or 4***

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Attached dwellings; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Jetties; Marinas; Multi dwelling housing; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Resource recovery facilities; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recycling facilities; Water supply systems; Wholesale supplies

The following is an extract of the RE1 land use table as it appears in Sutherland LEP 2015. Unlike the B3 land use table, the RE1 zone is structured such that if a use is not permissible, it is prohibited.

Zone RE1 Public Recreation

1 Objectives of zone

- *To enable land to be used for public open space or recreational purposes.*
- **To provide a range of recreational settings and activities and compatible land uses.**

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- **To protect and enhance the natural environment for recreational purposes.**

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Aquaculture; **Community facilities**; Environmental facilities; **Food and drink premises**; Information and education facilities; Kiosks; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads

4 Prohibited

Pubs; **Any other development not specified in item 2 or 3**

The following are extracts from the Sutherland LEP 2015 Dictionary of the land uses relevant to this project. This includes land uses not specifically listed in the land use tables above.

community facility means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

Note.

Food and drink premises are a type of retail premises—see the definition of that term in this Dictionary.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Note.

Restaurants or cafes are a type of food and drink premises—see the definition of that term in this Dictionary.

Commercial premises are a permissible use in the B3 zone. "Commercial premises" is an 'umbrella' term and includes business premises, office premises and retail premises.

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Retail premises is defined as follows. We have only included the types of retail premises likely to be relevant to this project:

***retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:*

- (a) ...
- (b) ...
- (c) food and drink premises,
- (d) ...
- (e) ...
- (f) kiosks,
- (g) ...
- (h) markets,
- (i) – (n) ...

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note.

Retail premises are a type of commercial premises

5.9.2 Permissibility

The preliminary concept plans for the proposed redevelopment indicate that components of the entertainment centre building extend beyond the B3 zone boundary into the RE1 zone. The components which extend in the RE1 zone include a cantilevered balcony/verandah area which will terminate with stairs leading into Peace Park and part of a double height entry feature/pergola structure which will identify the main entry to the entertainment centre.

Notwithstanding that both of these features are integral to the improvement of the interface of the entertainment centre with Peace Park, given that they are components of the entertainment centre structure (but are located in the RE1 zone), the question of permissibility must be considered.

Pursuant to section 4.38(3) of the EP&A Act, in the case of SSD:

Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.

Therefore, in this case, those components of the entertainment centre which are located within the RE1 zoned land, are able to be considered as part of the whole SSD project for the alterations and additions to the SEC.

Furthermore, as noted above, *community facilities* are a permissible use in both the RE1 zone and the B3 zone. The definition of *community facilities* does not specifically exclude entertainment facilities.

Whilst the existing building is called an entertainment centre, a broad range of functions and community events take place in this facility, including functions such as art shows, conferences, school functions (e.g. awards nights). The range of events and functions held in the building is likely to increase once the building is refurbished. Therefore, it is considered that the function of the SEC could be categorised as a community facility as well as an entertainment facility, i.e. a dual use facility.

Given that *community facilities* are permissible in both the B3 and RE1 zones, it is considered that the components of the building which are located in the RE1 zone would be permissible as a community facility.

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Works relating to the upgrading of Peace Park would need to include those works detailed as permissible uses in the RE1 zone.

The refurbishment of the entertainment centre is development which is permissible in the B3 zone.

Furthermore, it is considered that the works proposed are consistent with the relevant objectives of both the B3 and RE1 zones that apply to the site.

5.9.3 Building Height and Floor Space Ratio Development Standards

The following controls only apply to that part of the site zoned B3. There are no specific development standards that apply to that part of the site zoned RE1:

- Maximum Building Height: 30m
- Floor Space Ratio: 3.5:1

The concept plans at **Appendix 4** to this scoping report indicates that the built form will have a height less than 30m above existing ground level.

The estimated gross floor area (GFA) of the entertainment centre is 4,513m². That part of the site zoned B3 has an estimated area of 2,720m². The bulk of the entertainment centre is located on this part of the site. The FSR of the development is estimated to be 1.66:1 which is less than the maximum permitted FSR of 3.5:1.

5.9.4 Heritage

There is a heritage item (Item No. 3615 - Sutherland War Memorial) within that part of Peace Park which is located on Lot 7 Section 46, DP802. The war memorial is located on the Eton Street frontage.

In addition, the entertainment centre backs onto the Sutherland Uniting Church (at 9 Merton Street). Item No. 3618.

The Foreby Sutherland Memorial Gardens (Item No. 3616) adjoin the Peace Park to the north.

The relationship of the items to the site is shown on the plan at **Figure 7**.



Figure 7 Extract from Heritage Map accompanying Sutherland LEP 2015

A full and detailed assessment of heritage impacts on all surrounding items will be prepared and incorporated into the assessment of the EIS. The impact of the proposed works on these

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items will need to be carefully considered having regard to the provisions of clause 5.10 of Sutherland LEP 2015.

5.9.5 Urban Design

Clause 6.16 - Urban Design – General of Sutherland LEP 2015 will be relevant to the design of the entertainment centre. Below is a link to the relevant clause in the LEP.

The design for the entertainment centre will need to consider the following provisions of clause 6.16:

- The existing character of the area in which the entertainment centre is located and in particular the streetscape and interface with Peace Park and the public domain generally;
- How the design responds to the natural environment;
- How the principles for minimising crime risk have been addressed in the design.

The relevant provisions of clause 6.16 of the LEP will be addressed in the EIS and accompanying design statement.

5.10 Sutherland DCP 2015

Notwithstanding that for the purposes of SSD, the provisions of any development control plan (DCP) do not apply (clause 11 of State and Regional Development SEPP), given the location of the site within the Sutherland town centre, it is considered prudent that the DCP controls be taken into account, particularly where those controls relate to the public domain.

Chapter 24 – B3 Commercial Core – Sutherland relates to the Sutherland town centre. The DCP includes a strategy map which flags an extension of Peace Park eastwards to Belmont Street. The DCP also includes the following controls for B3 zoned land in the Sutherland town centre. These are not necessarily specific to the site and may be able to be varied if they are not appropriate or relevant to the use of the site as an entertainment facility:

- Pedestrian link through Peace Park.
- A landscape strategy with tree planting in Peace Park and street tree planting along Eton Street.
- A potential built form of up to 30m on that part of the site zoned B3.
- A nil setback to Eton Street for a podium height of 8 -10m. The building is then required to be setback 4m for the upper levels above podium level.
- Eton Street frontage of the site is identified as an active frontage. The frontage to Peace Park is shown as semi-active.
- The development is required to observe the Apartment Design Guide building separations if the site adjoins residential development sites.
- Provision is to be made for on site loading/unloading

Other relevant controls in the DCP which might need to be taken into consideration:

There are no specific parking controls within the DCP for an entertainment facility. The DCP makes reference to the RMS Traffic Generating Guidelines.

There are no specific controls relating to land zoned RE1.

Other parts of the DCP which might also be relevant in relation to the proposed development include:

- Chapter 36 Vehicular Access, Traffic, Parking and Bicycles
- Chapter 38 Stormwater and Groundwater Management

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- Chapter 39 Natural Resource Management
- Chapter 41 Social Impact

5.11 Sutherland Shire Section 7.11 Development Contribution Plan 2016

The site is located within an area to which this CP applies, however, as the development does not provide for additional dwellings within the Sutherland town centre, there will not be a s7.11 contribution payable in relation to this work.

5.12 Other Strategic Plans and Policies

In addition to the above, the EIS will also address the relevant planning provisions, goals and objectives of the following plan and policies.

- NSW State Priorities;
- Future Transport Strategy 2056;
- Crime Prevention Through Environmental Design Principles;
- Health Urban Development Checklist;
- State Infrastructure Strategy 2018-2038 Building Momentum;
- Sydney's Cycling Future 2013;
- Sydney's Walking Future 2013;
- Sydney's Bus Future 2013;
- Better Placed: An integrated design policy for the built environment of NSW;
- Sutherland Shire Council Plan of Management Parks, 29 June 2009;
- Sutherland Community Strategic Plan, 2017; and
- Sutherland Shire Local Strategic Planning Statement (LSPS) 2019

6 Preliminary Environmental Assessment

6.1 Introduction

The proposed works, being alterations and additions to the existing SEC and upgrading of Peace Park, are unlikely to have significant or adverse environmental impacts. The impacts and risks from the proposed works are considered to be low, and potential environmental impacts can be minimised and managed appropriately.

Overall, it is considered that the proposed works will have positive impacts within the Sutherland town centre and for the Sutherland community.

6.2 Built Form and Urban Design

A design statement prepared by the project architects is included at **Appendix 4**. This report details the principles which have guided the concept designs for the redevelopment of the SEC.

As set out in **Section 2.1** of this scoping report, the development has evolved since it was first advocated. This included a design competition, review by the Design Review Panel (DRP) and consultation with the community.

Given that the SEC is a significant built feature in the town centre, a Design Excellence Strategy will be prepared to ensure design integrity and the outcomes envisaged by Council, the community, stakeholders and the Design Review Panel are maintained through the process.

