



# *Adaptive reuse of the Royal Hall of Industries*

*State Significant  
Development Assessment  
(SSD 9726)*



May 2020

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Cover photo

Perspective view looking north west from the corner of Lang Road and Errol Flynn Boulevard  
(Applicant's RtS)

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# Glossary

Abbreviation	Definition
AAA	Aboriginal Archaeological Assessment
AAMP	Arboricultural Assessment and Management Plan
AEP	Annual Exceedance Probability
Applicant	Sydney Swans Pty Ltd
AS	Australian Standard
BDAR	Biodiversity Development Assessment Report
CPMPT	Centennial Park and Moore Park Trust
CIV	Capital Investment Value
CMP	Conservation Management Plan
CPTMP	Construction Pedestrian Traffic Management Plan
Consent	Development Consent
Council	City of Sydney Council
Contributions Plan	City of Sydney Development Contributions Plan 2015
DCP	City of Sydney Council Development Control Plan
Department	Department of Planning, Industry and Environment
DPI	Department of Industry
EESG	Environment, Energy and Science Group of the Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EQ	Entertainment Quarter
ESD	Ecologically Sustainable Development
EOMP	Event and Operation Management Plan
ETTMP	Event Traffic and Transport Management Plan
FRA	Flood Risk Assessment
FRNSW	Fire and Rescue NSW
GANSW	Government Architect NSW
GFA	Gross Floor Area
GTP	Green Travel Plan

HIS	Heritage Impact Statement
HIP	Heritage Interpretation Plan
Heritage NSW	Heritage Division of the Department of Premier and Cabinet
ISEPP	State Environmental Planning Policy (Infrastructure) 2007
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
MPEOG	Moore Park Events Operations Group
Region Plan	Greater Sydney Region Plan
RRFI	Response to request for further information
RHI	Royal Hall of Industries
RL	Registered Level
RMS	Transport for NSW (Roads and Maritime Services)
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SEPP 47	<i>State Environmental Planning Policy 47 (Moore Park Showground)</i>
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
SSI	State Significant Infrastructure
TA	Transport Assessment
TfNSW	Transport for New South Wales
vph	Vehicles per hour
WMP	Waste Management Plan



# Executive Summary

This report provides an assessment of a State significant development (SSD) application for the adaptive reuse of the Royal Hall of Industries located at 1 Driver Avenue Moore Park (SSD 9726) within the City of Sydney local government area (LGA). The proposal seeks approval for the adaptive reuse of the Royal Hall of Industries (RHI) building as a high-performance sports training and administration centre for the Sydney Swans, the construction of a two-storey building within the southern courtyard of the RHI for the NSW Swifts and sitewide landscaping. The application has been lodged by Sydney Swans Pty Ltd (the Applicant) and has a Capital Investment Value (CIV) of \$46,850,000.

The Department's assessment concludes the adaptive reuse of the RHI and the construction of the new NSW Swifts building is acceptable as it would not result in any significant heritage, visual or amenity impacts. The proposal would also result in a number of public benefits including increased public access to a building of heritage significance, enhancement of the Moore Park precinct as a local, national and international sporting and recreation destination and the creation of 130 Construction Jobs and 30 operational jobs. The Department recommends the application be approved, subject to conditions.

## Engagement

The Department publicly exhibited the Environmental Impact Statement (EIS) between Thursday 11 July 2019 and Wednesday 7 August 2019 (28 days). The Department received 21 submissions comprising nine Government agency submissions, one from Council and 11 public submissions (3 objections).

Public submissions raised concern about heritage impacts, public accessibility, loss of event space, traffic impacts, permissibility and compatibility with surrounding land uses. Council initially objected to the proposal raising concerns about the permissibility and categorisation of the proposal as SSD. Council also raised issues in relation to the loss of trees, sustainability, waste, and vehicle access.

In response to the issues raised, the Applicant provided additional information and made changes to the proposal including amendments to the built form, landscaping, and car and bicycle parking. The Applicant also submitted a Site Compatibility Certificate to address the permissibility of the proposal.

Following the submission of the RTS, Council withdrew its objection to the proposal as its concerns regarding permissibility had been addressed.

## Assessment

The Department has considered the merits of the proposal in accordance with the relevant matters under the *Environmental Planning and Assessment Act 1979* (EP&A Act), issues raised in the submissions and the Applicant's response. The Department considers the proposal is acceptable as the:

- works to adaptively re-use the RHI would not result in any significant heritage impacts as the:
  - proposed external works to the RHI are minor in the context of the overall façade of the building and are fully reversible
  - proposed internal works to the RHI are not fixed to significant heritage fabric, respect the alignment of existing windows and internal columns, would retain the central vault space and are reversible
  - retention of the central multi use sporting and events space within the RHI respects the cultural heritage significance of the building as an events space and the Applicant has committed to making the space available to the public for special events.
- NSW Swifts building would achieve a high standard of design, is supported by Heritage NSW, GA NSW and Council, and would not have an adverse impact on the heritage character of the RHI
- provision of nine additional car parking spaces is acceptable noting the site is constrained by the existing RHI building footprint, is within easy walking distance of public transport services and offsite parking is available within the adjacent Entertainment Quarter car park
- minor increase in vehicle movements resulting from the proposal would have a negligible impact on the surrounding road network and the performance of surrounding intersections and would not cause traffic or parking issues during major events in the Moore Park precinct
- proposal includes a comprehensive landscaping strategy incorporating a net increase of 22 trees across the site, which would appropriately offset the loss of four Spotted Gum trees along Errol Flynn Boulevard to accommodate the new vehicular access.



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# 1. Introduction

## 1.1 Background

This report provides an assessment of a State significant development (SSD) application (SSD 9726) for the adaptive reuse of the Royal Hall of Industries (RHI), 1 Driver Avenue Moore Park, as a high-performance sports training and administration centre, including Recreation Facility (indoor), Office and Medical uses.

The application seeks approval for:

- the adaptive reuse and alterations to the RHI including multi-use space for sports training, community use and events; office space; and medical and training facilities;
- construction of a two-story building to provide a netball court; training facilities and office space;
- site wide landscaping; and
- parking for 9 cars and 40 bicycles.

The application has been lodged by Sydney Swans Pty Ltd (the Applicant) and is located within the City of Sydney local government area (LGA).

## 1.2 The site

The site is located approximately 4km south-east of the Sydney Central Business District (CBD) and 2km west of Bondi Junction railway station. It is located in the south west corner of the Moore Park Showground as defined under State Environmental Planning Policy No. 47 – Moore Park Showground, and within the City of Sydney local government area (LGA) (**Figure 1**).

The site is approximately 1 hectare and bordered by Peter Finch Avenue the north, Lang Road to the south, Errol Flynn Boulevard to the east and Driver Avenue to the west. The site contains The Royal Hall of Industries (RHI), a two-storey purpose-built exhibition hall constructed in 1913 in the Federation Free Classical Style and the Hordern Pavilion (**Figure 2**). The application relates to the RHI building, the associated courtyard area immediately to the south of the building and the eastern forecourt fronting Errol Flynn Boulevard.

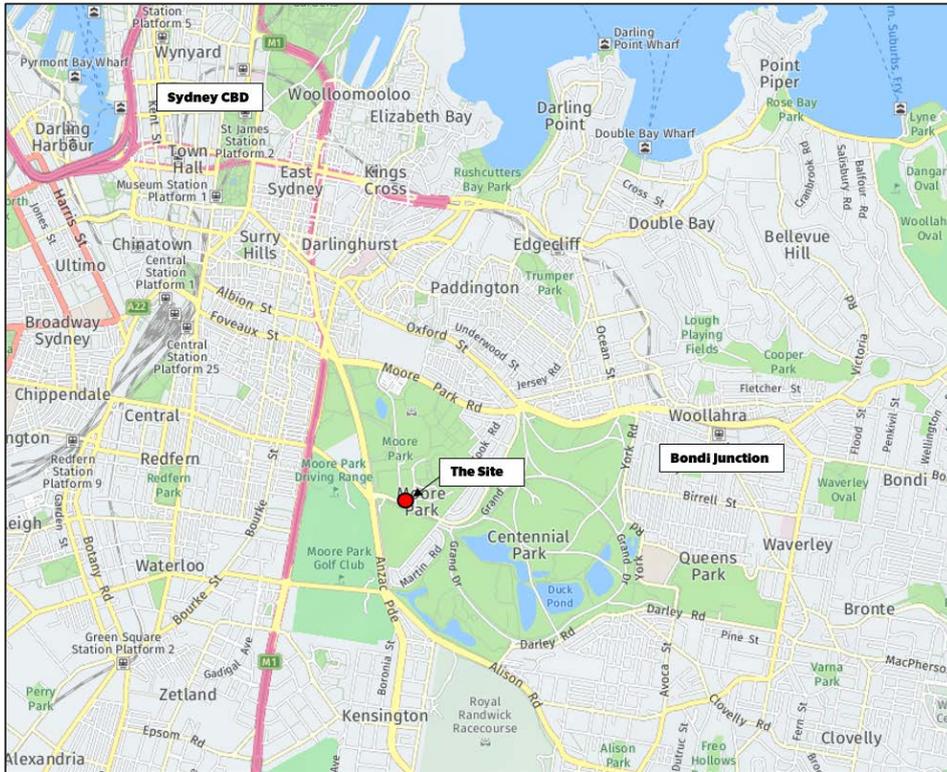


Figure 1 | Site location and Context Map (Base Source: Nearmap)

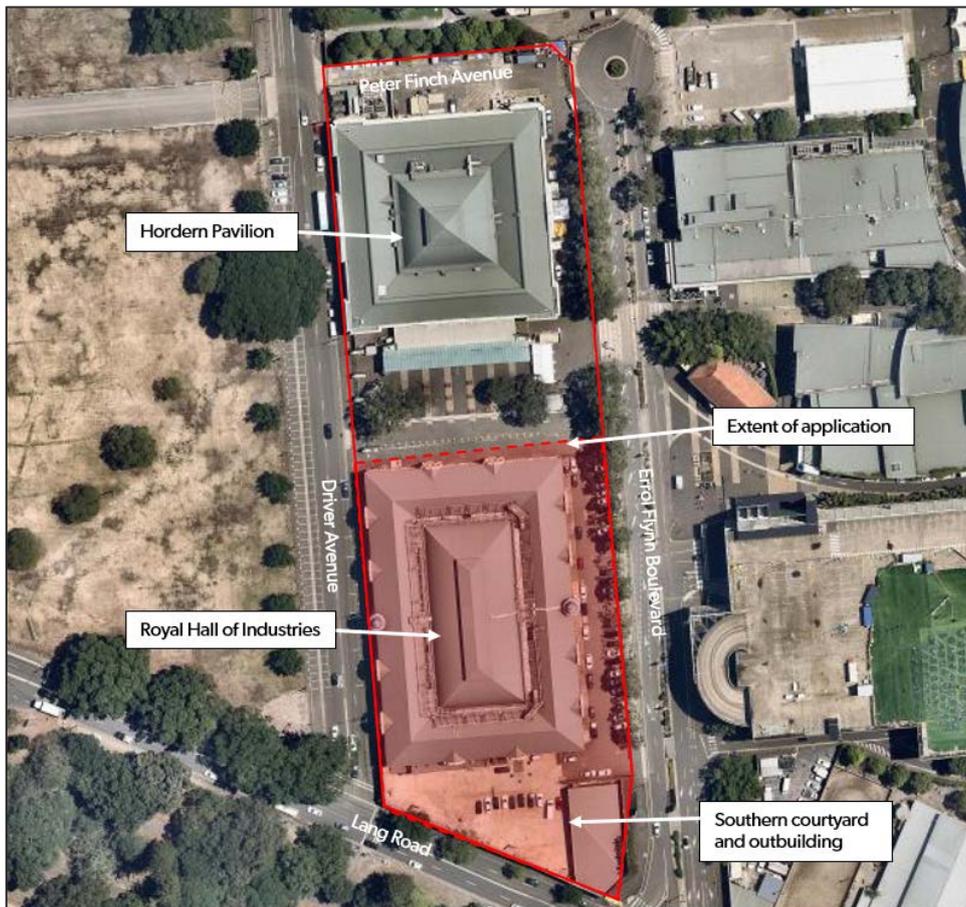
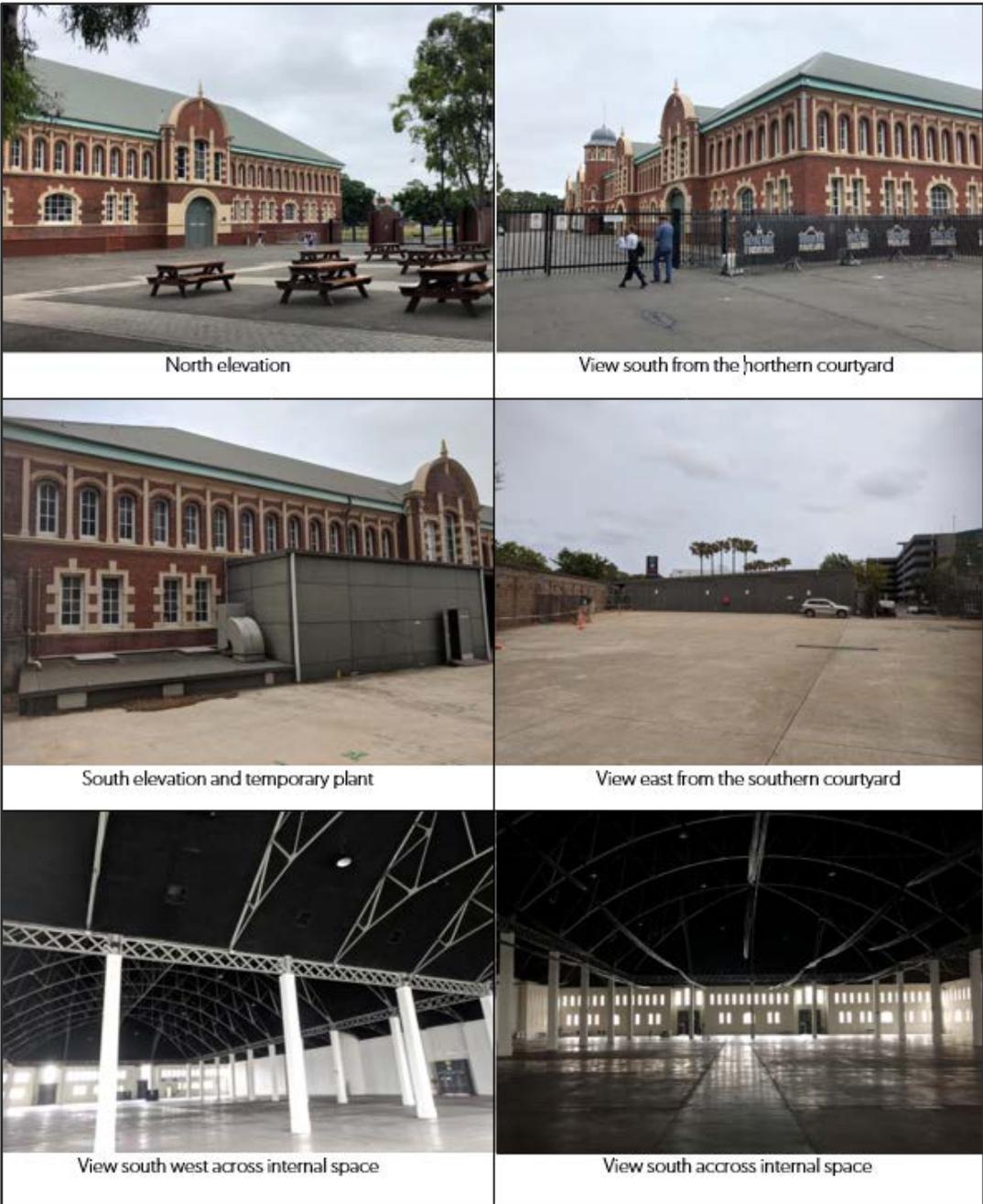


Figure 2 | Site location and Context Map (Base Source: Nearmap)

The RHI is not listed on the State Heritage Register, or as part of the Centennial Parklands comprising Centennial Park, Moore Park and Queens Park. However, it is identified within the Conservation Strategy for the Moore Park Showgrounds to be of exceptional heritage significance. Originally constructed as an exhibition hall for the Royal Easter Show, the RHI has been variously used as a dance hall, ice-skating rink, emergency hospital, army office, a showbag pavilion and administrative offices. The building was refurbished in 1980 and 1998 and has since been used exclusively as an exhibition hall and function/events space.

The RHI has a GFA of approximately 5700 m<sup>2</sup> on a single level. The building is steel framed with load bearing external brick walls articulated to read externally as a two-storey building. The internal structure consists of fabricated steel columns dividing the floor into three bays in each direction (**Figure 3**).



**Figure 3** | Existing internal and external condition of the RHI: (Source: DPIE site photos).

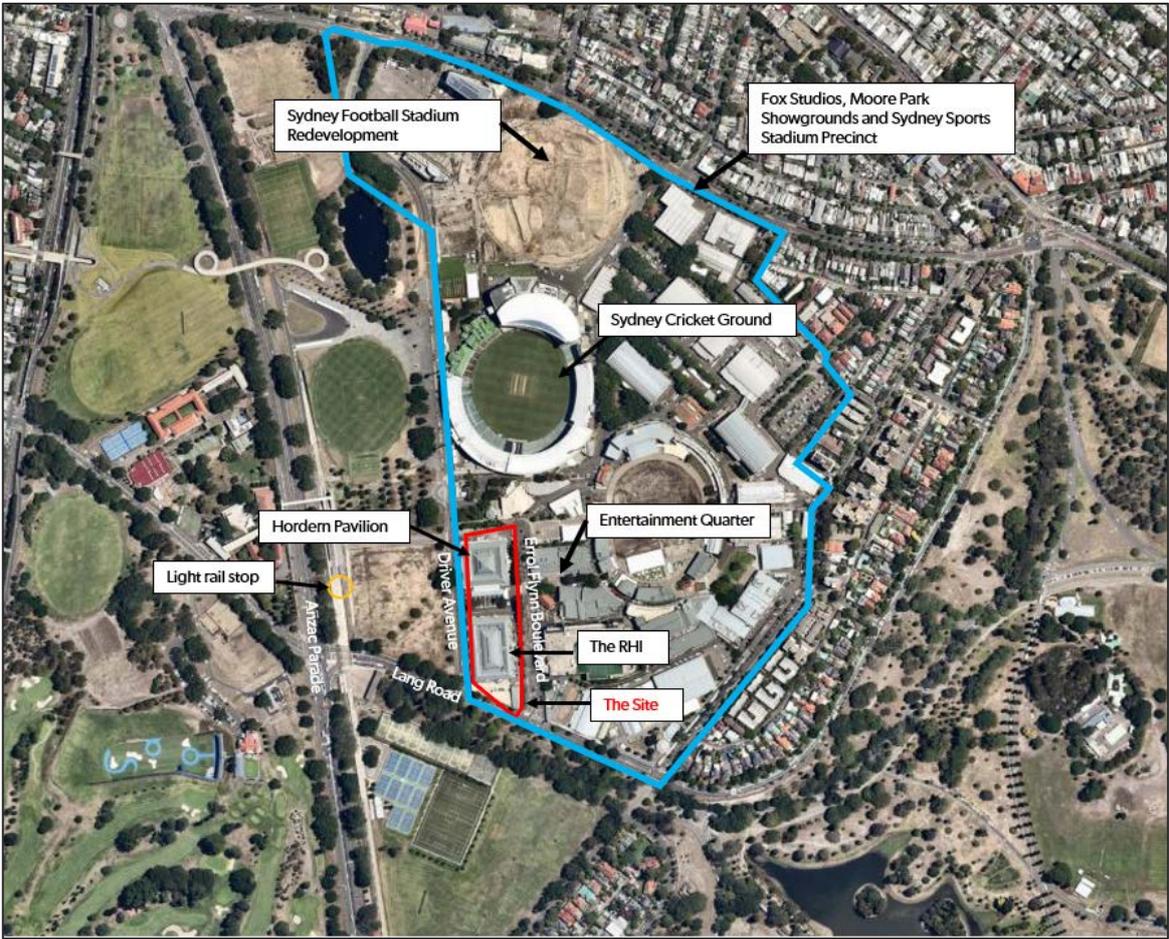
The site is owned by the Centennial Park and Moore Park Trust (CPMPT) and is currently leased to Sydney Swans Pty Ltd for the purposes of the development.

Vehicle access to the site is by Errol Flynn Boulevard near the intersection with Lang Road. The primary pedestrian access is via the central courtyard located between the RHI and Hordern Pavilion from Driver Avenue to the east. The site is well served public transport, including 14 bus routes along Anzac Parade and Cleveland Street to the west. The Moore Park light rail stop is located approximately 250m to the northwest on Anzac Parade with frequent services to the city.

### 1.3 Surrounding context

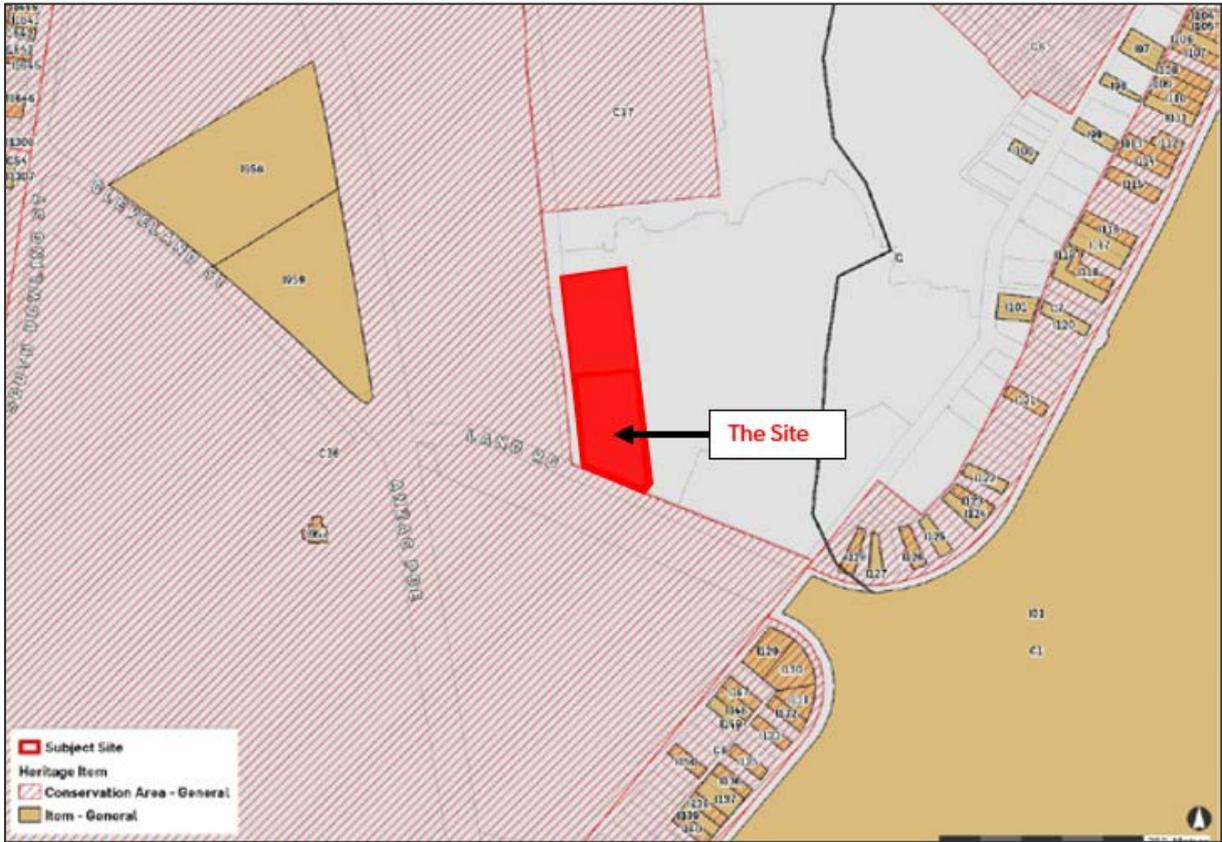
The area surrounding the site is characterised by a mix of land uses and public domain within the wider Centennial Parklands and Moore Park Precinct (**Figure 4**) including the:

- Sydney Cricket Ground (SCG) and former Allianz Stadium site to the north, currently undergoing redevelopment with an expected completion date of 2022
- Entertainment Quarter (EQ) to the north east, containing cinemas, restaurants, bars, and outdoor event space
- Centennial Parklands Sports Centre to the south, comprising netball and tennis courts and open parklands
- a 2,000-space multi story car park to the east, servicing the EQ and wider Moore Park precinct.



**Figure 4** | Aerial view of the site and surrounding development (Base Source: Nearmap)

The site is surrounded by a number of local and state heritage items including Moore Park, Sydney Cricket Ground and Lang Road Conservation Areas, Sydney Boys High School, Sydney Girls High School and Centennial Parklands (**Figure 5**).



**Figure 5** | Heritage context surrounding the site (shown in red) with heritage items shaded brown and Conservation areas hatched red (Base Source: Sydney LEP 2012)



## 2. Project

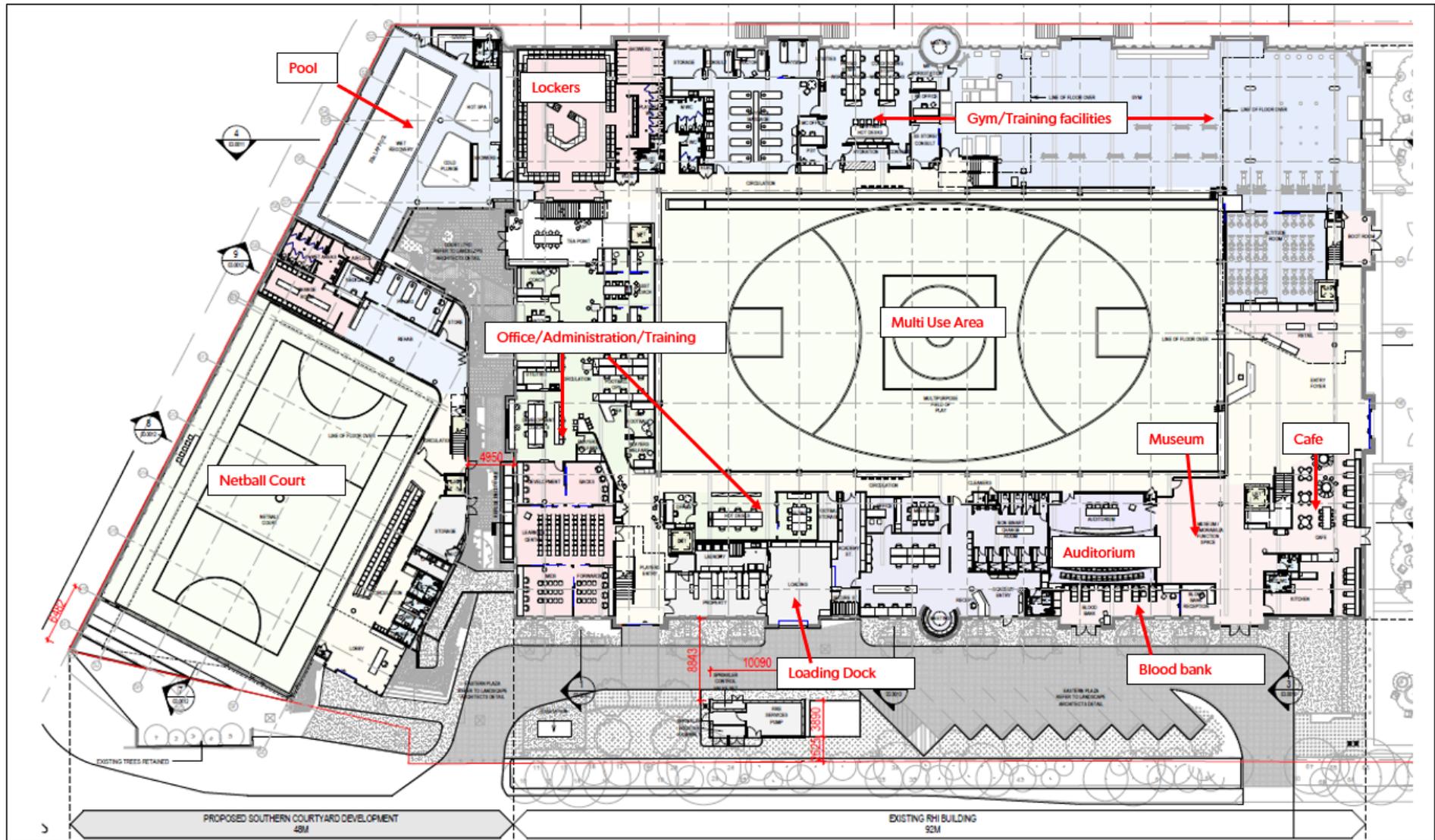
The application includes the RHI building, associated courtyard area immediately to the south of the building and the eastern forecourt.

The key components of the project refined in the Applicant's Response to Submissions (RtS) and subsequent amendments are summarised in **Table 1** and shown in **Figures 6-10**. **Appendix B** contains links to the application and supporting documents.

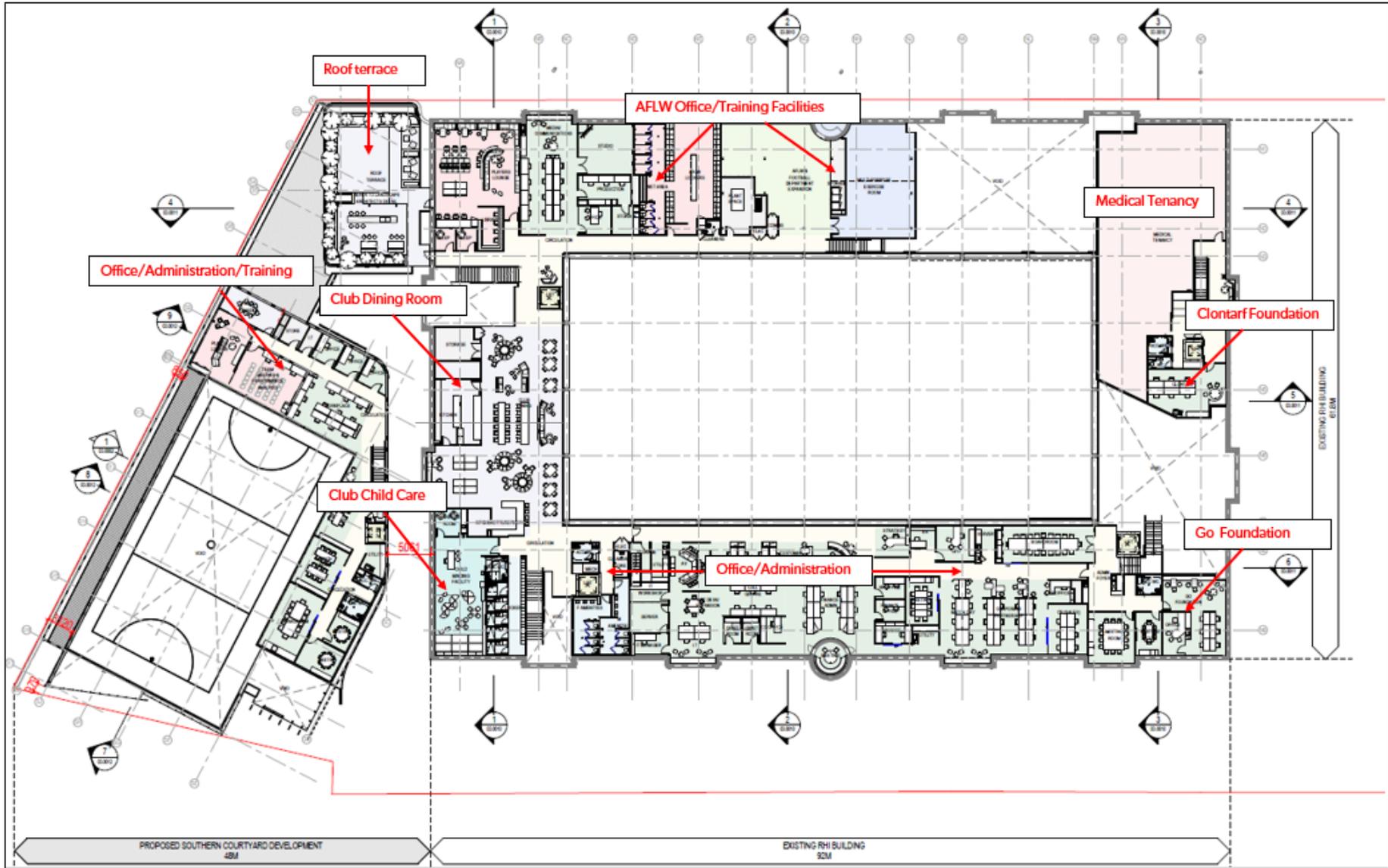
**Table 1** | Main Components of the Project

Aspect	Description
Proposal summary	<ul style="list-style-type: none"><li>Adaptive re-use of the Royal Hall of Industries to create a high-performance sport training facility, including offices, café and medical uses, construction of a two-storey building including netball court, sports training and administrative facilities, car parking and site wide landscaping.</li></ul>
Demolition	<ul style="list-style-type: none"><li>Partial demolition of internal walls, doorways, basement and ground floor stairs, sections of roof structure, and window and doorway infills on all elevations of the Royal Hall of Industries.</li><li>Demolition of services shed, electrical kiosk, fencing and part of brick wall at the southern corner of the site.</li><li>Remove existing pavement and driveways.</li></ul>
Royal Hall of Industries	<ul style="list-style-type: none"><li>Construct a structurally independent first floor mezzanine around the central vault space.</li><li>Construct internal stud partitions and glazing separating uses at ground and first floor mezzanine levels comprising café, meeting rooms, office space, gym and training facilities, auditorium, retail space and museum.</li><li>Provide a central indoor recreation facility and multiuse event space (1807m<sup>2</sup> GFA).</li><li>Replace existing frosted windows with low emissivity glazing.</li><li>Remove six existing doorway infills on the east and west elevation and create three new entrances and one full height window by removing existing brickwork to lower the sill height of four existing windows on the northern and southern elevation.</li><li>Insert new roof lights within the roof valley.</li><li>Construct four new internal lifts.</li></ul>
New building	<ul style="list-style-type: none"><li>Construct a two-storey building within the southern courtyard providing a netball court and associated training, gym, swimming pool and office space with roof terrace above.</li></ul>
Plant and infrastructure	<ul style="list-style-type: none"><li>Construct new plant rooms within existing roof valley containing air handling units.</li></ul>