Council will retain the DRP in the form of a Design Integrity Panel (DIP). The DIP will be utilised to review the design at key design milestones – including prior to submission of the EIS and any design modifications that are considered to change the design intent. Council will be advised by NBRS/CHROFI in relation to design intent integrity.

Formalisation of transition from the DRP to the DIP will be made by Council, with provisions for alternative representation, if required, regarding membership. Alternatives will be nominated by the DRP.

The DIP will document their review sessions, findings and endorsements for Council. This will be documented as part of the EIS.

6.3 Site Contamination

The land subject to the proposed work has been used as a park or as an entertainment facility since at least the 1970s.

Whilst the likelihood of major contaminants being found on the site is low, there is potential for contamination associated with building materials due to the age of some structures. Therefore, site contamination investigations and a hazardous material assessment will be undertaken to ensure the site is suitable, or can be made suitable, for the proposed uses.

6.4 Heritage

There are a number of heritage items in the vicinity of the site and the works. In particular, the upgrading of Peace Park will need to consider how any impacts on the War Memorial can be minimised.

A Heritage Impact Statement will be undertaken and submitted with the EIS which address the proposed development and its impact on surrounding heritage items, including the War Memorial.

6.5 Environmental Sustainability

The EIS will include details of any opportunities the development can take to incorporate ESD measures within the project.

6 Preliminary Environmental Assessment

6.6 Crime Prevention and Safety

The alterations and additions to the SEC in particular will need to be designed having regard to the principles of Crime Prevention Through Environmental Design (CPTED). These principles and how the development responds to them will be addressed in the EIS.

6.7 Social and Economic Impacts

It is considered that the proposed refurbishment of the SEC will have several positive social impacts as the works will result in a facility which will be able to be used by a number of different groups for a variety of activities. As noted previously, one of the principle objectives of this work is to ensure the SEC is a multi function space.

The positive aspects of the proposed upgrades to the SEC and Peace Park will be detailed in the EIS.

6.8 Construction Management

The SEC and Peace Park are key facilities within the Sutherland town centre. During the construction period, which is estimated to be approximately 18 months, alternative locations at the Sutherland School of Arts and Engadine Community Centre will be made available for groups and organisations utilising the SEC.

Pedestrian traffic within the site, particularly within Peace Park, and surrounding the site will need to be carefully managed to ensure desired connections are maintained where possible during the construction phase.

Other potential impacts that could occur during the construction phase include:

- Dust mitigation during demolition work;
- Noise and vibration during demolition and construction works;
- Management of hazardous materials during demolition works; and
- Traffic impacts associated with the construction vehicles, including local traffic control measures.

A construction management plan, incorporating a construction traffic management plan, will be prepared to identify how impacts during the construction phase can be managed.

7 Conclusion

The proposed alterations and additions to the SEC and upgrading of Peace Park is classified as SSD as it falls within the requirements of clause 13 of Schedule 1 of the State and Regional Development SEPP, being *development for the purposes of cultural, recreation and tourist facilities is more than \$30 million*. Entertainment facilities are included in the description of development referred to as *Cultural, recreation and tourist facilities* in clause 13 of Schedule 1 of the State and Regional Development SEPP.

For the purposes of preparing the EIS in support of this proposal it is envisaged the following plans and studies will be required:

- Architectural Plans;
- Architectural Design Statement;
- Design Excellence and Integrity Strategy;
- Landscape Plans;
- Civil Engineering Plans (include stormwater management and erosion and sediment control plans);
- Traffic and Parking Assessment;
- Heritage Impact Assessment;
- Aboriginal Cultural Heritage Assessment;
- Arborist Report;
- Preliminary Contamination Investigations;
- Acoustic Assessment;
- Infrastructure Service Report;
- Construction Management Plan, incorporating a Construction Noise and Vibration Management Plan and Construction Traffic Management Plan;
- Ecologically Sustainable Development (ESD) Report;
- Waste Management Plan;
- BCA and Access Report;
- Hazardous Material Survey; and
- Design Safety Report.

APPENDIX B: Planning Secretary's Environmental Assessment Requirements

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD-10379
Project Name	Sutherland Entertainment Centre and Peace Park
Location	22 and 30 Eaton Road Sutherland, Lot 1 DP1253156 and Lot 7 DP 46/802
Applicant	Sutherland Shire Council
Date of Issue	8 November 2019
General Requirements	<p>The environmental impact statement (EIS) must be prepared in accordance with and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> · adequate baseline data · consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); · measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and · a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> · a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV; · an estimate of jobs that will be created during the construction and operational phases of the proposed development; and · certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context</p> <p>The EIS shall address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"> · State Environmental Planning Policy (State and Regional Development) 2011 · State Environmental Planning Policy (Infrastructure) 2007 · State Environmental Planning Policy No 55 – Remediation of Land

- Draft Environment SEPP
- State Environmental Planning Policy No 64 – Advertising and signage
- Sutherland Local Environmental Plan 2015

Permissibility

Detail the nature and extent of any prohibitions that apply to the development.

Development Standards

Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.

The EIS shall address the relevant planning provisions, goals and strategic planning objectives in the following:

- Greater Sydney Region Plan
- South District Plan
- Future Transport Strategy 2056 and supporting plans
- Better Placed – an integrated design policy for the built environment of NSW 2017
- NSW Planning Guidelines for Walking and Cycling
- Interim Construction Noise Guidelines (DECCW, 2009)
- Crime Prevention Through Environmental Design Principles
- Guide to Traffic Generating Developments (Roads and Maritime Services)
- Healthy Urban Development Checklist 2009
- Sutherland Shire Council Plan of Management Parks 2009
- Sutherland Community Strategic Plan 2017
- Sutherland Shire Local Strategic Planning Instrument 2019
- Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH 2010)
- Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW 2011 (DECCW)
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW).

2. Social

The EIS shall include a social impact statement which:

- identifies any social impacts and any concerns or aspirations people may have about how the proposal might affect their surroundings, way of life, health and wellbeing, or their access to and use of infrastructure, services, and facilities
- considers social impacts (positive and negative) from the points of view of community stakeholders and how they expect to experience the proposal (i.e. using primary research and outcomes of engagement)
- investigates the extent to which any group in the community may disproportionately benefit or experience negative impacts.

3. Design Excellence

The EIS shall detail:

- a design excellence strategy, developed in consultation with the Government Architect NSW detailing the design competition process, and an ongoing process to ensure design integrity through the planning, detailed design and delivery of the development
- demonstrate how the design has responded to the comments and recommendations made by the competition jury.

4. Built Form and Urban Design

The EIS shall:

- address the height, bulk and scale of the proposed development within the context of the locality, with specific consideration of the overall site layout, open spaces, interface with the public domain, facades, massing, setbacks, building articulation, solar access and overshadowing, materials, colours, signage or signage envelopes
- detail how services, including but not limited to, waste management, loading zones, and mechanical plant are integrated into the design of the development to minimise impacts on the public domain.

5. Public domain and landscaping

The EIS shall

- demonstrate how ground level of the building will be configured to provide safe and active street frontages and provide visual interest to the public domain
- identify and integrate key pedestrian and cycle links between the site and the surrounding street network
- address impacts on existing trees, including opportunities to retain and integrate existing trees
- identify any native trees or shrubs to be removed, retained or transplanted
- include details on the native vegetation community (or communities) that occur, or once occurred on site, with a list of local provenance species (trees, shrubs and ground covers) to be used for landscaping
- specify that any landscaping will use a diversity of local provenance species (trees, shrubs and ground covers) from the native vegetation community (or communities) that occur, or once occurred, on the site to improve biodiversity.

6. Environmental Amenity

The EIS shall:

- detail the impacts of the development on views, sunlight/overshadowing, wind impacts, reflectivity, visual and acoustic privacy to achieve a high level of environmental amenity
- include shadow diagrams demonstrating any potential overshadowing to adjoining properties
- detail any external lighting or illumination and consider the impacts of this lighting/illumination to surrounding properties and the public domain.

7. Ecologically Sustainable Development (ESD)

The EIS shall:

- detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation of the development
- demonstrate how the proposed development responds to sustainable building principles and best practice, and improves environmental performance through energy efficient design, technology and renewable energy
- include a description of the measures that would be implemented to minimise consumption of resources, water and energy
- demonstrate how the climate change projections of the NSW Government's Regional Climate Modelling (NARClIM) are used to inform the building design and asset life of the project.

8. Biodiversity

The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required under the Act, except where a waiver for preparation of a BDAR has been granted.

9. Stormwater

The EIS shall:

- detail drainage associated with the proposal, including stormwater, and drainage infrastructure.
- include an integrated water management strategy that considers water, wastewater and stormwater. The strategy must include alternative water supply, proposed end uses of potable and non-potable water, outline opportunities for the use of integrated water cycle management practices and principles and demonstrate water sensitive urban design (WSUD) and any water conservation measures.

10. Noise and Vibration

The EIS shall:

- assess the noise impacts on the proposed development from all surrounding land uses,
- identify appropriate noise mitigation measures and management practices to be adopted
- identify the main noise and vibration generating sources and activities at all stages of construction, and any noise sources during operation, outlining measures to minimise and mitigate potential noise and vibration impacts on surrounding occupiers of land.