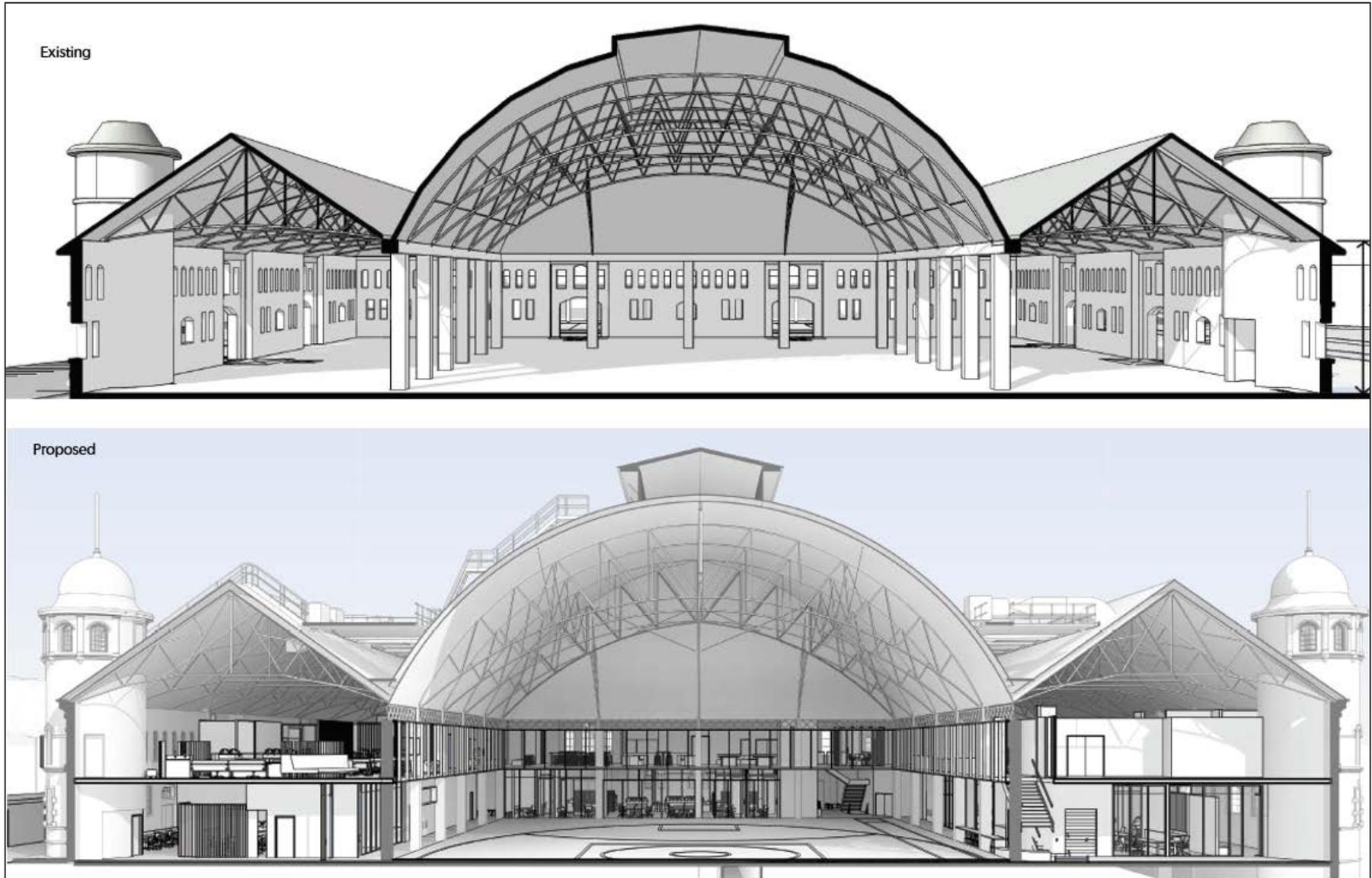
Gross Floor Area (GFA)	<ul style="list-style-type: none"> <li>Royal Hall of Industries: 8,538m<sup>2</sup> (increase of 2,914 m<sup>2</sup> from existing, due to the insertion of a mezzanine at level 1).</li> <li>NSW Swifts Building: 2,102m<sup>2</sup>.</li> <li>Total of 10,640m<sup>2</sup> GFA (an increase of 5,016m<sup>2</sup> GFA) including conversion of existing 5,624m<sup>2</sup> of existing GFA comprising: <ul style="list-style-type: none"> <li>4,569m<sup>2</sup> recreation facility (indoor) including central multi-use area (1,807m<sup>2</sup>) (also used for public events), netback court (851m<sup>2</sup>), wet areas and gym (1,912m<sup>2</sup>)</li> <li>3,824m<sup>2</sup> business premises inclusive of office and administrative spaces</li> <li>1,430m<sup>2</sup> front of house/ circulation inclusive of museum/interpretation space</li> <li>415m<sup>2</sup> medical centre</li> <li>154m<sup>2</sup> food and drink premises</li> <li>96m<sup>2</sup> child minding facility</li> <li>152m<sup>2</sup> loading and services.</li> </ul> </li> </ul>
Car parking	<ul style="list-style-type: none"> <li>Nine spaces including one accessible space and one loading bay for service vehicles.</li> </ul>
Bicycle parking	<ul style="list-style-type: none"> <li>40 spaces including 24 secure parking spaces for staff and 16 spaces for visitors.</li> <li>Secure End of Trip facilities provided at first floor level within the RHI and ground floor level of the new building.</li> </ul>
Access and servicing	<ul style="list-style-type: none"> <li>New vehicular egress on Errol Flynn Boulevard.</li> <li>Loading bay within car park.</li> <li>Loading dock on eastern side of RHI for servicing and deliveries.</li> </ul>
Public domain and landscaping	<ul style="list-style-type: none"> <li>Sitewide landscaping.</li> <li>Remove 4 existing trees and provide 26 replacement trees and tree pruning.</li> </ul>
Lighting	<ul style="list-style-type: none"> <li>Lighting strategy including external wayfinding and façade feature lighting design.</li> </ul>
Hours of operation	<ul style="list-style-type: none"> <li>Monday to Sunday 7am to 9pm.</li> <li>Special events to 12pm.</li> </ul>
Stormwater and flooding	<ul style="list-style-type: none"> <li>New stormwater detention tank and relocation of existing stormwater pipes and pits to the eastern boundary.</li> </ul>
Utilities	<ul style="list-style-type: none"> <li>New substation, fire services kiosk and additional telecommunications system.</li> </ul>
CIV	<ul style="list-style-type: none"> <li>\$46,850,000.</li> </ul>
Jobs	<ul style="list-style-type: none"> <li>30 operational jobs.</li> <li>130 construction jobs.</li> </ul>



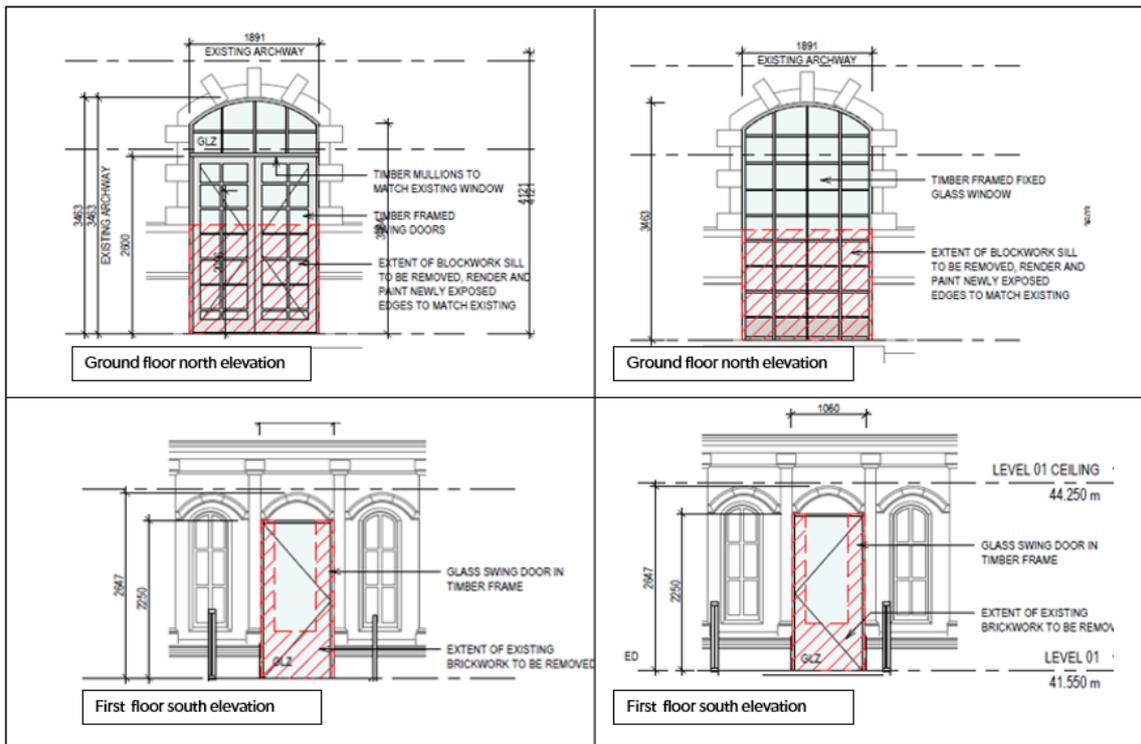
**Figure 6** | Proposed Ground Floor Plan (Base source: Applicant's Architectural Plans)



**Figure 7** | First floor plan (Base source: Applicant's Architectural Plans)



**Figure 8** | Artist's impression of existing and proposed internal space within the RHI building (Source: Applicant's Design Report)



**Figure 9** | Windows and door openings subject to removal of historic fabric (Source: Applicant's RtS)



**Figure 10** | CGI view of new building looking east from Errol Flynn Boulevard (Source: Applicant's RRFI)



## 3. Strategic Context

### 3.1 Greater Sydney Regional Plan

The Greater Sydney Commission (GSC) released A Metropolis of Three Cities - Greater Sydney Region Plan (Region Plan) in March 2018.

The Region Plan sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans. The Region Plan outlines how Greater Sydney will be transformed into a metropolis of three cities. The site is in the Eastern Harbour City.

The proposal is consistent with the directions of the Region Plan as it:

- provides services and infrastructure to meet communities' changing needs, encouraging shared use of the RHI building, allowing for the establishment of a high-performance sports training facility and opportunities for public events (objective 6)
- delivers a healthy, safe and inclusive space for people of all ages in a well-designed built environment and encourages opportunities to walk, cycle and use public transport (objectives 7 and 12)
- encourages culturally rich and diverse neighbourhoods through engagement with aboriginal communities through the provision of floorspace for indigenous charity organisations (objective 9)
- contributes to the wider precinct offering a range of activities and increased public access to the site (objective 12)
- adaptively re-uses-built heritage and provides increased public access to heritage buildings and items (objective 13)
- will strengthen the identity of the of the precinct and sporting industry in NSW supporting the economic growth of the Harbour CBD to be stronger and more competitive (objective 18).

### 3.2 Eastern City District Plan

To support the delivery of the Region Plan, the GSC prepared the Eastern City District Plan, a 20-year plan to manage growth and achieve the 40-year vision, while enhancing Greater Sydney's liveability, productivity and sustainability into the future.

The proposal is consistent with the relevant priorities of the Eastern City District Plan by:

- fostering healthy, creative, culturally rich and socially connected communities by:
  - revitalising and reusing underutilised floor space within the RHI, contributing to the provision of recreation facilities and retaining space for community events
  - encouraging increased participation in sport through school programs and opportunities for community engagement
  - fostering female participation in sport through provision of training and administration facilities for an women's AFL team

- providing office floorspace for indigenous charities that aim to improve the education of indigenous students.
- creating and renewing great places and local centres and respecting the districts heritage through the reversible adaptive reuse of the RHI
- increasing urban tree canopy cover and delivering green grid connections through the planting of 26 additional trees and additional soft landscaping.

### 3.3 NSW Future Transport 2056

The *Future Transport Strategy 2056* outlines a planned and coordinated set of actions to address challenges faced by the NSW transport system to support the State's economic and social performance over the next 40 years. The proposed development contributes to the strategy as:

- the site is located within walking distance to public transport services, including buses and light rail
- it provides active transport travel options by providing bicycle parking spaces for staff and visitors
- it provides minimal on-site public car parking spaces which will encourage the use of public transport.

### 3.4 Moore Park Masterplan 2040

The Centennial Park and Moore Park Trust undertook master planning culminating in the Moore Park Masterplan 2040. The aim of the masterplan is to establish Moore Park as a local, national and international sporting and recreation destination, while supporting conservation of natural systems. The masterplan includes six overarching themes comprising: Green, Heritage, Access, Sports, Leisure, and Entertainment. The proposal is consistent with the masterplan as it:

- includes significant additional tree planting providing shade and amenity and enhancing biodiversity
- supports the retention and upgrade of existing heritage buildings and addresses the key challenge of restricted public access to some heritage structures
- addresses the key challenge of increased demand for next-generation, quality sports training and administrative facilities
- strengthens the role of high-performance sporting teams, and increases public access to high performance sporting facilities
- will increase usability and public activation of the site before and after major events in the precinct and retains a large central multipurpose space within the RHI to allow for the continued use of the venue for special events.



## 4. Statutory Context

### 4.1 State Significant Development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development has a Capital Investment Value (CIV) over \$10 million (\$46,850,000) and is located within the Fox Studios, Moore Park Showgrounds and Sydney Sports Stadium Site, which is identified as an SSD site under clause 4 of Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

The Department is satisfied that the major Recreation Facilities (indoor) components of the development are permissible with consent, however other components of the development, including events, offices and medical facilities are permissible without consent or prohibited (see **Section 4.3**).

Notwithstanding, where only part of a proposed development that is SSD requires development consent and the other part may be carried out without development consent, the latter is taken to be development that may not be carried out except with development consent (section 4.38(4) EP&A Act). Development consent may also be granted to a development that is partly prohibited, consistent with section 4.38(3) EP&A Act.

### 4.2 Consent Authority

In accordance with Clause 8A of the SRD SEPP as amended by State Environmental Planning Policy (State and Regional Development) Amendment (State Significant Development) 2020 and section 4.5 of the EP&A Act, the Independent Planning Commission (Commission) is the consent authority as City of Sydney Council (Council) has made an objection to the proposal.

However, under the Commission's delegation dated 12 March 2020, the Executive Director, Infrastructure Assessments may determine the application as:

- the application had not already been referred to the Independent Planning Commission prior to the date of the delegation
- there are less than 50 public submissions in the nature of an objection
- Council advised in writing that its objection has been resolved.

### 4.3 Permissibility

The proposed uses comprise:

- Recreation Facilities (Indoor)
- Offices
- Public Events
- Medical Facility.

Other uses including the proposed café, retail and child-minding facility are ancillary to and support the dominant use of the site as Recreation Facilities (Indoor), Office and Public Events space.

### ISEPP

The Recreation Facility (indoor) component of the development is permitted with consent under clause 18(3) State Environmental Planning Policy (Infrastructure) 2007 (ISEPP). Clause 18(3) provides that if development for a particular purpose is permitted with consent on land, by the zoning of that land, development for that purpose may be carried out on any adjacent prescribed State land, where a valid site compatibility certificate applies to that development.

The site is located on prescribed state land and adjacent to land zoned RE1 Public Recreation in the Sydney LEP 2012 (**Figure 14**), within which Recreation Facilities (indoor) are permitted with consent. On 19 March 2020, the Executive Director, Eastern Harbour City, as delegate of the Secretary of Planning, Industry and Environment issued a site compatibility certificate for the development making the proposed Recreation Facility (Indoor) use permissible with consent on the site.

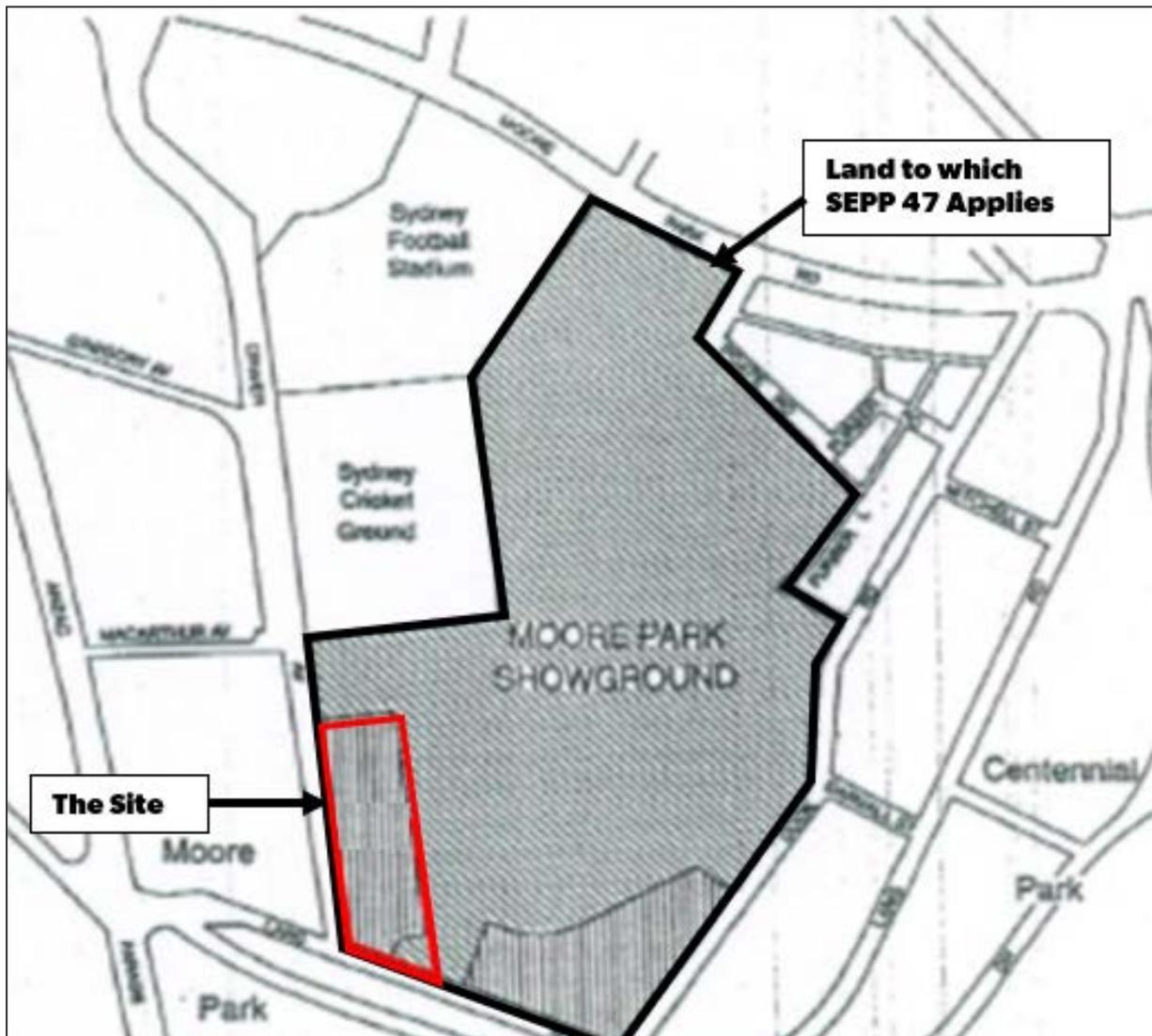


Figure 14 | Land use zone showing the site and adjacent RE1 zoning (source Applicant's EIS)

### SEPP 47

The site is identified on the map marked "Moore Park Showground Amendment no 1" as being land to which State Environmental Planning Policy No. 47 Moore Park Showgrounds (SEPP 47) applies. In accordance with Part 2 and Part 3 of SEPP 47, permissibility varies depending on whether the

development is located on land shown either diagonally or vertically hatched on the map marked Moore Park Showground Amendment no. 2 (**Figure 15**).



**Figure 15** | Map showing the site located partially on land hatched vertically and partially on land hatched diagonally (Base Source: Moore Park Amendment No. 2)

Under SEPP 47, the proposed public events, demolition, landscaping and car parking are permitted, while Recreation Facility (indoor), Business Premises and Medical Facility are prohibited.

The Department concludes the proposed development is partly prohibited and partly permissible. Noting that the major component of the development, Recreation Facilities (Indoor), is permissible with consent under the ISEEP, the Department is satisfied that development consent may be granted as the development is not wholly prohibited, consistent with section 4.38(3) EP&A Act.

#### 4.4 Secretary's Environmental Assessment Requirements

On 7 December 2018, the Department notified the Applicant of the Secretary's Environmental Assessment Requirements (SEARs) for the proposal. The Department is satisfied that the EIS adequately addresses the requirements of the SEARs to enable the assessment and determination of the application.

## 4.5 Biodiversity Conservation Act 2016

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are 'to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values'.

The proposal is supported by a BDAR and will not adversely impact any native animals and plants, including threatened species, populations and ecological communities, and their habitats subject to recommended conditions.

## 4.6 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act outlines the matters that a consent authority must take into consideration when determining development applications. These matters are summarised as:

- provisions of environmental planning instruments (including draft instruments), development control plans, planning agreements, and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation)
- the environmental, social and economic impacts of the development
- the suitability of the site
- any submissions
- the public interest, including the objects of the EP&A Act and the encouragement of ecologically sustainable development (ESD).

The Department considered all these matters in its assessment of the project, as well as the Applicant's consideration of environmental planning instruments (EPIs) in its EIS as summarised in **Section 6**. The Department also considered the relevant provisions of the EPIs in **Appendix C**.



## 5. Engagement

### 5.1 Department's Engagement

In accordance with Schedule 1 EP&A Act, the Department publicly exhibited the proposal between Thursday 11 July 2019 and Wednesday 7 August 2019 (28 days). The proposal was exhibited on the Department's website, the NSW Service Centre, and at Council's office.

The Department placed a public notice in the Wentworth Courier, Sydney Morning Herald and Daily Telegraph on 11 July 2019 and notified adjoining landholders, Council and relevant Government agencies in writing.

The Department considered the comments raised in Council, Government agencies and public submissions during the assessment of the application (**Section 6**).

### 5.2 Summary of Submissions

The Department received 21 submissions, nine Government agency submissions, one from Council and 11 public submissions (3 objections).

A summary of the issues raised in the submissions is provided at **Appendix D**. Copies of the submissions may be viewed at **Appendix B**.

### 5.3 Key Issues – Government Agencies

**Table 2** | Government Agency submissions to the EIS

#### Transport for New South Wales (TfNSW)

TfNSW and RMS do not object to the proposal and provided the following comments:

- The Applicant should:
  - provide details of passenger pick and drop off arrangements and how the operation of facilities will be managed
  - provide details of traffic mitigation measures
  - consult with Moore Park Events Operation Group (MEOG) when planning special events
  - investigate impacts and event related traffic arrangements on Errol Flynn Boulevard and provide details of mitigation measures
  - provide clarification on how pedestrians and cyclist safety would be considered
  - ensure bicycle parking facilities are located either within or close to the development.
- Conditions should be imposed requiring the preparation of a:
  - Green Travel Plan
  - Construction Traffic Management Plan that take into account the construction of the Sydney Football Stadium and Sydney light rail.

## Heritage NSW

Heritage NSW does not object to the proposal and advised the development would not have any adverse heritage impacts on nearby State Heritage listed items. It considered that the Archaeological Assessment and Work Method Statement is appropriate for the assessed level of archaeological and potential and significance. Notwithstanding, Heritage NSW requested the Applicant:

- provide a copy of the Conservation Management Plan
- reconsider the siting of the new building to provide an appropriate setback from the brick wall on along Lang Road and Driver Avenue
- consider potential visual impact of the new building on significant sightlines to and from adjacent historical buildings
- provide a photographic archival recording of significant built and landscape elements affected by the proposal (condition).

## Department of Industry (Dol)

Dol does not object to the proposal and advised that should groundwater be intercepted during excavation works, a licenced water entitlement must be obtained to account for the take of water, unless subject to an exemption.

## Environment, Energy and Science Group (EES)

EES does not object to the proposal and requested that the Applicant:

- prepare a Biodiversity Development Assessment Report (BDAR)
- provide more information to confirm the absence of roosting habitat for threatened microbats within existing buildings
- provide further details on the impact to trees particularly trees 10-79 which are a potential foraging habitat for the Grey-headed Flying-fox
- incorporate a diversity of local native provenance trees shrubs and groundcover species from the native vegetation community into the site landscaping
- should avoid removing trees where possible and replace any trees at a ratio greater than 1:1 and use advanced species with a container size of 100 litres or greater.

## Centennial Park and Moore Park Trust (CPMPT)

CPMPT does not object to the proposal, advising that it was consistent with the Moore Park Masterplan vision for the Moore Park precinct. In particular, it supports the:

- use of polycarbonate for the new building façade
- skylights would not be visible from the public realm
- planter beds adjacent to the NSW Swifts Building on Errol Flynn Boulevard.

Notwithstanding it requested that the Applicant:

- consider a precinct strategy focusing on public domain works
- provide further details of the construction methodology for reversibility of new in accordance with the Burra Charter
- clarify where existing heritage fabric removed will be safely and securely stored
- prepare and implement a heritage interpretation strategy
- develop a detailed lighting design
- confirm that the final preferred configuration of the NSW Swifts Building has achieved the support of the State Design Review Panel (SDRP)
- ensure the box gutter fixed to the area of the heritage wall and the new building is suitably sized for the anticipated weather events and be reversible

- 
- adopt meaningful targets for water, energy and waste minimisation through design construction and operation
  - consider alternative siting for the fire services and bin storage structure
  - consider storage of operational equipment
  - remove the planter beds along eastern and southern perimeter walls of the Royal Hall of Industries
  - ensure that access and parking does not impede the management of Driver Avenue on event days
  - assess mitigation against hostile vehicle attack
  - ensure that construction does not impact on the operation of Mardi Gras or other events in the precinct
  - clarify that no construction vehicle marshalling or vehicle holding will occur on Driver Avenue
  - assess construction noise and vibration mitigation strategies

CPMPT also recommended conditions addressing:

- permission from CPMPT for works requiring access from Driver Avenue
- dilapidation reports
- tree protection conditions
- reversibility of modifications to the building, including 'make good' provisions.

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#### Environment Protection Agency (EPA)

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EPA does not object to the proposal and stated the proposal does not require an Environment Protection Licence under the *Protection of the Environment Operations Act 1997*.

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#### Sydney Water

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Sydney Water does not object to the proposal and recommend the approved plan be submitted to Sydney Water to determine the effect on Sydney Water infrastructure.

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#### South eastern Sydney Local Health District (SESLHD)

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SESLHD does not object to the proposal and commends the consideration of NSW planning guidelines for walking and cycling. It provided the following comments:

- café food and drink should avoid fast food
- landscaping should address seating for seniors, water provision and shading
- air quality monitoring should be undertaken at frequent intervals during construction
- allocation of drop off parking spaces for people with disabilities should be provided
- wayfinding signage should be provided in the public domain.

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#### Transgrid

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Transgrid does not object to the proposal and advised that it will not affect Transgrid infrastructure or easements

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## 5.4 Key Issues – Council and community

### 5.4.1 Council key issues

**Table 3** | Council submissions to the EIS

#### Council

Council noted that it appreciates the intent to conserve the RHI building, which has historically accommodated a variety of public uses. In addition, it considers the new building to be of an appropriate scale and the setback to the historically significant wall along Lang Road is acceptable.

Notwithstanding, Council objected to the proposal on the following grounds:

- the proposal does not qualify as State significant development as no site compatibility statement has been granted
- the full amount of section 7.11 development contributions is payable.

Council provided the following additional comments:

- the Heritage Impact statement (HIS) lacks sufficient information
- the Ecologically Sustainable Design report fails to demonstrate ecologically sustainable development (ESD)
- the development should be at least 10% more efficient than the 2019 National Construction Code (NCC) Section J requirements in accordance with the Green Building Council of Australia's Green Star for New buildings Guideline
- measure the renewable energy generated from photovoltaics compared to the energy imported from the main grid
- gas fired hot water systems are not supported and the installation of solar hot water should be required
- the draft Green Travel Plan should demonstrate targets to reduce private vehicle use to access the site
- surrounding public domain works should include:
  - improvements to Errol Flynn Boulevard including a shared path on its western side, an additional pedestrian crossing across and removal of parking spaces for pedestrian safety
  - realignment of the planting bed at the entrance to Errol Flynn Boulevard to widen the footpath
  - highlighted pedestrian paths to show pedestrian priority
  - relocation of the substation kiosk, fire services and refuse building inside the building
  - compliant public domain lighting for all footpaths
  - street trees along Driver Avenue
- a MUSIC-Link report Model for Urban Stormwater Improvement Conceptualisation is required
- further information on the impact to trees 10-79 is required and trees 58 and 59 must be retained
- the proposed vehicle crossover should be amended to utilise the existing crossover to prevent impact on trees
- the existing planter and part of the existing wall proposed to be demolished must be retained
- the pedestrian access to the new building must be relocated outside existing door 4 of the RHI building in the gap in the group of tree planting on Errol Flynn Boulevard
- proposed tree species should include a greater number of trees that will grow taller than 15m in height and meet Council's canopy coverage requirement of 15%
- width of the tree pits and planters and the proposed landscape specification will result in turning and circling of roots impacting future growth and structural condition of trees
- the submitted waste management plan is insufficient and does not identify access for users and collection vehicles
- the architectural drawings do not illustrate waste and recycling storage areas
- waste generation calculations are not prepared in accordance with Council's guidelines.

## 5.4.2 Community issues

A total of 11 public submissions were received from the community and special interest groups, comprised of three objections, six comments and two letters of support. The key issues raised in submissions are summarised in **Table 4**.

**Table 4** | Community submissions to the EIS

Public Submission	Proportion of total (11 submissions)
<b>Objections and Comments</b>	
Loss of Royal Hall of Industries event venue for large scale public events	73%
Impact to heritage and cultural significance of Royal Hall of Industries building	45%
Removal of trees	36%
Insufficient public accessibility	27%
New building results in overdevelopment of the site	18%
Traffic impacts	18%
Permissibility	9%
Compatibility with surrounding land uses	9%
Need for a precinct strategy	9%
Unrestricted access should be provided to the central plaza	9%
<b>Support</b>	
Increased public accessibility and ensures ongoing use of the building	18%
Restoration and preservation of the building	9%
Provision of a range of facilities for community and public use and key community organisations	9%
Strengthens the economic success of the precinct	9%
Provides a new pathway for elite women's sport	9%
Enables the expansion of the Swans and Swifts school and outreach programs	9%
Reinforces the high-performance sport aspect of the precinct	9%

## 5.5 Response to Submissions

Following exhibition of the proposal, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 13 November 2019, the Applicant provided a Response to Submissions (RtS) (**Appendix B**), which provides additional information and clarification in response to issues raised in submissions. The RtS also included the following amendments to the proposal:

- inclusion of an historical museum and memorabilia area (139 m<sup>2</sup> GFA) within the RHI foyer
- minor internal reconfiguration of office and administrative spaces to improve circulation and efficiency
- amendments to landscaping including:
  - retention of three additional trees on Errol Flynn Boulevard
  - remove planter boxes adjacent to the eastern and southern elevations of the RHI
  - increase the number of new trees from 16 to 26
  - include more native planting
  - increase height and number of shrubs adjacent to external fire services annex and kiosk to provide physical screening
- relocation of the waste storage structure from the eastern forecourt to the southern elevation of the RHI
- removal of staff and pedestrian entry on the eastern elevation of the RHI
- a new lighting strategy
- reduction of car parking spaces from 11 to nine spaces
- provision of temporary bollards to the northern and southern vehicle crossovers
- reconfiguration of bicycle parking.

The Department made the RtS publicly available on its website and notified Council and relevant Government agencies. An additional submission was received from Council and five submissions were received from Government agencies, summarised below in **Table 5**.

**Table 5** | Summary of Council's and Government agency submissions to the RtS

#### Council

Council was satisfied that some of its concerns had been addressed by the RtS, noting in particular:

- Council defers consideration of permissibility to the Department as consent authority
- previous recommendations related to public domain improvements are generally located outside the site boundaries and at the discretion of the CPMP
- the revised HIS generally addresses the issues raised by Council
- the revised ESD report generally addresses Council's concerns but should also address facade shading to allow solar gain in winter and prevent solar gain in summer
- the revised waste management plan is acceptable and adequately addresses the matters raised by Council
- Council's contributions plan does not enable the existing use of the RHI building (function centre) to be exempt from the payment of contributions
- the development should comply with section J of the National Construction Code (NCC) 2019.

In addition, Council raised the following issues to be addressed by the Applicant:

- a separate meter should be installed for the make-up lines for the cooling towers, swimming pool and spa
- car parking areas should incorporate electric vehicle charging points
- the draft Green travel plan should promote sustainable travel choices for employees and visitors
- end of journey facilities should be provided
- quality and quantum of bicycle parking should be increased
- further consideration should be made to improve connections from the public car park on the other side of Errol Flynn Boulevard and increase the definition of pedestrian links and footpaths to the site
- pedestrian paths of travel around and within the site should be prioritised

- the entry driveway to Errol Flynn Boulevard should be realigned to be perpendicular to the footpath to reduce pedestrian conflict
- trees and landscaping:
  - six trees located within the plaza should be assessed or included for tree protection measures
  - landscape plan should clearly show location of structural vaults
  - trees 58, 59 and 60 make a positive contribution to the landscape and must be retained
  - the proposed north eastern driveway crossover should be relocated to that a section of trees with lesser value than, size and health can be removed instead (trees 42- 46)
  - photos of excavation test pits for trees 56- 61 must be provided
  - minor pruning of less than 10% should be undertaken to trees 8 and 9
  - the proposed Zelkova serrata (Mushino) trees should be amended to native species
  - a greater number of trees that will grow greater than 15m and meet the councils canopy coverage requirement of 15% should be provided
  - planting within the car parking area should meet Sydney DCP requirements.

#### TfNSW

TfNSW confirmed that the RtS adequately addresses its concerns and recommended conditions securing:

- Construction Pedestrian and Traffic Management Plan
- Green Travel Plan
- Event Traffic and Transport Management Plan (ETTMP) for the operation of Errol Flynn Boulevard during major events including consultation with Moore Park Events Operations Group (MPOEG) for the coordination of simultaneous events during operation.

#### RMS

RMS recommended that it be consulted about the preparation of a Construction Traffic Management Plan and confirmed it supports the comments provided by TfNSW.

#### Environment, Energy and Science Group (EES)

EES supports the reduction in tree removal and increasing number of trees planted and recommended conditions securing:

- microbat surveys completed prior to demolition before any construction noise or vibration commences
- installation of rooting boxes if necessary
- landscaping to include native provenance species.

#### Heritage NSW

Heritage NSW provided the following additional comments:

- the proposed multi-purpose facility is consistent with the historical use of the use as a major public building used for mass entertainment and other special events
- the adaptive reuse would ensure the building is consistently maintained
- overall the proposal is consistent with policies contained within the 2007 Conservation Management Plan
- recommend conditions relating to heritage interpretation, a photographic archive recording and salvage and on-site storage of original joinery.

#### CPMPT

The CPMPT advised that they had undertaken further consultation with the Applicant and that it is satisfied that the Applicant has addressed all matters raised by CPMPT in their submission.

The Department placed copies of all submissions on the RtS on its website and issued the Applicant a Request for Further Information (RFI) including a response to the outstanding issues raised.

On 20 January 2020, the Applicant provided a response to the RFI (RRFI), to address outstanding concerns of the Council and EES (**Appendix B**). The Applicant's RRFI provided additional information and clarification in response to issues raised. The RRFI also amended the proposal with:

- revised articulation for NSW Swifts Building
- confirmation of acceptance of the requirement to pay Council contributions
- omission of cooling towers and installation of separate water metering
- incorporation of rooftop solar PV
- clarification of swept path and access driveway
- revised bicycle parking
- revised landscaping incorporating additional native provenance species.

The Department made the RRFI publicly available on its website and re-notified Council and relevant Government agencies. An additional submission was received from Council, which is summarised below in **Table 6**.