11. Transport and Accessibility (Operation)

The EIS shall include a Traffic and Transport Impact Assessment that includes, but is not limited to the following:

- analysis of the future daily and peak hour vehicle, public transport, pedestrian and bicycle movements likely to be generated by the proposed development and assessment of the impacts on the local road network, including key intersection capacity and any potential need for upgrading or road works (if required)
- an assessment of the accessibility of the development by public and active transport, including measures to promote travel choices for employees and visitors that support the achievement of State Plan targets, such as implementing a location-specific sustainable travel plan and provision of end of trip facilities for staff.
- details of the proposed access, bicycle and car parking provision and end of trip facilities associated with the proposed development including compliance with the relevant parking codes and Australian Standards
- details of servicing vehicle movements and site access arrangements including vehicle types and likely arrival and departure times of service vehicles, loading dock provision and access.

12. Construction

The EIS shall include a Construction and Pedestrian and Traffic Management Plan addressing:

- details of peak hour and daily construction and servicing vehicle movements and access arrangements and cumulative impact from surrounding development sites, on the local road network, public transport services and parking (including the temporary loss of parking on the site)
- road safety at key intersections and locations subject to heavy vehicle movements and high pedestrian activity
- details of access arrangements for workers to/from the site, emergency vehicles and service vehicle movements
- details of temporary cycling and pedestrian access during construction demonstrating that pedestrian and bicycle rider movements along footways and

	<p>cycleways are maintained at all times during construction activities. Should the development require closure of either facility, adequate safety measures and diversion measures to limit time delay and detour distances should be detailed.</p> <ul style="list-style-type: none"> · assessment of traffic and transport impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrians, cyclists and public transport operations · potential impacts of the construction on surrounding areas including the public realm with respect to noise and vibration, air quality and odour impacts, dust and particle emissions, water quality, storm water runoff, groundwater seepage, soil pollution and construction waste. <p>13. Servicing and Waste The EIS shall:</p> <ul style="list-style-type: none"> · identify, quantify and classify the likely waste streams to be generated during construction and operation of the development and describe the measures to be implemented to minimise, manage, reuse, recycle and safely dispose of this waste with reference to relevant guidelines · identify appropriate servicing arrangements (including but not limited to, waste management, loading zones and mechanical plant) for the site. <p>14. Heritage (including Aboriginal Heritage) The EIS shall:</p> <ul style="list-style-type: none"> · include a Heritage Impact Statement (HIS), prepared by a suitably qualified Heritage Consultant identifying any state and local heritage items and conservation areas within the site and vicinity, documenting any impacts and proposed mitigation measures · include an Aboriginal Cultural Heritage Assessment Report (ACHAR) identifying cultural heritage values, impacts and mitigation measures. <p>15. Utilities The EIS shall:</p> <ul style="list-style-type: none"> · address the existing capacity and future requirements of the development for the provision of utilities, including staging of infrastructure in consultation with relevant agencies · detail impacts to any existing infrastructure assets of utility stakeholders from demolition/construction and any proposed mitigation/protection measures. <p>16. Staging</p> <ul style="list-style-type: none"> · The EIS shall provide details regarding the staging of the proposed development (if proposed). <p>17. Public Benefit and Contributions</p> <ul style="list-style-type: none"> · The EIS shall provide confirmation of the public benefit to be derived from the proposal.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> · high quality files of maps and figures of the subject site and proposal · site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings · site analysis plan · architectural drawings

	<ul style="list-style-type: none"> · public domain and landscape plan · urban design report · heritage impact statement · overshadowing analysis · schedule of materials and finishes · Social impact Statement · noise impact assessment · access impact statement · arborist report · aboriginal cultural heritage report · ESD report · Building Code of Australia report · consultation summary report · traffic and transport impact assessment · preliminary construction management plan, inclusive of a Construction and pedestrian traffic management plan · demolition plan <ul style="list-style-type: none"> · stormwater management plan · geotechnical and structural report · contamination assessment, including remedial action plan and site audit statement (if required) <ul style="list-style-type: none"> · integrated water management plan · servicing and operational waste management plan.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>

APPENDIX C: 2nd December Panel Presentation

**ROOT
PARTNERSHIPS**

Advisory+
Project Management

Sutherland Entertainment Centre Upgrade

Design Integrity Panel Meeting 01

2nd December 2019

Agenda

01 Item – Intro & Project Update

02 Item – Design Excellence Strategy in response to SEARs

Break

03 Item –Design Presentation & Discussion

Lunch

04 Item – Panel Evaluation, Findings & Endorsement

Introduction

Convened in response to the SEARs.

Purpose of today is to develop a Design Excellence strategy to ensure design integrity, and;

Demonstrate how the design has responded to DRP recommendations.

Project Update

- Jul Budget & Scope Reset (incl Park)
- Aug Project 'State Significant' (SSDA)
- Oct Report to the Department of Planning
- Nov Community & Stakeholder Consultation
- Feb Submit the SSDA
- April Tender

Works commence in the 2nd half of 2020.

Planning Secretary's Environmental Assessment Requirements

Item 3. Design Excellence - The EIS shall detail:

- *a design excellence strategy, developed in consultation with the Government Architect NSW detailing the design competition process, and an ongoing process to ensure design integrity through the planning, detailed design and delivery of the development.*
- *demonstrate how the design has responded to the comments and recommendations made by the competition jury.*

Proposed Design Excellence Strategy

In addition to the design competition process already undertaken.

Re-convene the Design Review Panel as the Design Integrity Panel at the pre-DA stage (today), pre-Tender (March) and prior to any substantive design change.

Outcomes of today recorded and included in the State Significant Development Application.

Design Presentation

By NBRS.

ROOT PARTNERSHIPS
Advisory+Project Management



Sutherland Entertainment Centre

DESIGN INTEGRITY PANEL
PRESENTATION

02.12.2019



CHROFI | NBR SARCHITECTURE.

Contents

Aspirations and opportunities at competition stage

Design response

Design Review Panel comments

Current Proposal

Appendix: Competition Scheme

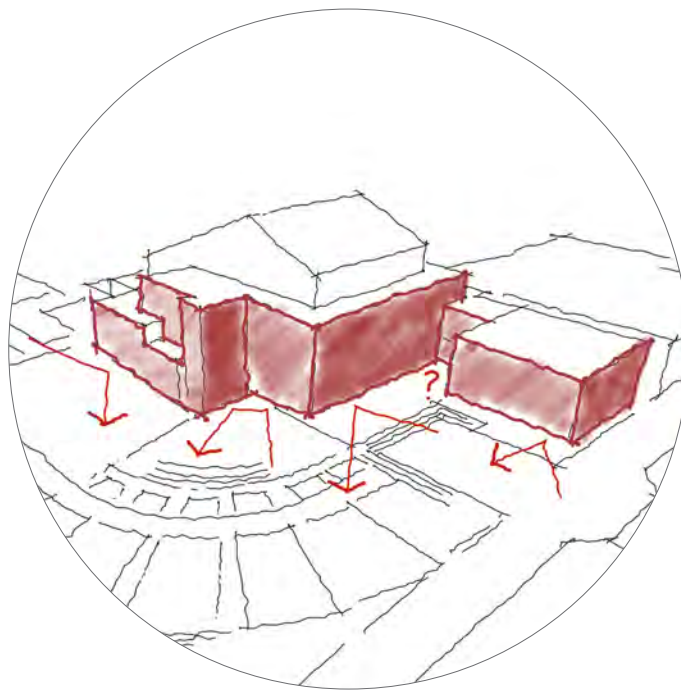


A civic heart for the community

Provide a high quality multi-purpose performance space for Local and Touring productions and a rich and engaging theatre experience that is accessible to all.

Create a flexible place for the community with broader cultural and social appeal and a vibrant place with the ability to re-invigorate the Sutherland Town Centre.

Create a cornerstone in a cultural offering to the Sutherland shire.

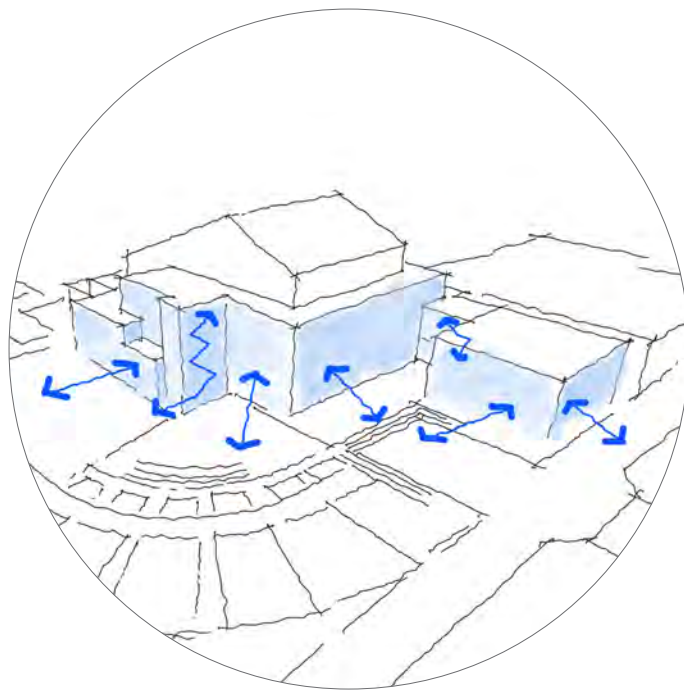


Transformative potential

Respects the integrity of the original architecture.

Compliment the existing expressive and honest structure.

Maintain clarity of purpose in the sequencing of spaces.

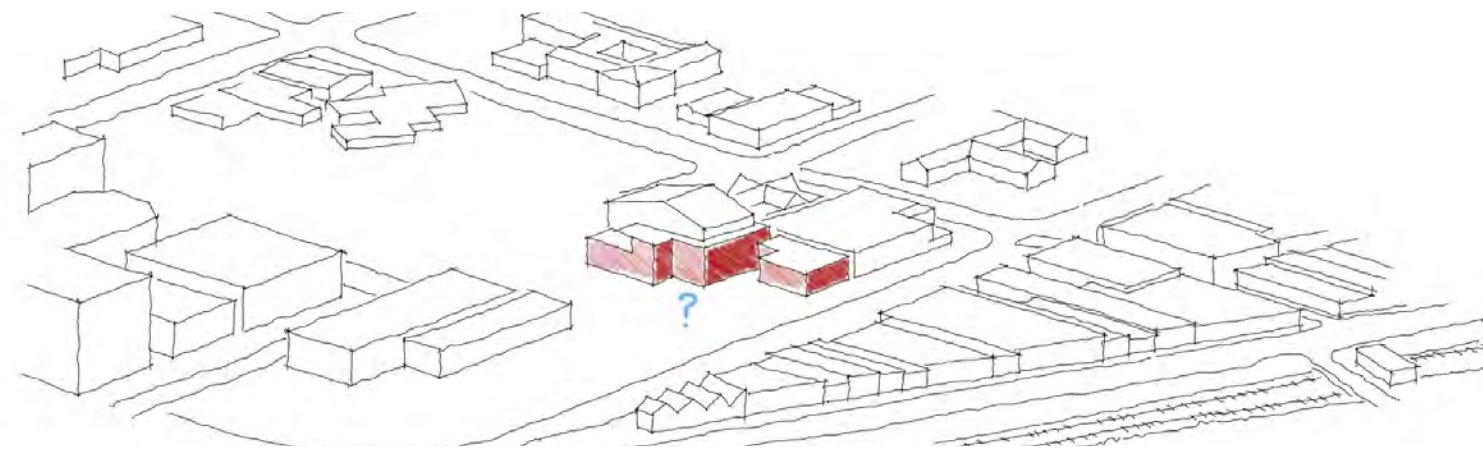


Opportunities to activate Peace Park

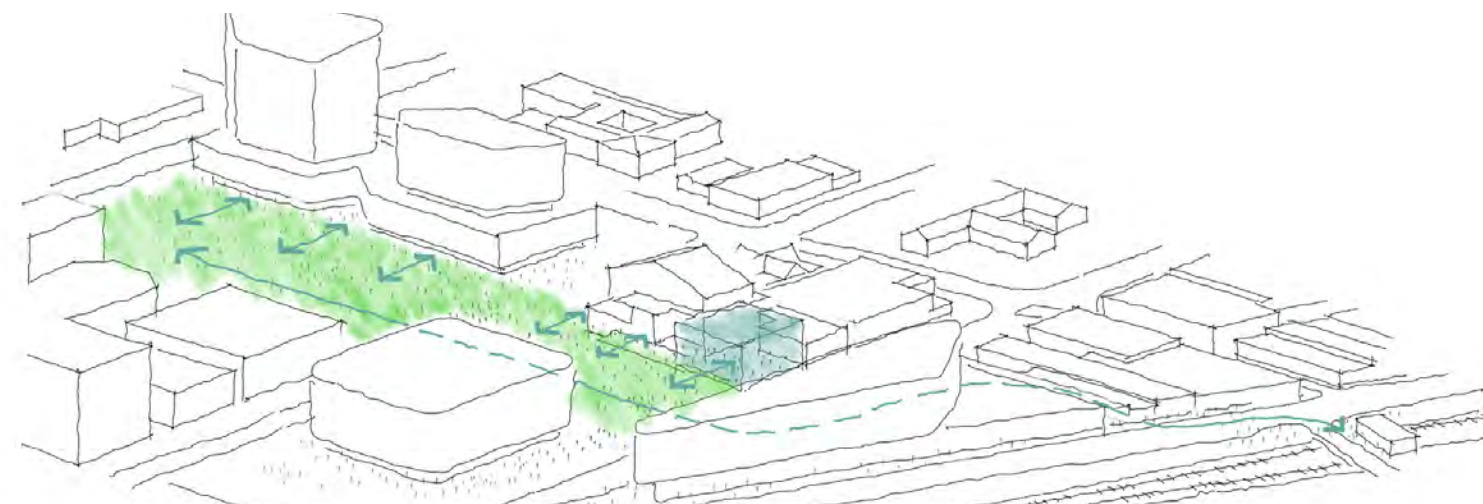
Transform an introspective building to a transparent structure connected to the public domain and park.

Capitalise on the existing assets in Peace Park, including the War Memorial and Chuo City Garden.

Maintain and improve safe places to play and relax.



current urban condition



a future civic heart for Sutherland

Context - present and future

Create a more friendly and integrated relationship with Peace Park.

Connect to established civic institutions such as the Library and Council Administration building.

Consider future developments within the Sutherland Town Centre.



Adaptive re-use

The existing building holds intrinsic value and embodies the collective memory of the Sutherland community.

Retain as much of the existing structure and its signature elements as possible.

Enclose the forecourt to create a flexible space for community use.

Create a transparent structure as a counterpoint to the existing.



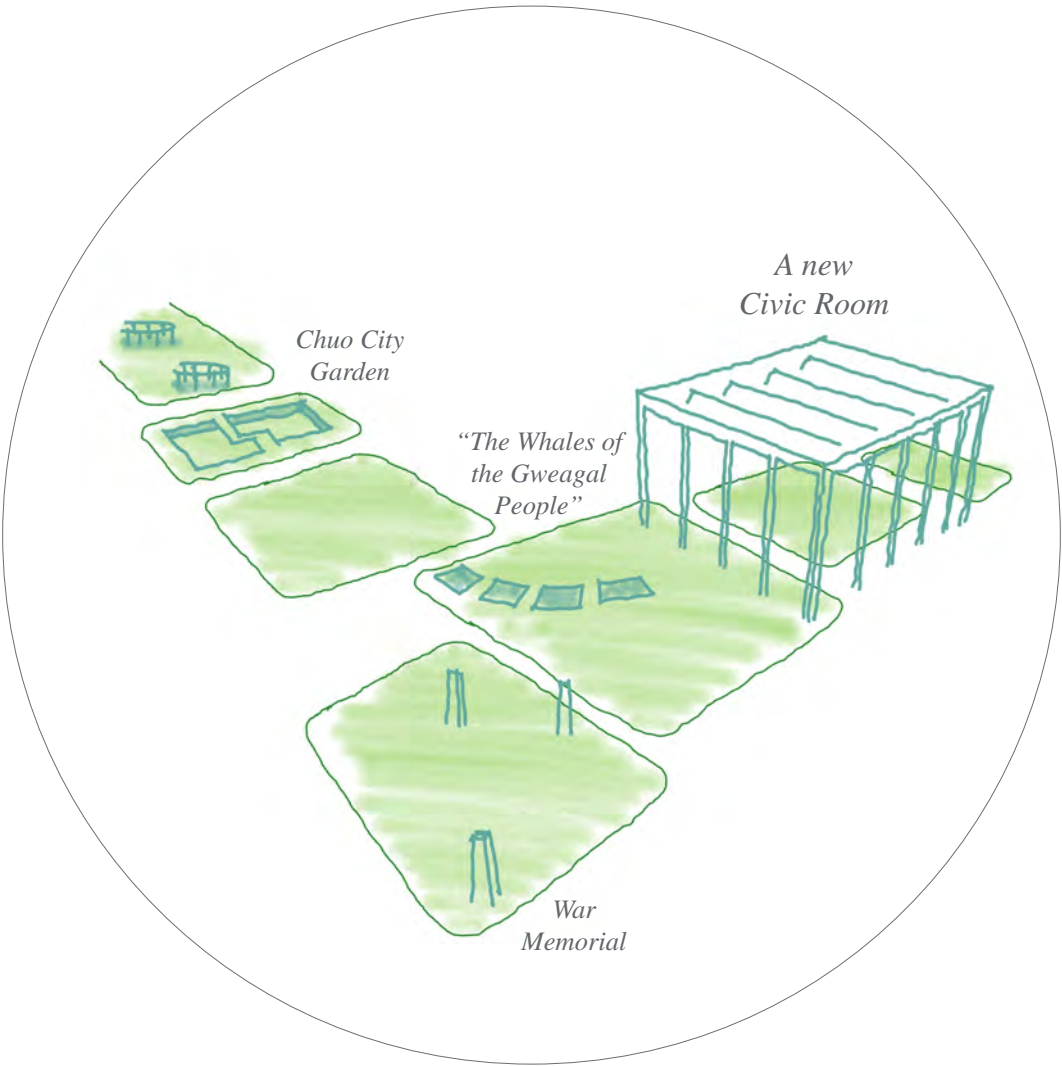
The park as focal point

The discrete spaces within Peace Park such as the War Memorial and the Chuo City Garden can be understood as a series of connected landscape rooms with their own identity and public purpose.