**Table 6** | Summary of Council's submission to the RRFI

#### Council

Council was satisfied that the RFIR has generally addressed Councils' issues raised in its initial objection letter and withdrew its objection to the proposal. Council provided the following additional comments:

- the Applicant has addressed Councils' concerns regarding ESD
- development contributions should be secured by condition
- the Applicant should approach the Centennial Parklands Trust to push for improvements to access in and around the site and the EQ precinct to increase public safety
- bicycle spaces should comply with Australian Standards and staff cycle parking should be secure and weather protected
- a low speed limit sign should be included at the southern crossover entrance to improve public safety
- provide swept paths for all service vehicles
- 9 trees adjacent to the RHI should be relocated to the car park and an additional tree planted between the NSW swifts building and the site boundary
- pruning of trees 8 and 9 should be reduced to 10%
- tree removal is subject to the satisfaction of the Department.

On 6 March 2020 and 10 March 2020, the Applicant provided a further response to Request for further information (RRFI) (**Appendix B**), which provided additional information and clarification in response to Council's issues including service vehicle swept paths, cycle parking, and tree pruning and protection measures. The Applicant also provide additional information in response to EESG's conditions including a revised BDAR, Microbat surveys and Microbat management plan.



## 6. Assessment

The Department has considered the proposal, the issues raised in submissions, the Applicants RtS and additional information received in its assessment of the application. The Department considers the key assessment issues are:

- heritage and built form
- transport, parking, and access
- events and public access
- landscaping; and
- public domain.

Each of these issues is discussed below. Other issues taken into consideration during the assessment are addressed at **Section 6.6**.

### 6.1 Heritage and built form

The Department has assessed the application, including the HIS, together with the issues raised in submissions, and considers the key heritage and built form considerations to be the proposed works to the heritage fabric of the RHI and the proposed NSW Swifts building.

#### 6.1.1 Works to the RHI

The proposal includes internal and external works to the RHI, including the installation of an internal mezzanine and insertion of new doorway openings, roof lights and roof plant. The proposal also includes minor demolition of modern elements of the building.

##### Internal works

The most significant new element within the RHI is the proposed insertion of an internal mezzanine level, stud partitions and perimeter glazing. The mezzanine has been designed to be “loose fit”, set back from the internal columns and not structurally dependent on the original fabric (**Figures 16 and 17**) and to retain areas of double height to the main northern entrance and above the gymnasium to allow for enhanced appreciation of the central vault space from the main entrance.

Heritage NSW supports the loose fit integration of the mezzanine and is satisfied that the works adequately retain views toward exposed roof trusses and the central barrel vault of the building. Council also supported the works as the central barrel roof structure would remain visible and endorsed the appropriate setback and structural independence of the mezzanine.

However, concerns were raised in public submissions that the internal works would impact the heritage significance of the building. In addition, the GANSW raised concerns that the retail and training facilities and medical facility in the north west corner on the RHI would impact on the appreciation of the RHI's heritage significance. The GANSW recommended the Applicant consider options to relocate this floorspace into the NSW Swifts building to retain additional internal volume within the RHI.

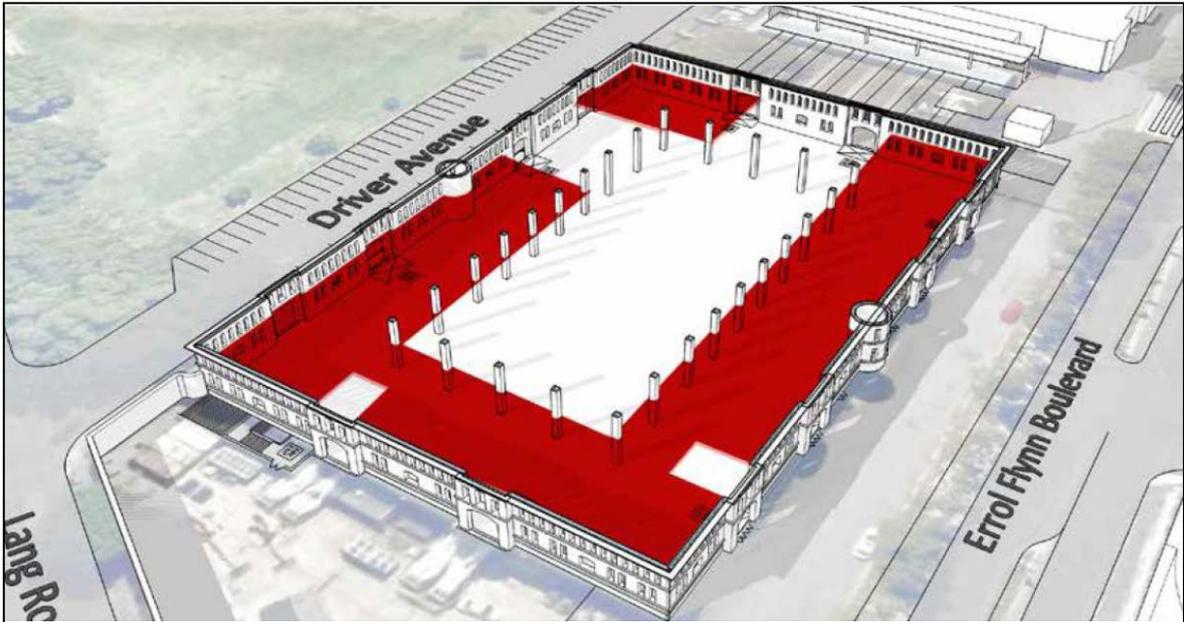


Figure 16 | Mezzanine layout (Source: Applicant's Design report).

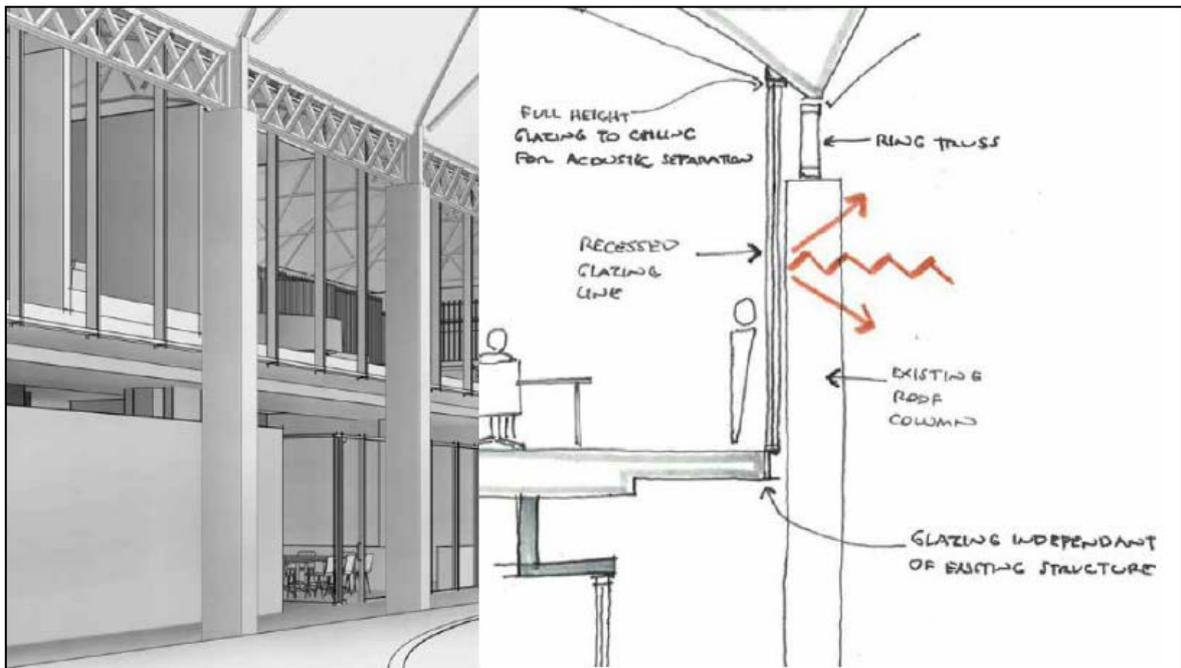
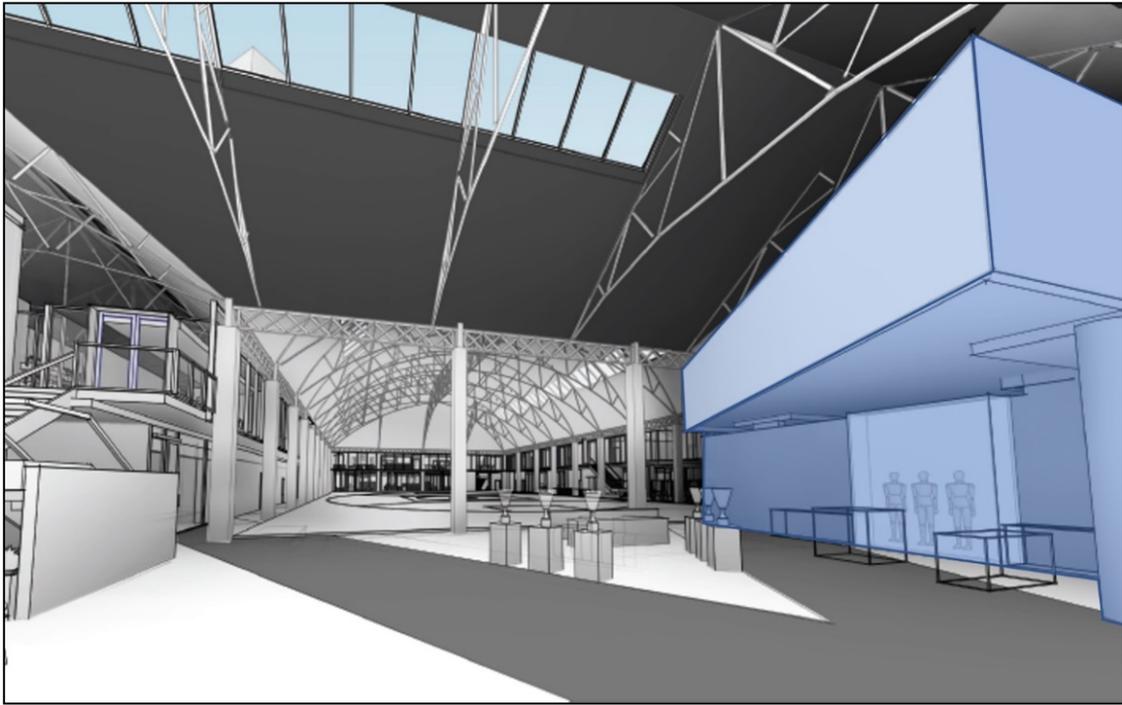
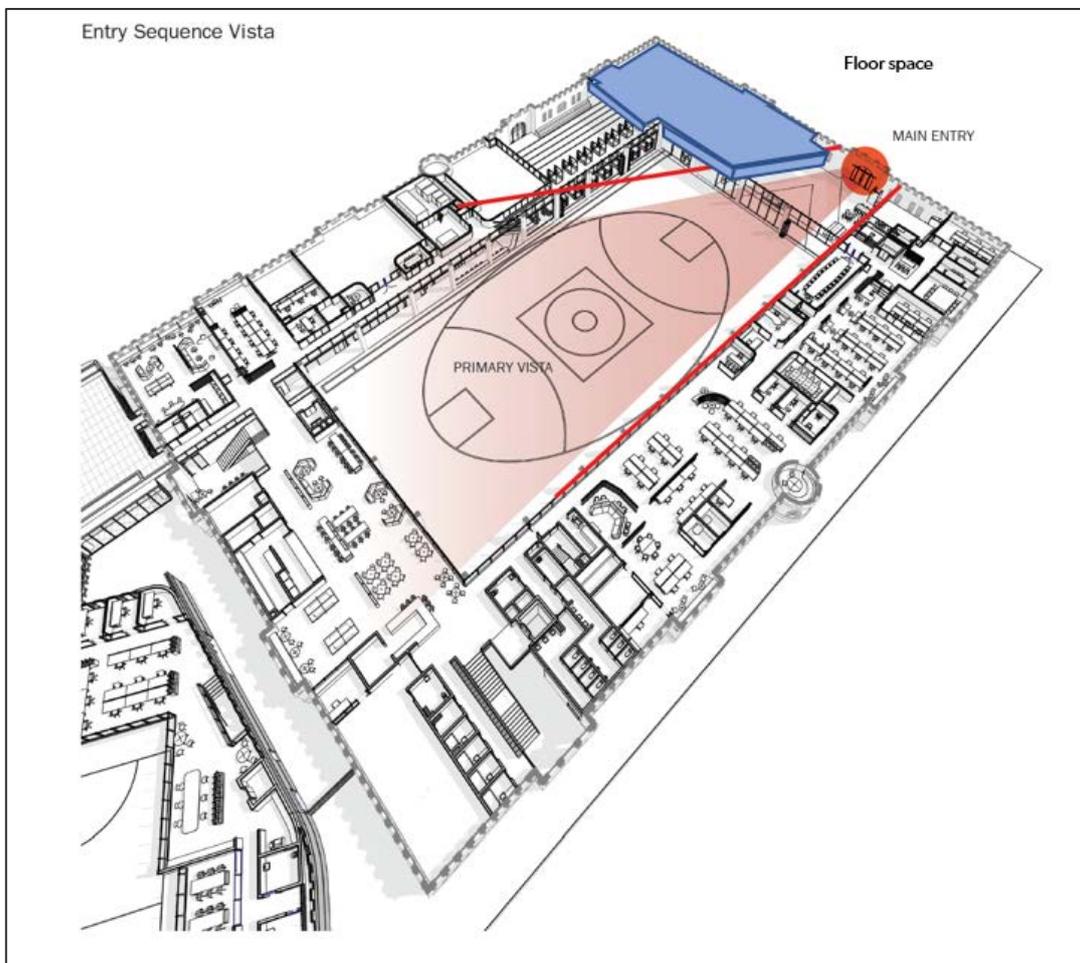


Figure 17 | Images showing setback of internal walls and glazing from original columns (Source: Applicant's Design report).



**Figure 18** | Image showing proposed floorspace in the north west corner of the RHI (blue) (Base source: Applicant's RRFI).



**Figure 19** | Image showing view through the central space and floorspace to north west (Base source: Applicant's RRFI).

In response to the concerns raised by the GANSW, the Applicant contends that the floorspace within the north west corner of the building does not impact the ability to appreciate the internal volume of the central space and that the proposed works are designed to be reversible, with no long-term physical impact on significant fabric. The Applicant explored relocating this floorspace to within the NSW Swifts building (**Figure 20**), however it considers the alternative location would result in the NSW Swifts building becoming visually dominant of the RHI and thereby result in unacceptable heritage impacts.



**Figure 20** | Comparison of the alternative location of floorspace within the NSW Swifts building (Source: RtS)

The Department notes that the proposed massing of the NSW Swifts building was supported by the SDRP, the GANSW, Heritage NSW and Council (**Section 6.2.2**). The Department acknowledges that the proposed uses within the RHI have been carefully considered by the Applicant. The medical and training facilities, in particular, are essential to the effective function of the building as a high-performance sports facility.

The Department has considered the justification provided by the Applicant and considers that the relocation of proposed floor space from within the RHI to the NSW Swifts Building would likely result in additional bulk which would appear significantly higher than the ridgeline of the RHI, be visually dominant in views from the south, east and west and as a result create an unacceptable relationship between the new building and the RHI.

The Department also notes that historically the RHI was designed to allow integration of temporary fixtures to facilitate different uses, and therefore the insertion of loose fit reversible elements, including the retail, medical and training facilities in the north west corner is not at odds with the historic character and function of the RHI. The Department considers that despite the location of floorspace within the north west corner, the proposed double height areas to the main northern entrance and above the gymnasium ensure a full height uninterrupted vista is maintained through the building’s central volume from the northern entry.

Further, the Department is satisfied that the proposed internal works respect the significant heritage fabric and character of the RHI as:

- the use of upper floor glazing ensures views to the secondary perimeter roof vault are retained
- the mezzanine and glazing is set back from the internal columns and structurally independent of the original fabric
- the alignment of internal partitions respects existing window openings and the alignment of internal columns
- internal ceilings are limited to private meeting rooms only, allowing other spaces to appreciate the secondary perimeter roof vault through upper floor glazing
- the perimeter walls at ground level are recessed to allow for the expression of the central hall columns and allow circulation around the central area
- the works include the removal of non-heritage fabric including redundant plant and later additions which detract from the heritage significance of the building
- all insertions are designed to be reversable and have no long-term physical impact on significant fabric and the Department recommends conditions securing details of all fixings to the original fabric and the reversibility of works.

On this basis, the Department supports the proposed internal works to the RHI as they have been carefully planned to respect the architecture of the RHI, are reversable and would continue to allow appreciation of the building's central volume.

#### Works to external fabric

The proposed alterations to the external facades and roof of the RHI including new skylights, as well as alteration to existing door and window openings.

Heritage NSW does not object to the proposed works, and recommended conditions securing a heritage interpretation strategy, details of fixings to original fabric, and a photographic archival recording of significant elements affected by the proposal be undertaken prior to the issue of the relevant construction certificate.

Council did not object to the proposed works and recommend conditions requiring a photographic archival recording, detailed window and door elevations demonstrating minimisation of heritage impacts and oversight of a heritage specialist during detailed design and construction stages

However, public submissions raised concerns about the impact of the new doors and skylights on the heritage significance of the RHI. The Department also requested more detail of the proposed interventions to the historic fabric including detailed window and door elevations.

The RtS provided additional detail of all replacement doors and new entrances and clarified that all works would be reversable and all historic fabric, including joinery and brickwork would be stored on site for future reinstatement, if required.