Integrate the Entertainment Centre with the park.

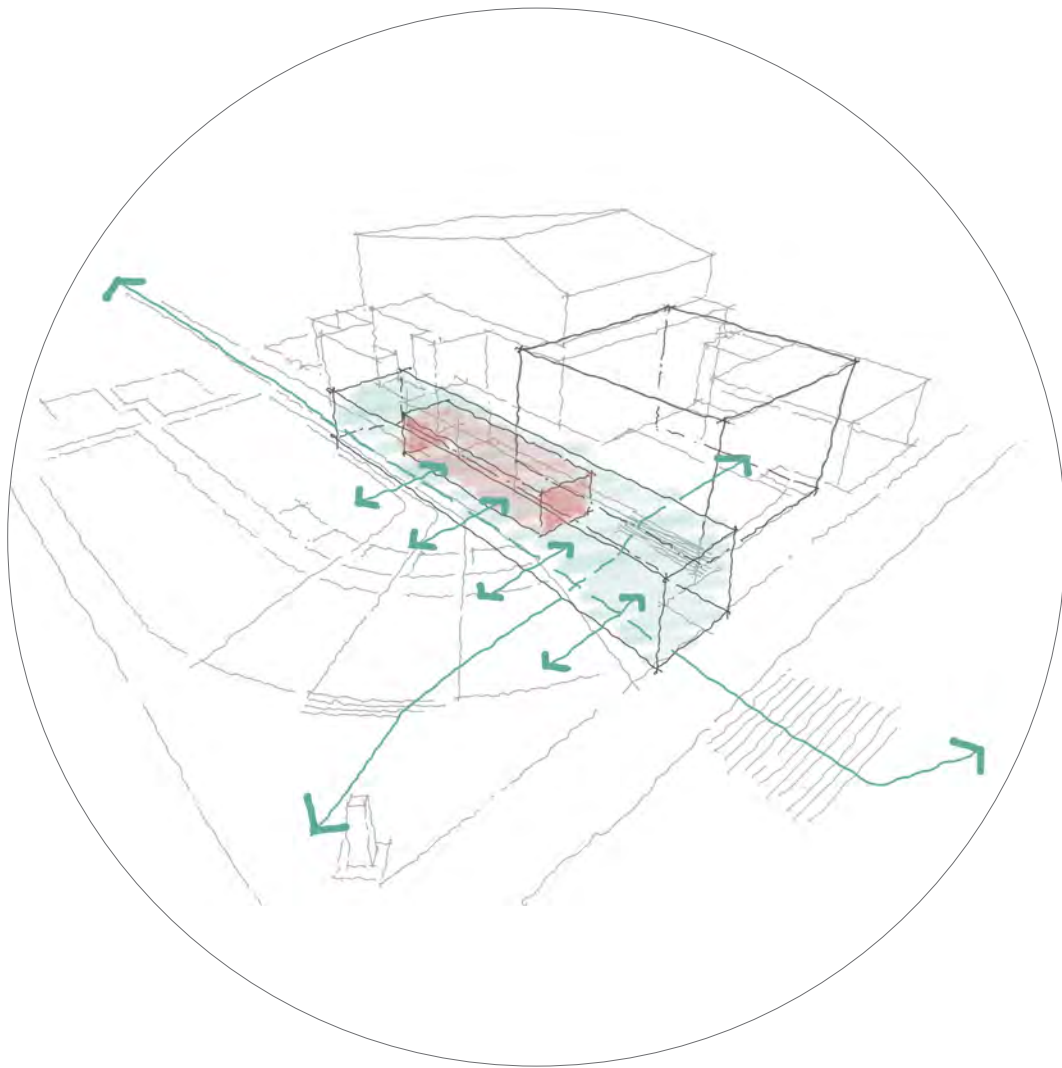
Create a building which acts as an extension of the park.

Provide an open and friendly interface between building and park.



A new Civic Room

*The building foyer (pergola) adds a **civic room** and adds to the collection of public spaces found within the park.
Extend and embrace the park by creating a versatile covered space open for a great variety of community uses.
The building becomes much more than an entertainment venue. It acts as the centre for the community.*



A verandah

Create an improved interface with the park by creating a ‘verandah’ .
Activate the edge of the park and facilitate a level connection between Eton Street and Merton Street.
Provide a protected, lively and welcoming threshold which activates both the building and park.



New Landmark

The building provides a new landmark for Sutherland.

The building and Peace Park become a centrepiece for the Sutherland community.

Design Review Panel Comments

Black box no longer a free standing pavilion

Foyer too large both in terms of contextual scale and ability to be activated

Concerns regarding maintainability of the mesh screen to existing roof

Lack of clarity regarding materiality of the new structure

Current Proposal



View from Eton Street



Park view



Foyer view



Section - Auditorium and Foyer

The development of the theatre has been fine tuned based on extensive community and arts consultation which has resulted in the introduction of a full fly tower for increased flexibility and capability.



Issue No.	Date	Description	Chkd
1	29.11.2019	Schematic Design Issue	BF

- Phasing Legend
- EXISTING
 - DEMOLITION
 - PROPOSED

Drawing Title
Basement Level Plan

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

Architect
NBRARCHITECTURE.

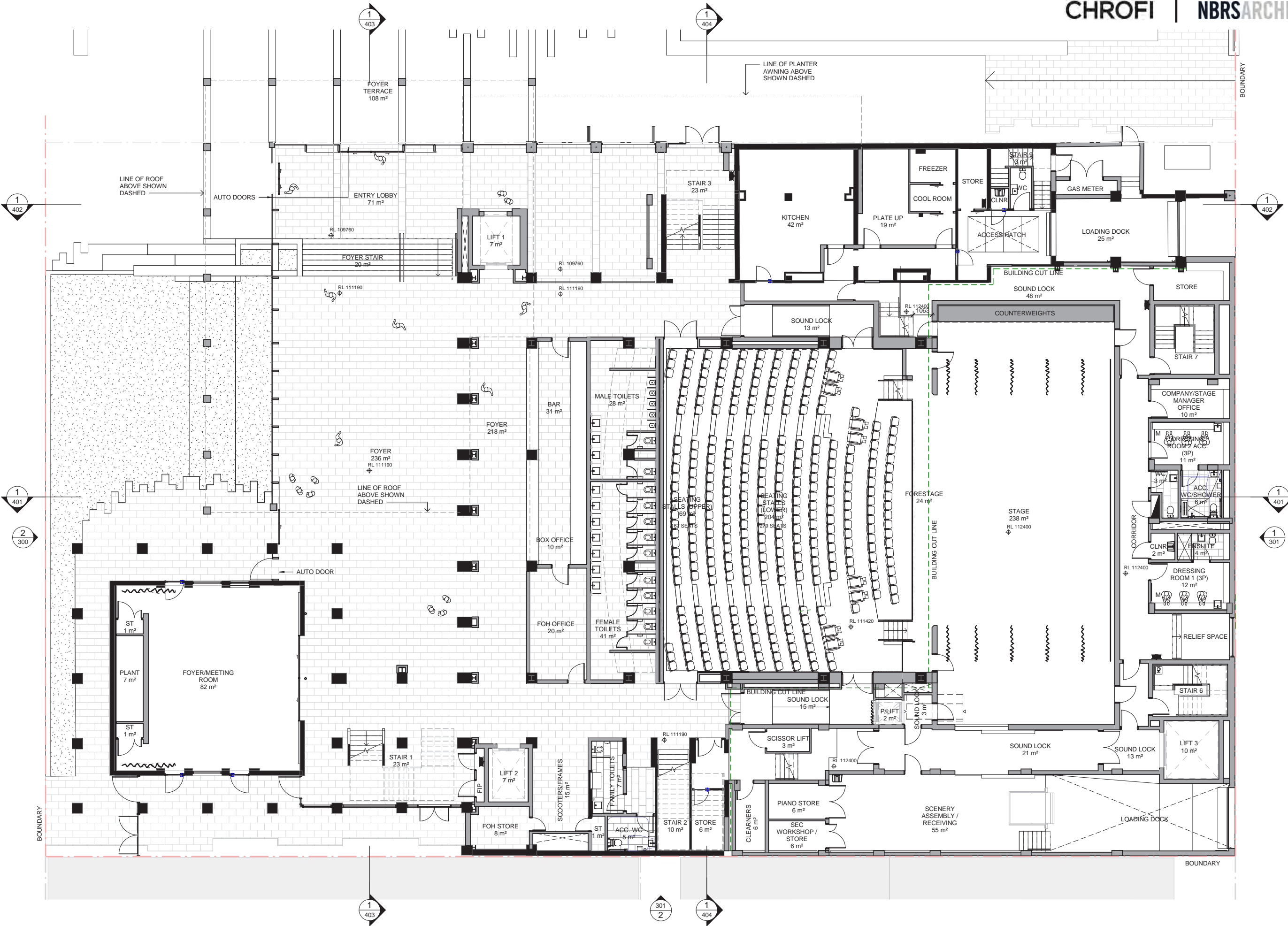
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Phasing Legend