The Department has carefully considered the concerns raise in public submissions, the Applicant's response and the comments from Heritage NSW and Council. The Department is satisfied the proposed new building works respect the significant heritage fabric of the RHI as the:

- new roof lights and roof plant are located within the existing roof valley and would not be visible from the public realm
- replacement window glazing replaces non-original frosted glass and would improve the architectural consistency of the façade and thermal and daylight performance of the building
- infill doors to be replaced are non-original fabric and the new glazed doors would improve views to and from the building and improve accessibility
- new entrances to the northern elevation are located within existing window openings, would not affect the existing symmetry of the elevation and would increase activation of the principal façade and connectivity with the shared public realm between the building and Hordern Pavilion
- new entrances to the southern elevation are located within existing window openings, ensuring the existing vertical rhythm of the façade is retained and due to their recessed position within the reveal, and location within the southern courtyard, would be effectively screened by the roof terrace and not widely visible from public vantage points
- slab walkways and railings connecting the RHI to the roof terrace through the new entrances, appear lightweight and are structurally independent of the RHI brickwork
- works are fully reversible and all joinery and blockwork to be removed will be stored on site for future reinstatement if required.

The Department also recommends conditions requiring a heritage interpretation plan, photographic archival recording of all heritage fabric, storage of all removed heritage fabric on site and a heritage consultant to oversee the works to ensure any residual heritage impacts are appropriately mitigated and managed.

Subject to the recommended conditions, the Department's assessment concludes that the external changes to the RHI are acceptable as they are minor in the context of the overall façade and are fully reversible.

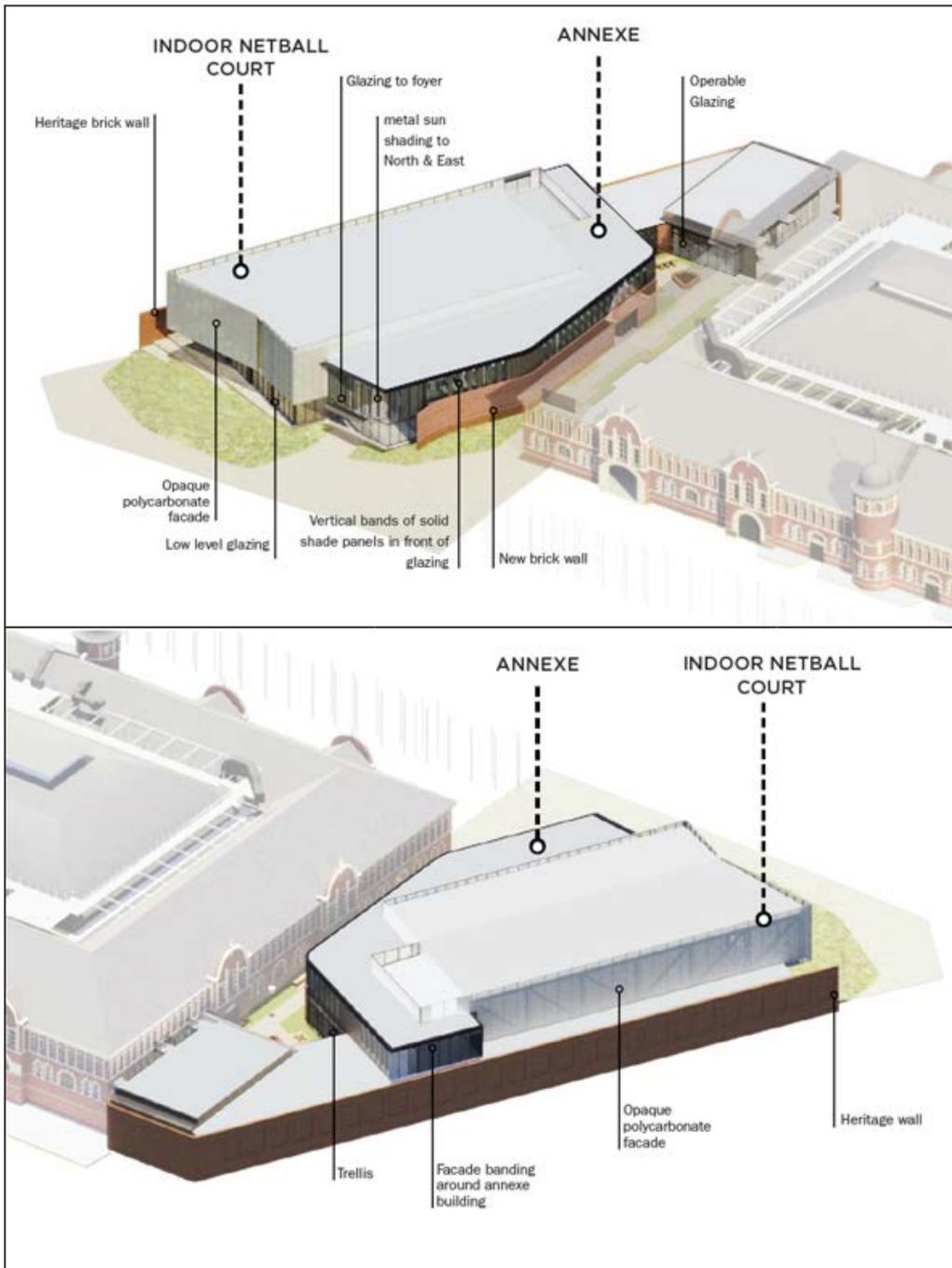
### Demolition

The proposal also seeks approval to demolish modern elements of the RHI identified within the Royal Hall of Industries Draft Conservation Management Plan 2007 (DCMP) as being either intrusive or having low heritage value. The modern elements proposed to be demolished include the basement toilet partitions and services, external perimeter fencing, and existing paving and driveways.

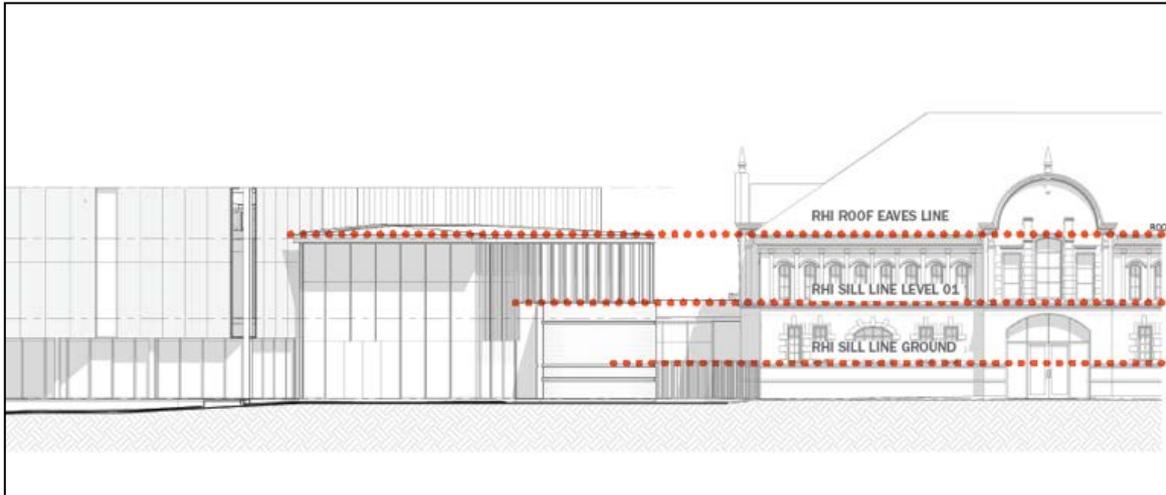
The Department supports the demolition of these elements of the building as they have no significant heritage value and their removal would improve the appreciation of the high value heritage features of the building. The Department also notes that Council and Heritage NSW did not raise any concerns regarding the removal of the modern elements of the building. On this basis, the Department is satisfied the proposed demolition works are acceptable.

#### 6.1.2 NSW Swifts Building

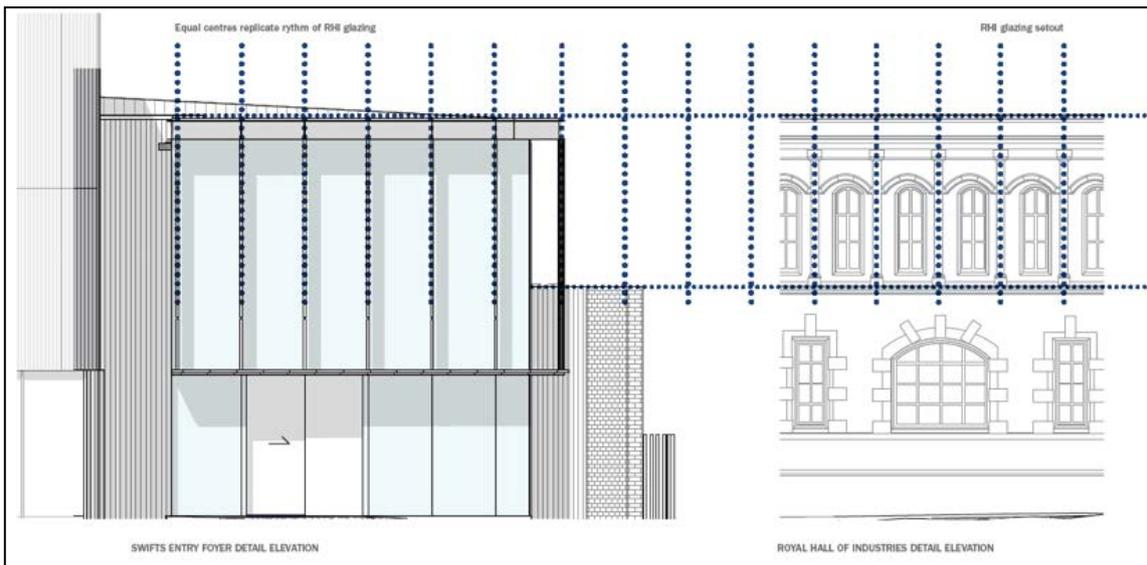
The proposed NSW Swifts building is a part 1, part 2-storey building within the southern courtyard linked to the RHI via elevated walkways at its north west corner. The building comprises three interlinked components, comprising the netball court, the two-storey annex wrapping around the north and west of the netball court and a single storey wing to the north west with roof terrace above (**Figure 21**). The maximum height above the netball court of RL 47.58m steps down to the north and west to RL 45.15m above the annex level to match existing eaves height of the RHI.



**Figure 21** | Axonometric view of the proposed NSW Swifts building illustrating the relationship with the RHI from the north (above) and south (below) (Source: Applicant's RtS).



**Figure 22** | East elevation showing roof heights corresponding with sill and eave lines of the RHI (Source: Applicant's RRFI).



**Figure 23** | Image illustrating eave heights and vertical fenestration of the two-storey annexe reflecting the vertical rhythm of the RHI (Source: Applicant's RRFI).

The Department notes that Council is generally supportive of the NSW Swifts building and considers the building is of an appropriate scale and adequately setback to the historic Lang Road boundary wall. However, concerns were raised in public submissions that the modern design of the building was at odds with the heritage character the RHI, and that the scale and location of the building negatively impacted the ability to appreciate the pavilion form of the RHI.

Although there are no design excellence requirements within any EPI, the proposal was reviewed by the State Design Review Panel (SDRP) on 20 March and 10 April 2019 to provide design advice on the proposal prior to lodgement.

The Department has carefully considered the issues raised in submissions, and the advice provided by the SDRP and the GANSW in its consideration of the location, bulk and scale and design quality of the NSW Swifts building.

The Department notes that the final massing and layout of the proposal was supported by the SDRP and that the articulation of the north and east elevations of the annexe was revised to address the comments from GANSW. The Department considers that the height and massing of the building is sympathetic and complements the RHI building as the higher building form above the netball court is setback from the RHI and steps down to a lower height annex which aligns with the datum line established by the existing eaves of the RHI (**Figure 22**). The positioning of height away from the RHI also maximizes views to the RHI from Lang Road and Errol Flynn Boulevard.

The Department also supports the materials and finishes of the building noting that the semi translucent polycarbonate cladding to the netball court presents as a lightweight and plain façade to provide a clear contrast between the new building and the detailed brickwork and ornate fenestration of the RHI. Further, the design of the two-storey annexe incorporates standing seam cladding, double height glazing, and powder coated steel sun shading panels, which distinguishes the building as a modern addition while reflecting the vertical rhythm of the upper floor window layout of the RHI (**Figure 23**).

The siting of the building, in an historically back of house area, also maximises its separation from the RHI and views towards the building can still be appreciated from Errol Flynn Boulevard. Additionally, the Department considers that upper floor elements, including the roof terrace are adequately set back from the heritage wall to the south and west and would not negatively impact on the appreciation of the wall.

Overall, the Department's assessment concludes the proposed location, height and scale of the building is appropriate, it would achieve a high standard of design and would not result in any significant impact on the heritage character of the RHI.

## 6.2 Traffic and Parking

The Applicant submitted a Transport Assessment (TA) with the EIS and supplementary statement with the RtS, which considers the potential traffic impacts, public transport access, the provision of car and bicycle parking at the site and servicing of the proposed loading dock.

The Department considers the key assessment issues to be:

- car parking
- traffic generation
- vehicle access and servicing
- bicycle parking.

### 6.2.1 Car Parking

The application proposes nine on site car parking spaces (including one accessible space) for use of staff and players, and a one space for service vehicles, within the eastern forecourt adjacent to Errol Flynn Boulevard. No visitor parking or drop off facilities are provided.

SEPP 47 does not include parking rates for development within Moore Park and the SLEP 2012 maximum parking rates do not apply to the site.

The TA notes that existing Swans staff use the EQ carpark to access the current Swans headquarters on Driver Avenue and would continue to do so following their relocation to the site, given the closer proximity of the RHI to the EQ car park.

The TA predicted future parking demand for 225 parking spaces, based on existing mode share, and the expected increase in staff and players. The results are summarised in **Table 7**.

**Table 7** | Existing and predicted car parking demand

Demand	Department	Staff/Players	Estimated Parking Demand
Existing Demand	Swans staff	106	82
	Swans players	46	38
	<b>Sub total</b>	<b>151</b>	<b>120</b>
Future Demand	NSW Swifts staff	11	9
	NSW Swifts players	14	12
	New staff (other tenancies)	30	23
	Swans AFLW Staff	4	3
	Swans AFLW players	35	29
	5-10-year growth forecast	37	29
	<b>Sub total</b>	<b>131</b>	<b>105</b>
<b>Total</b>		<b>282</b>	<b>225</b>

The TA concluded that the EQ car park, has a typical weekday demand of only 43%, equal to 1,100 vacant spaces, and could therefore easily accommodate the increase in demand associated with proposal.

Notwithstanding the availability of parking near the site, concerns were raised by Council and in public submissions that the development was too heavily reliant on private vehicle access and that the Applicant’s draft Green Travel Plan (GTP) did not propose adequate measures or identify specific targets to reduce use of private vehicles to access the site. TfNSW raised no issues in relation to the proposed parking provision at the site but sought clarification regarding pick and drop off requirements for other users of the site, including children attending Swan’s Junior Football Academy training, and visitors attending special events.

In response, the Applicant committed to prepare and implement a Green Travel Plan (GTP), including a target for reducing private vehicle use by 30%, prior to occupation of the site. The Applicant also contended that the predicted number and frequency of visitors to the site does not necessitate the provision of visitor parking or formal pick up and drop of facilities and the limited number of pick and drop offs can be accommodated on site where it can be managed by staff, or within the EQ car park as it does currently.

TfNSW confirmed that the RtS had addressed their concerns and recommended that the final GTP be prepared in consultation with TfNSW and implemented prior to the issue of an Occupation Certificate. Council considered that the GTP should include a monitoring framework, detailed actions and targets and be subject to periodic review and update.

The Department has carefully considered the proposed parking arrangements as well as issues raised in submissions and is satisfied the proposal is acceptable as:

- most staff and players accessing the site already park in the EQ car park to access the current Swans headquarters on Driver Avenue
- the EQ car park has capacity to accommodate the minor increase in parking demand associated with proposal, even assuming no reduction in private vehicle mode share
- the site is centrally located and well served by public transport, including 18 bus routes and a light rail stop on Anzac Parade and there is capacity within the surrounding public transport network to service the development
- limited on-site parking will assist in promoting public transport, walking, and cycling to the site
- heritage constraints, including the existing building footprint, restrict the provision of additional car parking onsite
- the number and frequency of visitors using the site use does not necessitate the provision of visitor parking or formal pick up and drop of facilities
- pick and drop off can be accommodated on site where it can be adequately managed by staff, or within the EQ car park as per existing arrangements
- cycle parking and end of trip facilities are provided for staff and players within the development to further promote walking and cycling to the site.

The Department supports both the proposed car parking arrangements and further measures to reduce reliance on private vehicles, and recommends a condition requiring the Applicant to prepare and implement a Green Travel Plan (GTP) endorsed by Council and TFNSW prior to occupation of the development.

**6.2.2 Traffic generation**

Concerns were raised in public submissions regarding increased congestion within the surrounding road network resulting from the proposal.

The TA includes an estimate of the traffic impact of the proposal and provides a comparison between the existing traffic generated by the current Swans’ headquarters on Driver Avenue and the predicted traffic generated by the proposal during peak periods, which is summarised at **(Table 8)**

**Table 8 | Existing and predicted vehicle trips to the site**

Peak Period	Existing (Current Swans’ headquarters on Driver Avenue)	Proposed (vph) (to the site)	Difference (vph)
AM	82	156	+ 74
PM	82	156	+ 74

In summary, the TA concludes the additional traffic movements would have a negligible on the operation of nearby intersections. The TA notes the key intersections of Lang Road/Driver Avenue and Lang Road/Errol Flynn Boulevard would continue to operate at their current level of service (LOS B) following the development.

TfNSW sought clarification on traffic generation resulting from other users of the site, including Swan's Academy training and special events. In the RtS, the Applicant clarified that the Swans Academy training occurs at Tramway Oval, approximately 300 m from the site, and the relocation of this activity to the site would not result in any increased traffic generation. The Applicant also contends that special events held at the site would typically commence in the evening outside of the PM peak period and therefore not result in any unacceptable impacts. TfNSW confirmed that the RtS had addressed its concerns.

The Department has assessed the TA as well as issues raised in submissions and considers the proposal would not result in any significant traffic impacts as:

- the proposed increase in vehicle movements during peak periods (+74) is unlikely to result in a noticeable difference when compared to the existing situation with the intersections at Lang Road/Driver Avenue and Lang Road/Errol Flynn Boulevard continuing to operate at LOS B
- additional trips associated with visitation to site, including Swan's Academy training, will be minor noting that these activities are already being undertaken by the Swans within the Moore Park precinct
- special events at the site would generally commence later than the evening peak period when traffic volumes are lower and therefore are unlikely to affect intersection performance during peak periods
- car parking is not provided for visitors and the preparation and implementation of a GTP will encourage a shift away from reliance on private vehicle use.

The Department has also recommended a number of conditions including a requirement to prepare and implement a loading dock management plan, to ensure service vehicle movements will be managed to occur outside of peak traffic and pedestrian periods, as well as a requirement to consult with MPEOG when planning special events at the site.

Subject to the recommended conditions, the Department is satisfied the proposal would not result in any significant traffic impacts.

### 6.2.3 Vehicle Access and servicing

The proposal includes construction of a new crossover to the north east of the site to create a one-way internal road accessed from the existing crossover to the south east, providing access to the car park and loading dock.

TfNSW raised concerns regarding the operation of the new exit on Errol Flynn Boulevard during major events within the precinct, and recommended a condition requiring the applicant prepare and implement an Event Traffic and Transport Management Plan to ensure the safe and efficient operation of the access during major events, including event bump-in and bump-out for special events held at the RHI.

In the RtS, the Applicant advised that during major events the internal road would be closed to traffic and during normal operation has capacity for approximately 13 vehicles to queue without affecting vehicle movements on Errol Flynn Boulevard. The Applicant also committed to consult with the MPEOG when planning for events to be held at the site.

The Department considers that due to the low volume of traffic utilising the car park area and the access restrictions during major events, that the proposed vehicle access would not result in any adverse traffic impacts to Errol Flynn Boulevard.

The Department concludes that the proposed vehicle access would not result in any unacceptable impacts and is acceptable subject to conditions requiring submission of a Servicing and Loading Dock Management Plan and an Event Traffic and Transport Management Plan.

#### 6.2.4 Bicycle Parking

The proposal provides 16 bicycle parking spaces for visitors within the public realm to the east of the RHI and 24 bicycle parking spaces for staff, in a secure lockable area between the NSW Swifts building and the RHI. The proposal also includes designated end of trip facilities for staff at Level 1 within the RHI including 5 showers / change areas and 50 Lockers.

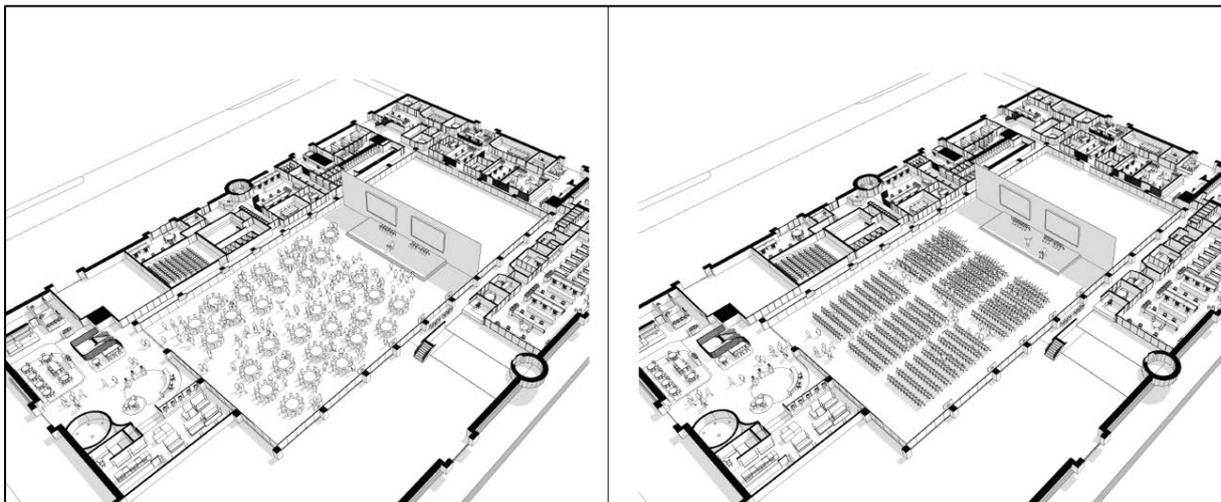
The Applicant has calculated cycle parking rates for the proposal based on the Green Star Design & As Built v1.2 rates, as Council's DCP does not apply to the proposal. Using the Green Star Design & As Built v1.2 rates, the proposal requires 28 bicycle parking spaces.

Council requested additional spaces be provided to encourage a mode shift away from private vehicles. In response, the Applicant increased the number of cycle parking spaces from 37 to 40 spaces. Council confirmed support for the proposed bicycle parking provision at the site, however raised concerns that the proposed staff cycle parking is not weather protected or compliant with Australian Standards (AS 2890.3:2015) that require staff cycle parking to enable users to lock the bicycle frame and both wheels.

The Department considers that the proposed 40 bicycle parking spaces, including 24 secure staff spaces, is sufficient noting that it exceeds the Green Star Design & As Built v1.2 requirements for the proposal. The Department also notes that the TA submitted with the EIS states that bicycle parking will be designed in accordance with AS 2890.3:2015 and recommends a condition requiring the staff parking area to be amended to incorporate weather protection and for all spaces to comply with relevant Australian Standards.

### 6.3 Events and public accessibility

The proposal seeks to use the RHI predominately as an indoor recreation facility, however the central multipurpose space will be designed in a flexible manner to accommodate a range of uses and events for up to 1000 patrons (**Figure 24**).



**Figure 24** | Illustration of the central multipurpose space and possible event configurations (Source: Applicant's Design Report)

Concerns were raised in public submissions regarding reduced public access to the building, the loss of the RHI as a venue for large events and the resulting impact on the cultural heritage of the building as an event space.

The Applicant contends that the RHI is currently underutilised, having been occupied for only 93 days in 2018, and the proposed redevelopment will provide for enhanced opportunities for public access to the building. In addition to the use of the building by the Sydney Swans, Sydney Swans Women's team, and affiliated academy and training programs, the Applicant notes that the public will have access the RHI building as follows:

- the café, foyer, museum and auditorium areas will be open to the public year round
- on non-match days the central multipurpose area will be available for hire for local sporting club training, end of season presentation nights, school visits, graduation events, corporate training nights and overflow school exam space
- the combined café/foyer area will be available to hire on evenings and weekends (on non-match days) for use by schools, local clubs, charities and community groups for events of up to 200 patrons
- out of season the central multipurpose space will be available for hire for larger scale special events of up to 1,000 people
- the netball court will be available for local netball clubs for evening training and tours.

The Applicant provided a draft Operational and Events Management Plan with the RtS which outlines the availability of the RHI for public use and the coordination of different events and uses at the site.

The RHI has historically accommodated a wide range of uses, including as a venue for large events. However, demand for events in the RHI has been low in recent years, with the RHI being unoccupied for most of the year. The Department therefore supports the proposal for additional uses in the RHI to better utilise the building, while still allowing for events (up to 1,000 people) outside of the AFL season. The proposal will also allow local sporting clubs, schools, charities and community groups to hire the space and/or hold smaller events throughout the year. The Department considers the proposed flexible

use of the building is consistent with the Moore Park Master Plan vision for the Moore Park Precinct, as a local, national and international sporting and recreation destination.

The Department has carefully considered the concerns raised in submissions and is satisfied with the level of public access to the RHI as:

- the RHI is currently underutilised and, outside of a small number of specific events, is inaccessible to the public
- while the capacity and availability of the building to host large scale events will be reduced, the proposed adaptive reuse will result in increased public accessibility whilst still retaining capacity for larger scale events of up to 1,000 people within the building
- through its proposed mitigation measures, the Applicant has committed to:
  - make the café/foyer area available for hire for events of up to 200 patrons
  - make the central multipurpose space available for hire for special events of up to 1,000 people
- the proposed on-site facilities include a large central LED screen, high-performance speakers, appropriate power, data points and air conditioning to accommodate a large range of public events
- for existing users unable to be accommodated in the reduced capacity venue, alternative larger venues are available within the central Sydney area including the International Convention Centre in Darling Harbour.
- the proposal will improve permeability and activation to the northern façade of the RHI increasing opportunities for integration of events within the RHI, the Hordern Pavilion and central plaza area.

The Department concludes that the proposed adaptive reuse will increase public accessibility of the building, allowing for increased appreciation of its heritage significance while retaining opportunities for larger scale events within the RHI. Further, the Department supports the Applicant's commitment to making the space available to the public for special events. Subject to the Operational and Events Management Plan, the Department supports the proposed land uses and the impact on the cultural significance of the building as a public events spaces is considered acceptable.

## 6.4 Landscaping

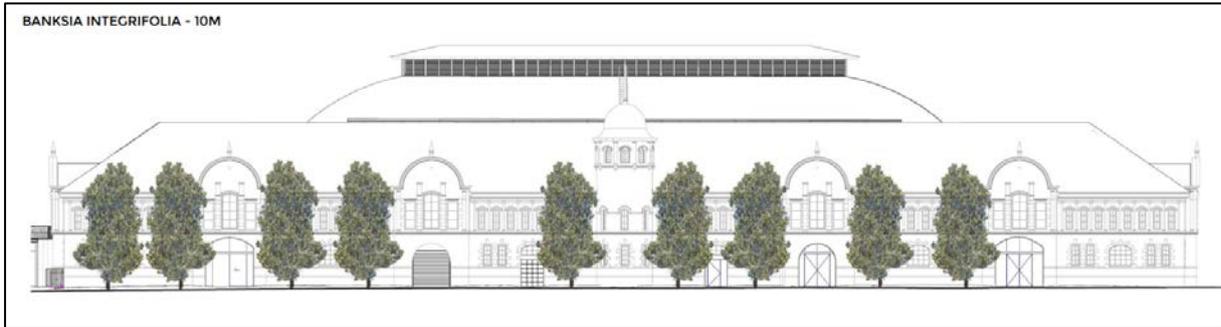
The Proposal includes a site wide landscape strategy incorporating the following elements:

- removal of four Spotted Gum trees along Errol Flynn Boulevard
- planting of 26 replacement trees including nine mature Banksia Intergrifolia adjacent to the eastern façade of the RHI
- shrub and turf planting, internal footpaths and contrasting paving
- landscaped laneway between the RHI and NSW Swifts building including seating spaces, planting and secure fence line parallel to the eastern boundary
- landscaped roof terrace above the rear annex of the NSW Swifts building.

Concerns were raised in public submissions regarding the removal of existing trees. Council raised concerns about the proposed landscaping screening view towards the RHI and the removal of four tree to establish a new entrance into the site.

## [Heritage impacts](#)

Council raised concerns regarding the screening of the RHI façade resulting from the proposed nine trees adjacent to the eastern façade (**Figure 25**). Council requested that the trees be relocated to the car park area adjacent to the eastern site boundary to reduce screening of the principal façade of the RHI. Council also requested the planting of an additional medium sized tree between the existing palm trees and NSW Swifts building to increase tree canopy cover at the site.



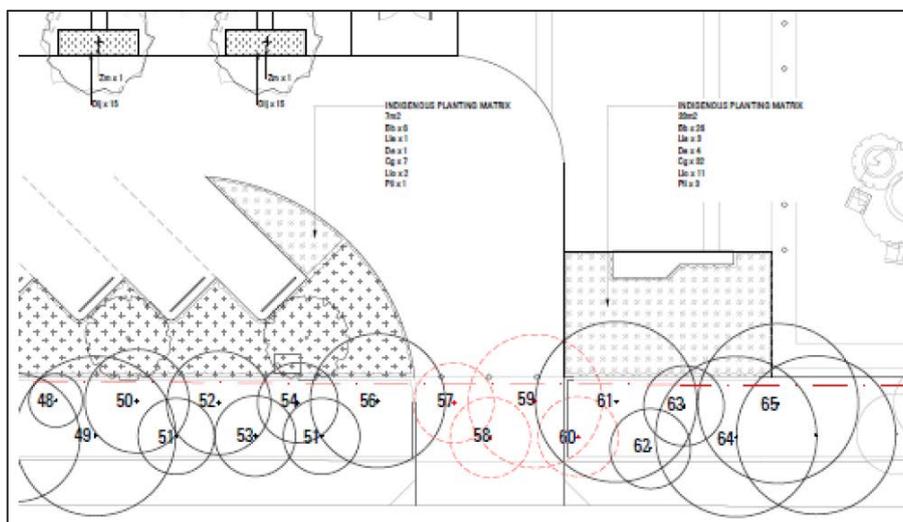
**Figure 25** | Proposed Banksia Integrifolia trees along the eastern façade of the RHI (Source: Applicants' RRFI)

The Department agrees with Council that the excessive screening provided by the proposed nine Banksia Integrifolia trees would result in adverse heritage impacts to the RHI. The Department therefore recommends a condition requiring submission of amended landscape plans illustrating:

- relocation of the nine Banksia Integrifolia trees further away from the façade to the area between the internal road and the site boundary
- provision of shrubs and low-level planting adjacent to the eastern façade of the RHI
- planting of an additional mature tree adjacent to the NSW Swifts Building in accordance with Council's recommendations, to further increase canopy cover and habitat at the site.

## [Tree removal](#)

The proposal seeks to remove four Spotted Gum trees on Errol Flynn Boulevard to enable the installation of a new vehicle crossover (trees 57, 58, 59 and 60 in **Figure 26**)

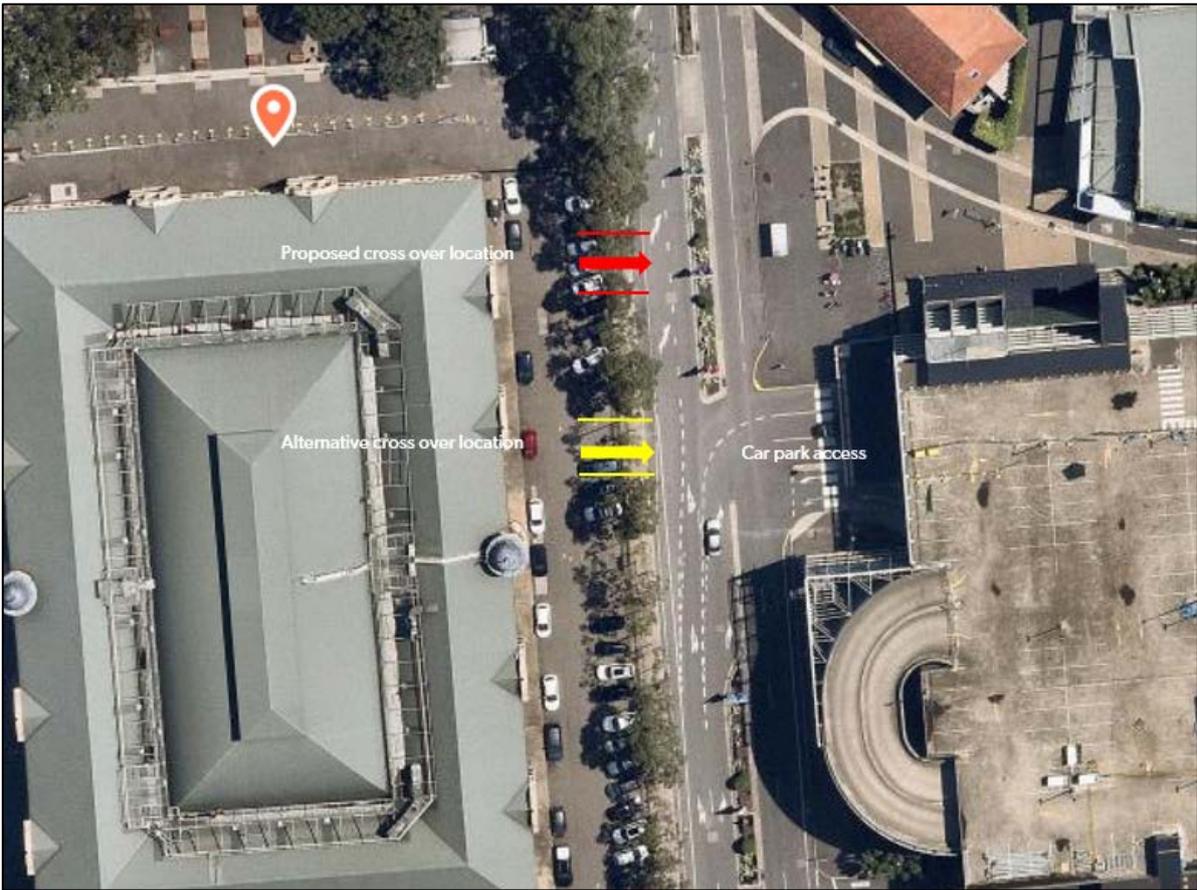


**Figure 26** | Trees to be removed due to construction of new vehicle crossover (Source: Applicants' RtS)

Council raised concerns regarding the removal of the trees 58, 59 and 60 and recommended that the new vehicle crossover be relocated further south so that a selection of trees with lesser significance (43, 44 and 45) could be removed instead.

In response, the Applicant provide an addendum to the Arboricultural Report which included a comparison of the retention value of trees to be removed at both the proposed and Council's alternative crossover location.