- EXISTING
- DEMOLITION
- PROPOSED

Drawing Title
Ground + Stage Floor Plan

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

Architect
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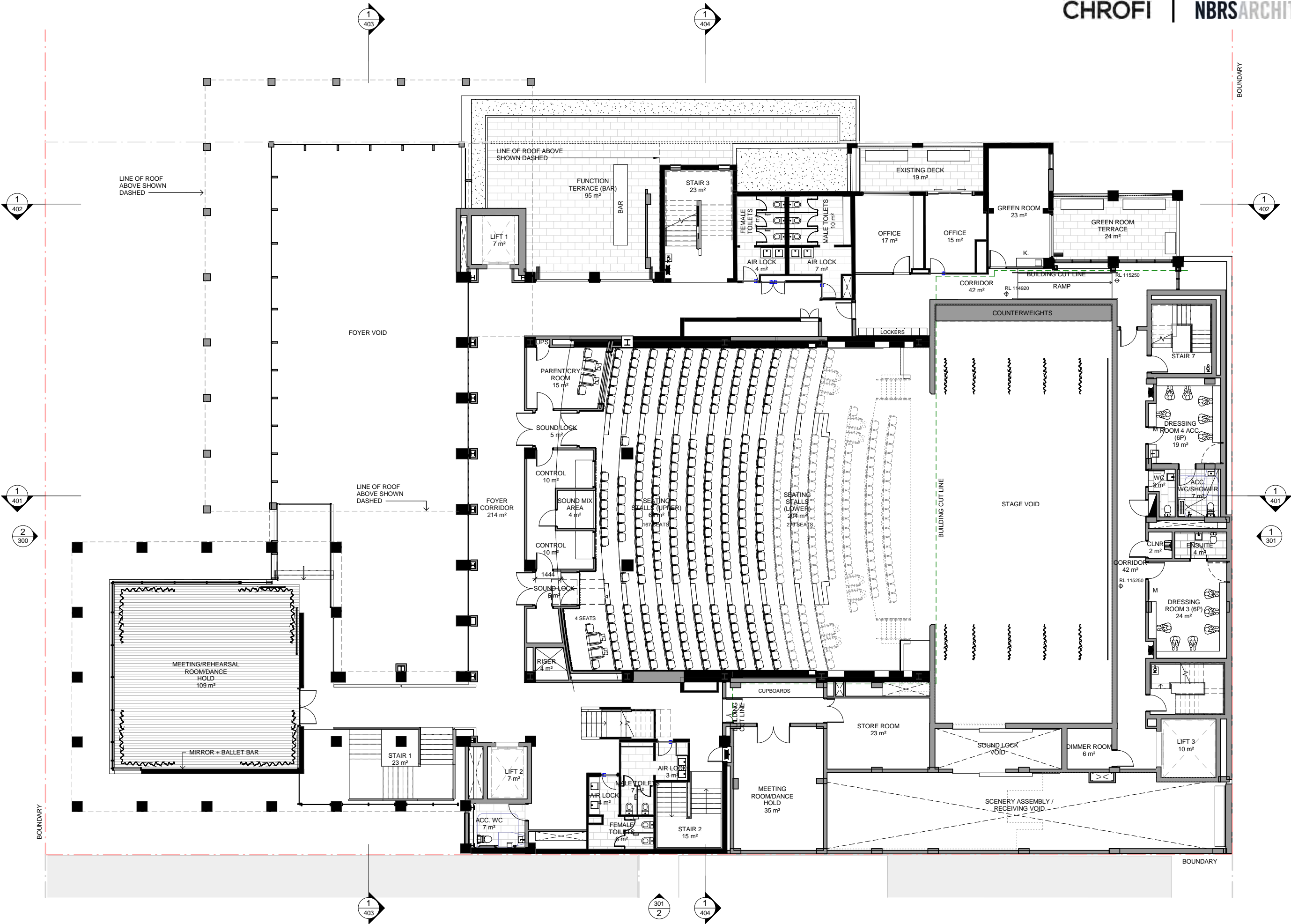
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Issue No.	Date	Description	Chkd
1	29.11.2019	Schematic Design Issue	BF

- Phasing Legend
- EXISTING
 - DEMOLITION
 - PROPOSED

Drawing Title
Level 1 Plan

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

Architect
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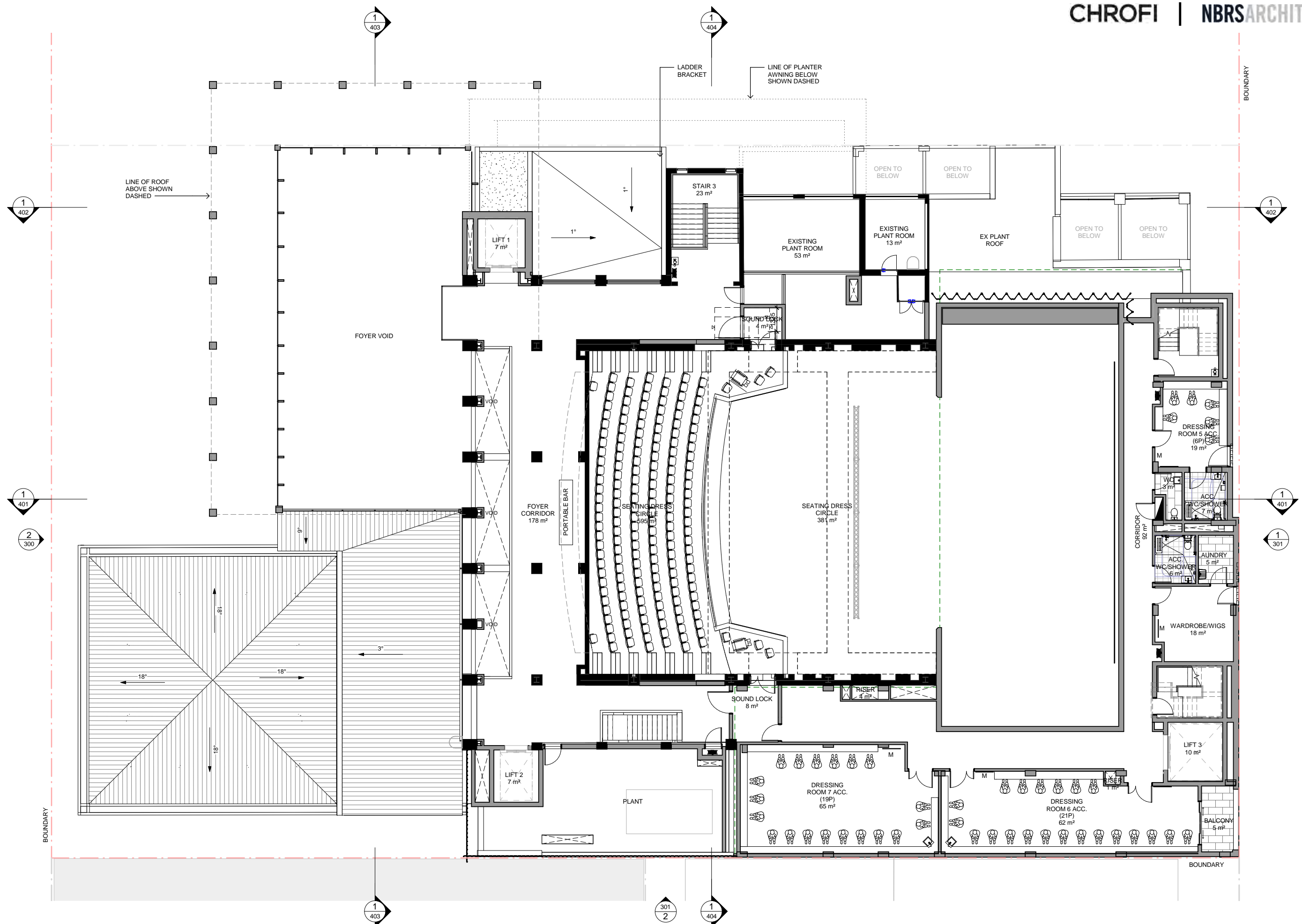
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Phasing Legend

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 DEMOLITION

 PROPOSED


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Level 2 Plan

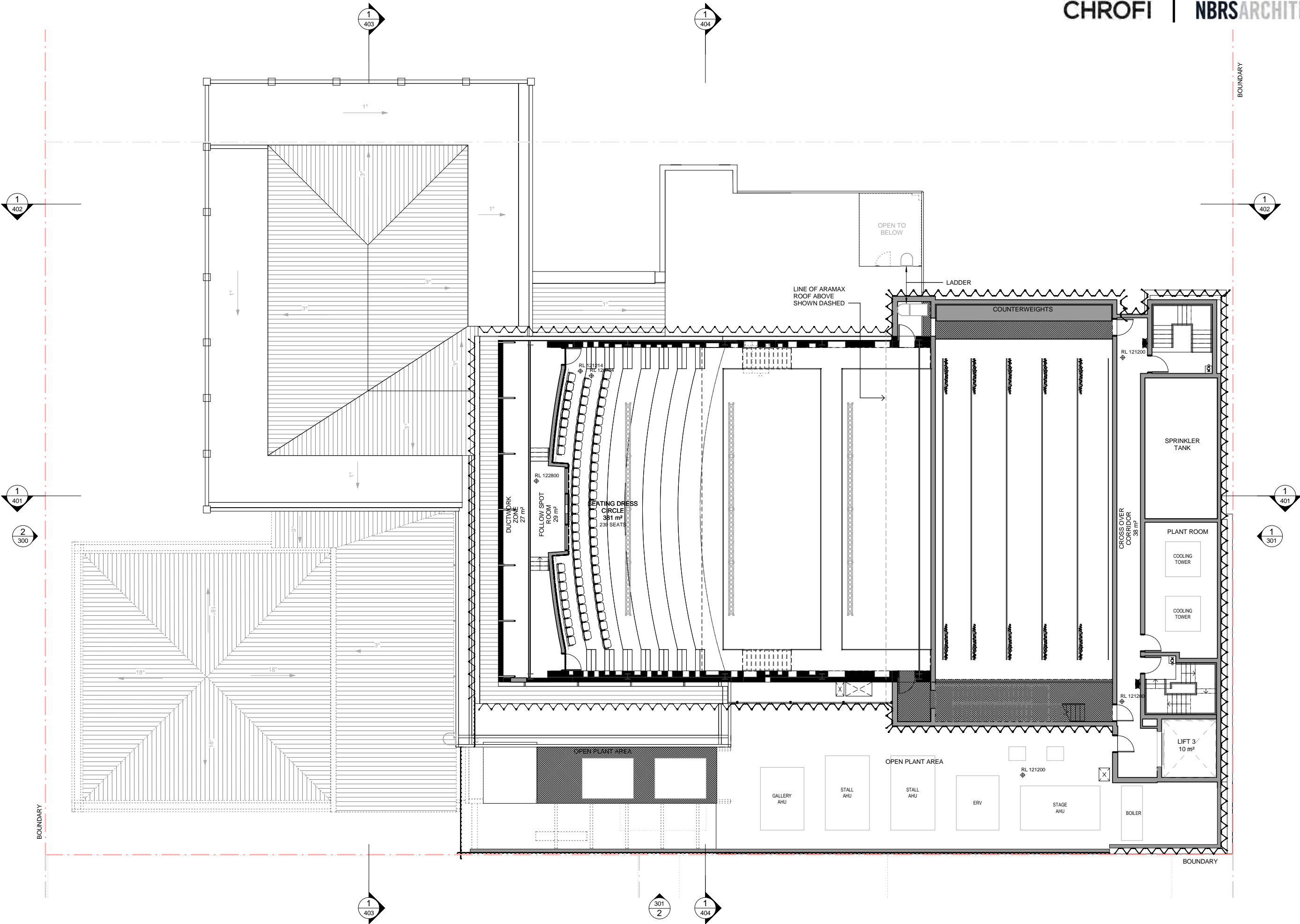
Project
Sutherland Shire Entertainment Centre
at
30 Eton St, Sutherland NSW 2232
for
Sutherland Shire Council
SSC Ref. No 17700

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18465-NBRS-A-SD-103 **1**



Issue No.	Date	Description	Chkd
1	29.11.2019	Schematic Design Issue	BF

- Phasing Legend
- EXISTING
 - DEMOLITION
 - PROPOSED

Drawing Title
Level 3 Plan

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

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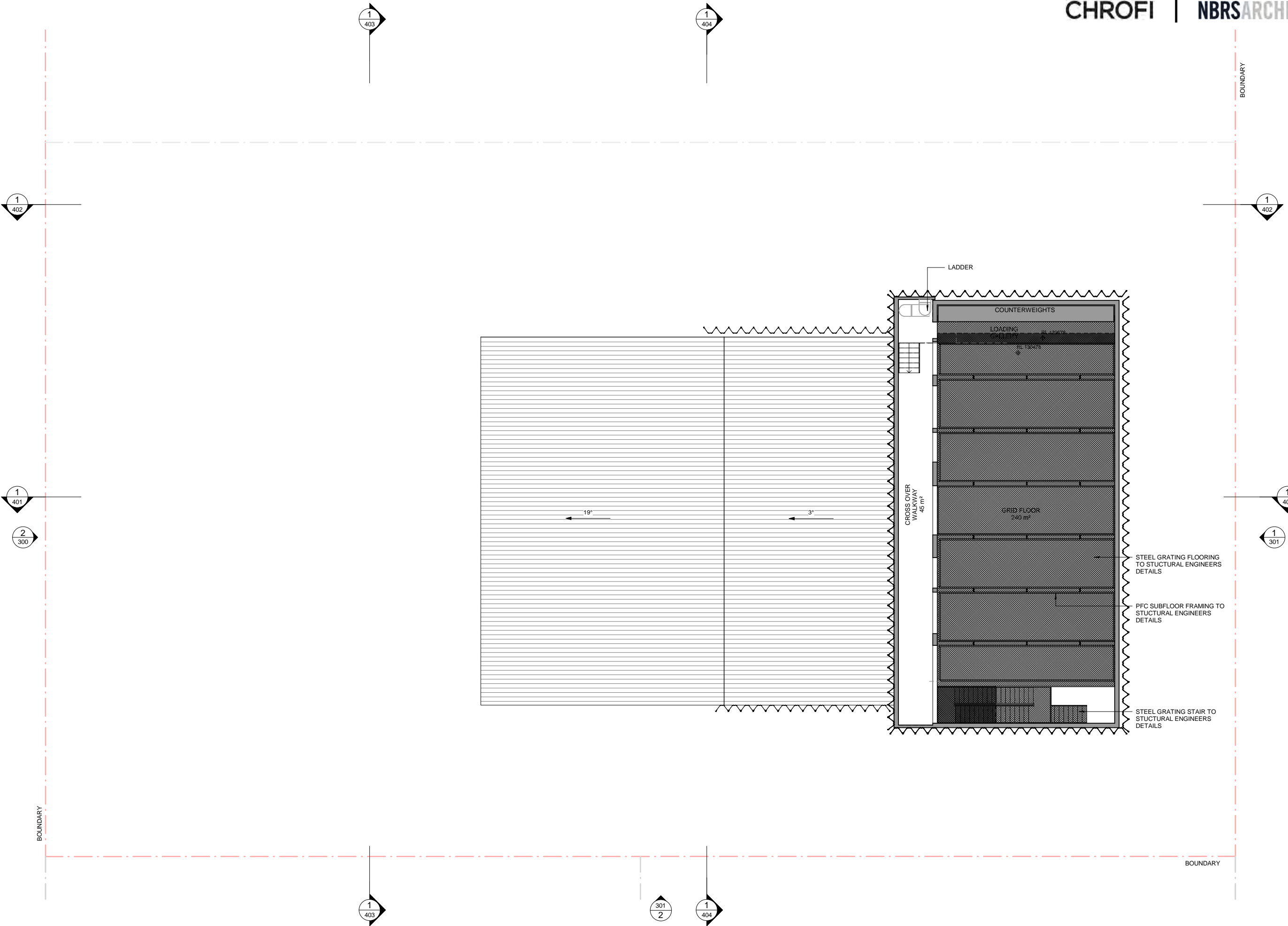
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Issue No.	Date	Description	Chkd
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- Phasing Legend
- EXISTING
 - DEMOLITION
 - PROPOSED

Drawing Title
Grid Level Plan

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

Architect
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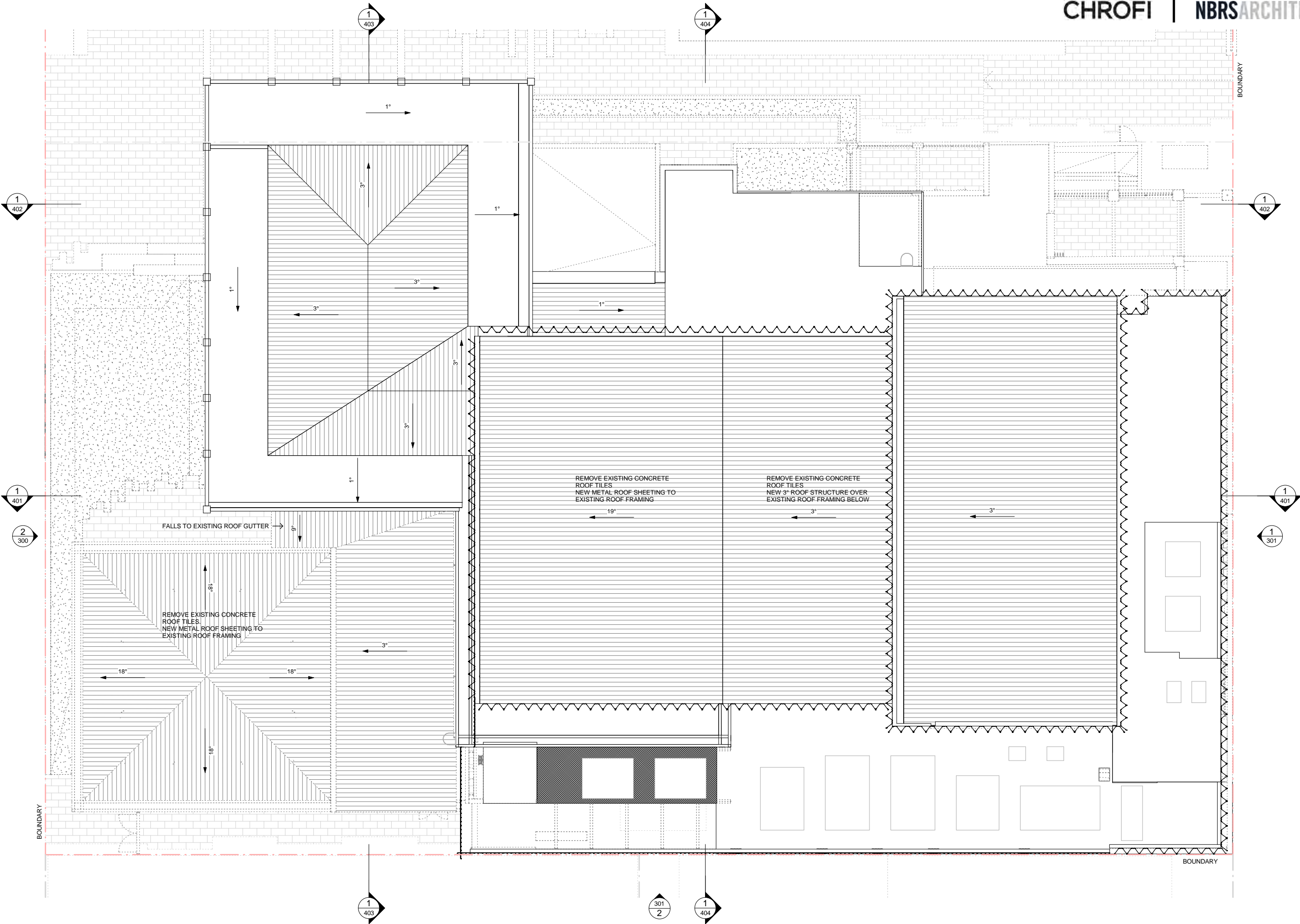
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Issue No.	Date	Description	Chkd
1	29.11.2019	Schematic Design Issue	BF

- Phasing Legend
- EXISTING
 - DEMOLITION
 - PROPOSED

Drawing Title
Roof Plan

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

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 - 02 FACE BRICK (NEW)
 - 03 FACE BRICK SCREEN & FENCE (NEW)
 - 04 CONCRETE, IN-SITU (EXISTING)
 - 05 CONCRETE, IN-SITU (NEW)
 - 06 METAL CLADDING (ARAMAX)
 - 07 METAL CLADDING
 - 08 ALUMINUM LOUVRES (EXISTING)
 - 09 METAL CLADDING/ SERVICES DOORS
 - 10 GLUE LAMINATED TIMBER
 - 11 BANNERS / SOLAR SCREEN
 - 12 CURTAIN WALL / GLAZED DOORS & WINDOWS
 - 13 IN-SITU CONCRETE WARM TONE
 - 14 PAINTED MASONRY
 - 20 CLIMBING PLANTS (EXISTING AND NEW)
 - 30 METAL SHEET ROOF 1
 - 31 METAL SHEET ROOF 2
- OUTLINE OF EXISTING BUILDING



2 WEST ELEVATION 1:200

Issue No.	Date	Description	Chkd
1	23.11.2019	Schematic Design Issue	BF

Drawing Title
ELEVATIONS - NORTH & WEST

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

Architect
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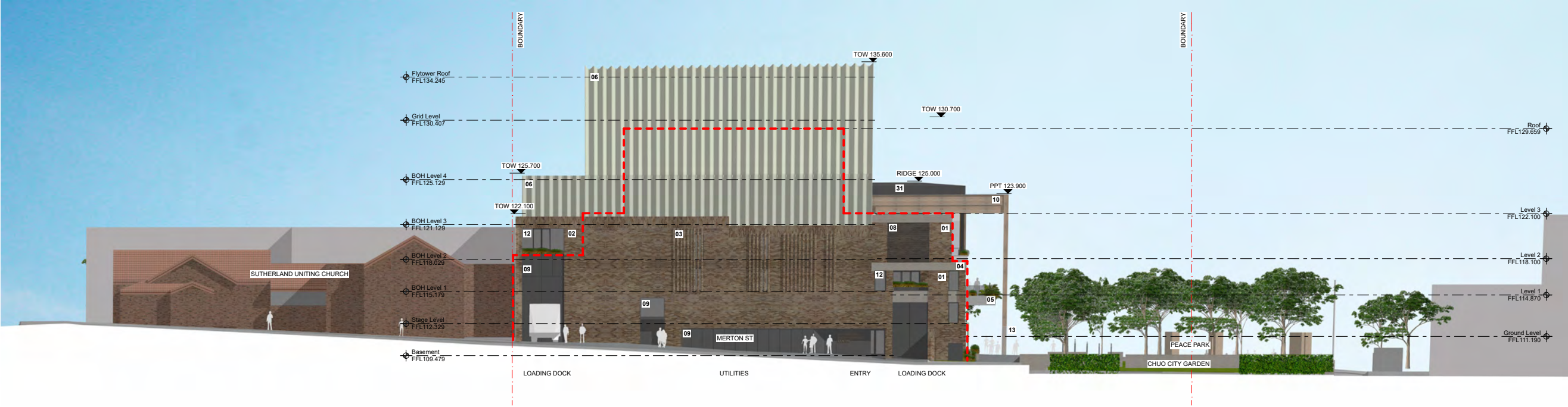
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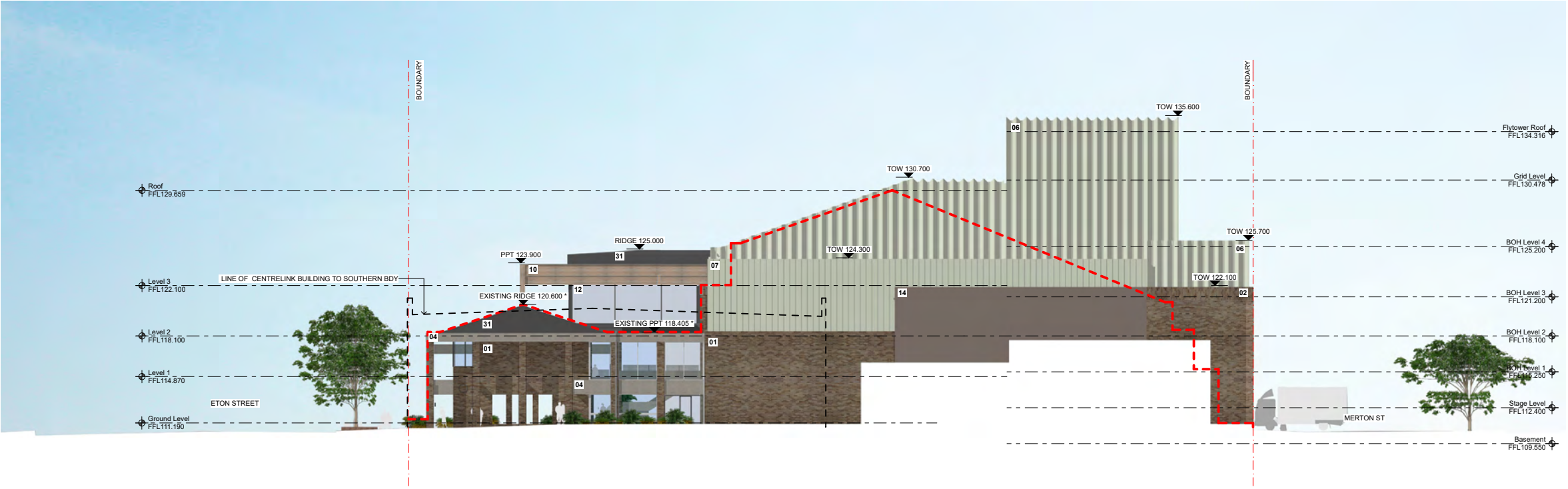
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- LEGEND**
- 01 FACE BRICK (EXISTING)
 - 02 FACE BRICK (NEW)
 - 03 FACE BRICK SCREEN & FENCE (NEW)
 - 04 CONCRETE, IN-SITU (EXISTING)
 - 05 CONCRETE, IN-SITU (NEW)
 - 06 METAL CLADDING (ARAMAX)
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 - 14 PAINTED MASONRY
 - 20 CLIMBING PLANTS (EXISTING AND NEW)
 - 30 METAL SHEET ROOF 1
 - 31 METAL SHEET ROOF 2

3 EAST ELEVATION
1:200

ELEVATIONS - NORTH & WEST



4 SOUTH ELEVATION
1:200

Issue No.	Date	Description	Chkd
1	29.11.2019	Schematic Design Issue	BF

Drawing Title
ELEVATIONS - SOUTH & EAST

Project
Sutherland Shire Entertainment Centre

at
30 Eton St, Sutherland NSW 2232

for
Sutherland Shire Council
SSC Ref. No 17700

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