The Applicant contends that the siting of the crossover in Council's preferred location would introduce vehicle conflict, allowing vehicles to exit the site and turn right onto Errol Flynn Boulevard using the break in the central median strip at the EQ car park access (**Figure 27**). In addition, the Applicant notes each cross over option conflicts with four trees (No.43 to 46 and No. 57 to 60) of similar value and therefore results in equivalent loss of trees.



**Figure 27** | Proposed and alternative crossover location shown in relation to the EQ car park access (Base source: Nearmap)

The Department has carefully considered the revised Arboricultural report, Council's concerns, and the Applicant's response, and considers the loss of trees 57, 58, 59 and 60 is acceptable as the:

- relocation of the crossover further south would result in the loss of the same number of trees with comparable landscape significance and amenity value and result in potential conflict with vehicles accessing the car park on the east side of Errol Flynn Boulevard
- additional crossover is required to allow the safe and efficient access and egress of service vehicles at the site

- proposal includes planting of 26 new trees on site, significantly increasing canopy cover and habitat on site, compared to the existing situation.

### Conclusion

Overall, the Department is satisfied that the proposed landscaping strategy, including provision of an additional 26 trees, is acceptable as it would significantly increase tree canopy cover, biodiversity, and habitat at the site, while also enhancing amenity and protecting the heritage significance of the RHI.

## **6.5 Public domain**

Council recommended the Applicant approach the Centennial Park and Moore Park Trust (CPMPT) in relation to potential improvements to pedestrian access around the site and within the EQ precinct to increase public safety.

The Applicant advised that it is committed to engaging with the CPMPT regarding potential improvements to pedestrian links surrounding the site, however contended that proposal is not required to enhance the public domain outside the site as the existing:

- footpath network is not exclusive to the site and is used by pedestrians accessing the EQ precinct, adjacent Centennial Parklands and public transport services on Anzac Parade and is adequate for this purpose; and
- pedestrian crossings on the corner of Driver Avenue and Lang Road and from the central plaza north of the RHI to the EQ car park provide safe and convenient access for pedestrians.

The Department notes that the TA submitted with the application predicts the proposal will generate a minor increase of eight pedestrian and eight cycle staff trips to the site per day. The Department also notes that the existing cycling and pedestrian network surrounding the precinct incorporates relatively wide footpaths and shared paths to accommodate the large pedestrian volumes associated with events in the precinct.

The Department considers the minor increase in pedestrian and cycle trips generated by the proposal does not require upgrade to the wider public domain as the:

- existing pedestrian network serves the wider EQ and Moore Park Precinct and the minor increase is unlikely to result in unacceptable impacts to the network in terms of congestion or pedestrian safety
- existing footpaths on the east and west side of Errol Flynn Boulevard and pedestrian crossing adjacent to the central plaza, provide adequate access for pedestrians accessing the site
- works outside the site are at the discretion of the CPMPT and the Applicant has committed to engage with them regarding future improvements.

The Applicant has agreed to pay \$544,844.48 in section 7.11 developer contributions, which will be utilised for the works program outlined in the Council's Contributions Plan including open space works, community facilities and traffic and transport upgrades.

## 6.6 Other Issues

The Department's consideration of other issues is provided at **Table 9**.

**Table 9** | Summary of other issues raised

Issue	Department's assessment	Recommendation
Compatibility with surrounding land uses	<ul style="list-style-type: none"> <li>• Concerns were raised in public submissions regarding the compatibility of the proposed office use with surrounding lands uses within the precinct.</li> <li>• Office floorspace associated with administration of the Sydney Swans and NSW Swifts comprises 3,824 m<sup>2</sup> of the total 10,640 m<sup>2</sup> GFA. Although office use on its own is prohibited on the site, the Department notes that office use does not form the major component of the development and is part of a mix of uses which allows the site to perform a number of complementary functions including sporting, recreation, administrative, entertainment and public use.</li> <li>• The Department can consider the proposed office use as part of partly prohibited development (<b>Section 4.3</b>) and considers that the proposed office use component of the development is compatible with surrounding land uses as: <ul style="list-style-type: none"> <li>○ the office component comprises only 36% of the proposed floorspace and is located mainly at first floor level, with main frontages and entrances of both the RHI and new building incorporating active uses which engage with the public realm including: <ul style="list-style-type: none"> <li>○ a café and foyer area to the main northern entrance of the RHI increasing activation of this frontage and public accessibility within the building compared to the existing situation</li> <li>○ a publicly accessible foyer and netball court fronting Errol Flynn Boulevard with offices located to the rear of the site and at first floor level.</li> </ul> </li> <li>○ the proposed office floors space will not result in any adverse impacts in terms of traffic, parking or access (<b>Section 6.3</b>)</li> <li>○ the proposal aligns with the key themes of the Moore Park Master Plan 2040, directly addressing the key challenge of increased demand for next-generation quality sports training and administrative facilities, and responds to the key strategies of supporting and strengthening the role of high-performance sports teams and preserving public access to high performance sport facilities.</li> </ul> </li> <li>• The Department concludes that the proposed office use, as part of the wider use of the site, is appropriate in its context.</li> </ul>	No additional conditions necessary
Microbats	<ul style="list-style-type: none"> <li>• The Applicant prepared a Biodiversity Development Assessment Report (BDAR) in accordance with the requirements of the Biodiversity Conservation Act 2016. The BDAR notes that Large Bent-winged Bats, Gould's Wattle Bats and Ride's Free-tailed Bats have been recorded roosting in the RHI and found potential for four other threatened micro bat species roosting in the RHI including: <ul style="list-style-type: none"> <li>○ Eastern Coastal free-tailed Bat</li> <li>○ Little Bent-winged Bat</li> <li>○ Yellow-bellied Sheath tail Bat</li> <li>○ Eastern False pipistrelle</li> </ul> </li> <li>• EES recommended that the additional surveys of threatened species should be undertaken using acoustic detection and thermal imaging, and necessary mitigation measures identified and implemented prior</li> </ul>	<p>The Department recommends conditions requiring the Applicant:</p> <ul style="list-style-type: none"> <li>• undertake additional microbat surveys</li> <li>• provide an revised MMP to be endorsed by EES</li> </ul>

- to any works (demolition or construction) being undertaken within the RHI.
- As part of the RtS the Applicant undertook additional microbat surveys between September 2019 and February 2020 and provided an updated BDAR and Microbat Management Plan (MMP).
- EES noted that:
  - the additional surveys for the Large Bent-winged bats were not undertaken in the most appropriate season for detection (Autumn to early Winter)
  - Measures to avoid impacts had not been considered.
  - Potential microbat habitat within the roof structure and cavities within walls had not been adequately assessed or considered for retention to avoid impacts.
- EES recommended conditions requiring:
  - the Applicant undertake additional surveys of potential microbat roosts of the Large Bent-winged bat during the appropriate season
  - preparation and implementation of a revised MMP which considers retention of existing habitat and incorporation of artificial cavities and entry/exit points into the refurbishment of the building.
- The Department agrees additional surveys are required to properly gauge the conservation value of the habitat cavities on site and that further consideration of additional onsite habitat for retention is required to ensure any impacts are minimised.
- The Department therefore recommends appropriate conditions securing additional surveys and a revised MMP, including consideration of avoidance of impacts and habitat retention to be endorsed by EES prior to the commencement of work.
- Subject to the recommended conditions, the Department considers that the proposal is unlikely to result in unacceptable impacts to threatened microbat species.

Consistency with the EQ concept plan

- Due to boundary realignment at the south east corner of the site, a small portion of the site is located within the area covered by the EQ Concept Plan (MP07\_0144).
- The western edge of the NSW Swifts building is located within this area which is covered by the EQ Concept Approval.
- The EQ Concept Approval provides for:
  - demolition of two buildings and approval for six building footprints, maximum height and maximum floorspace
  - an increase in the maximum floor space within Moore Park showground to 144,000 m<sup>2</sup>
  - an increase in the maximum permissible floorspace within the EQ to 76,400 m<sup>2</sup>.
- The Applicant contends that the proposal demonstrates consistency with the future assessment requirements of the concept plan in design layout, retention of key view, accessibility, parking, materials and details.
- The Department notes development under the EQ Concept Plan has not commenced and no application for the detailed design or use of this floorspace has been submitted. Further, the Department notes an Unsolicited Proposal (USP) has been submitted to Department of Premier and Cabinet for the renewal of the EQ.
- The USP is separate to the planning approval process that would be required for any development to proceed, however indicates that the EQ Concept Plan may not be pursued.

No conditions or amendments to the proposal are necessary.

- In this context, the Department is satisfied that the proposal is not inconsistent with the EQ Concept Plan in so far as it would not preclude the building envelopes and floor space within the EQ to be realised if the EQ Concept Plan is pursued.

Precinct integration	<ul style="list-style-type: none"> <li>• Concerns raised in public submissions and by the CPMPT that the proposal should include a precinct strategy, to ensure the proposal integrates with the wider public domain.</li> <li>• As part of the RtS, the Applicant provided a precinct public domain plan, illustrating how the proposed site landscaping integrates with the adjacent plaza and Hordern Pavilion to the north.</li> <li>• The Department notes that the central plaza space between the RHI and Hordern Pavilion is proposed to be upgraded, subject to a separate DA to Council (DA2019/830). The RHI site landscaping and adjacent plaza works have been designed by the same landscape architect and incorporate consistent materials and planting.</li> <li>• The Department notes that CPMPT raised no further issues with integration of the RHI landscaping design with the adjacent plaza.</li> <li>• The Department considers that the development of a precinct strategy is outside the scope of an application of this type and scale. Notwithstanding, the Department considers that the Applicant has adequately demonstrated that the proposed site landscaping design aligns with the proposed works to the plaza.</li> <li>• However, as the works to the plaza are still under assessment by Council, the Department recommends a condition requiring the Applicant to submit plans confirming that the proposed site landscaping, including furniture, paving, levels and drainage integrates with the works to the plaza, prior to the issue of the Construction Certificate.</li> </ul>	The Department recommends a condition requiring the Applicant to confirm the public domain and landscaping works integrate with the adjoining plaza
Flooding and drainage	<ul style="list-style-type: none"> <li>• Areas surrounding the site are subject to flash flooding.</li> <li>• The Centennial Park Floodplain Risk Management plan 2016 shows the site becomes surrounded by flood waters in the 1% annual exceedance probability (AEP) event and becomes inaccessible and isolated by high water hazard in the Probable Maximum Flood (PMF) and 0.2% AEP respectively.</li> <li>• In response to concerns raised by EES, the Applicant submitted a Flood Management Strategy confirming measures and procedures to ensure safety of site users during flood events. These include a “shelter in place” strategy, relocating persons to Level 1 and prohibiting access to basement levels in the event of observed rising flood levels.</li> <li>• EES confirmed that the submitted Flood Management Strategy (FMS) adequately addressed flood risk management issues for the proposal.</li> <li>• The Department considers that flood risk can be appropriately managed in accordance with the FMS.</li> <li>• The application is also supported by a Soil and Water Management Plan (SWMP) which indicates the requirement for an onsite detention tank and relocation and diversion of existing underground stormwater infrastructure.</li> </ul>	<p>The Department recommends conditions requiring:</p> <ul style="list-style-type: none"> <li>• Implementation of the FMS during occupation of the building</li> <li>• details of proposed stormwater and drainage infrastructure and connections to be approved by Council and Sydney Water prior to the issue of a Construction Certificate.</li> </ul>
Hours of operation	<ul style="list-style-type: none"> <li>• The proposal seeks approval for the following hours of operation: <ul style="list-style-type: none"> <li>○ Monday to Sundays: 7am to 9pm</li> <li>○ Special events: 7am to 12pm.</li> </ul> </li> <li>• The Department notes the nearest residential properties are located over 200m to the south east of the site on Cooks Road, and the Noise and Vibration Impact Assessment (NVIA) concludes that</li> </ul>	The Department recommends a condition requiring the fit out of the café and medical uses be subject to

	<p>operational noise is not expected to cause adverse impacts at the nearest residential properties.</p> <ul style="list-style-type: none"> <li>• The Department supports the proposed opening hours noting the sites location within the Moore Park Precinct, however, recommends a condition requiring submission of a Plan of Management for special events be prepared in consultation with Council, CPMPT and MPEOG prior to the occupation of the building.</li> <li>• The Department supports the proposed café, retail and medical uses within the site, however the proposal does not provide details of the exact use or hours of operation.</li> <li>• The Department recommends that the fit out and operation of the proposed ground floor café and retail space and first floor medical premises within the RHI be subject to separate DA's to council.</li> </ul>	<p>separate DA's to Council.</p>
Noise and vibration	<ul style="list-style-type: none"> <li>• The Applicant's NVIA concluded that no exceedances of the prescribed construction noise management levels are predicted, due to the significant distance between the site and nearest noise sensitive receivers and the relatively high background noise levels.</li> <li>• The NVIA also concludes operational noise is expected to comply with the operational noise criteria at the nearest residential receiver.</li> <li>• The Applicant also provided an operational Noise Management Plan (NMP) which recommends operational noise management practices including: <ul style="list-style-type: none"> <li>○ a noise complaints management procedure</li> <li>○ maintenance of mechanical plant</li> <li>○ signage to advise visitors leaving the site to minimise noise</li> </ul> </li> <li>• The Department considers that the construction and operational noise impacts of the development are acceptable and unlikely to result in negative impacts to sensitive residential receivers.</li> <li>• The Department notes that noise impacts from special events at the site (between 9pm and midnight) may require specific mitigation measures and recommends that NMP be updated accordingly.</li> <li>• The Department is satisfied that construction and operational noise impacts can be mitigated through the recommended conditions.</li> </ul>	<p>The Department recommends a condition requiring a:</p> <ul style="list-style-type: none"> <li>• Construction Noise and Vibration Management Plan; and</li> <li>• the NMP be updated to include consideration of noise impacts of special events held between 9pm and midnight.</li> </ul>
Air quality	<ul style="list-style-type: none"> <li>• The application is supported by an Air Quality Assessment (AQA) which includes recommendations to ensure acceptable air quality during construction.</li> <li>• The AQA concludes that operational air quality impacts are confined to the proposed café.</li> <li>• The Department notes that the fit out of the café is not approved as part of the application and air quality impacts associated with its use will be considered as part of a separate DA to Council.</li> </ul>	<ul style="list-style-type: none"> <li>• The Department recommends a condition requiring compliance with the AQA.</li> </ul>
Construction and demolition	<ul style="list-style-type: none"> <li>• The Applicant prepared a Draft Construction Management Plan (CMP) which details mitigation measures to minimise adverse impacts during demolition and construction works.</li> <li>• TfNSW and RMS recommended the Applicant prepare a Construction and Pedestrian and Traffic Management Plan (CPTMP) to manage the potential impacts of the development on the road network and the cumulative impacts of other projects in the vicinity of the site, including the Sydney Football Stadium redevelopment.</li> <li>• The Department considers the potential impacts from traffic generation can be effectively managed through the CPTMP and recommends a condition in accordance with the requirements of TfNSW and RMS.</li> </ul>	<p>The Department recommends conditions securing a Construction and Pedestrian and Traffic Management Plan</p>

Lighting	<ul style="list-style-type: none"> <li>• In response to a request from the CPMPT, the Applicant provided a lighting strategy for the development.</li> <li>• The lighting strategy includes design guidelines for general circulation, urban furniture, planting, and building façade lighting.</li> <li>• General circulation lighting would include post-top and bollard luminaires, in-ground lights, adjustable spotlights and fixed LED strips for urban furniture. Façade lighting would include in ground up lighting, sill lights and linear LED's Urban furniture and planting lighting would include in-ground up lights, adjustable spotlights and linear LED's. All lighting is recommended to have constant colour temperature (CCT) of 3000 Kelvin.</li> <li>• The Department considers that the proposed lighting strategy is appropriate, however, the detailed design and specific location of lighting should be finalised in consultation with the CPMPT.</li> </ul>	The Department recommends a condition requiring a detailed lighting design for the site be undertaken in consultation with the CPMPT prior to the issue of a construction certificate.
Waste management	<ul style="list-style-type: none"> <li>• The Applicant submitted a revised Waste Management Plan (WMP) with the RtS which identifies waste sources and quantities and ensures all waste streams would be classified and disposed of in accordance with the Sydney DCP 2012 and Council's Policy for waste minimisation in new developments 2005.</li> <li>• The WMP outlines waste stream separation, bin and storage locations and collection and recovery procedures. Council advised it is satisfied that the proposed waste management strategy.</li> </ul>	The Department recommends a condition requiring compliance with the Waste Management Plan.
Archaeology	<ul style="list-style-type: none"> <li>• The Applicant provided an Archaeological Assessment and Work Method Statement (AAWMS).</li> <li>• Heritage NSW confirmed that the AAWMS is appropriate for the assessed level of archaeological potential and significance.</li> <li>• The Department is satisfied the proposal would not result in unacceptable archaeological impacts, subject to the recommend conditions including the implementation of an unexpected finds protocol.</li> </ul>	The Department recommends a condition requiring compliance with the AAWMS, including implementation of an unexpected finds protocol.
CPTED	<ul style="list-style-type: none"> <li>• The proposal is supported by a Crime Prevention Through Environmental Design (CPTED) report, which concludes the proposal provides good CPTED measures/characteristics particularly regarding activating the site outside of business hours.</li> <li>• The CPTED report provided several recommendations to ensure the proposal would not present a crime risk including lighting of entrances, external and internal wayfinding signage and CCTV.</li> <li>• The Department considers that subject to the implementation of the recommendations the proposal is not likely to present a crime risk.</li> </ul>	The Department recommends a condition requiring implementing the recommendations in the CPTED report.
Development contributions	<ul style="list-style-type: none"> <li>• Development contributions are required in accordance with the City of Sydney Council Section 7.11 Development Contributions Plan 2015 (Contributions Plan) as the development does not meet the Contributions Plan exclusions criteria.</li> <li>• Council has recommended a condition requiring the payment of \$544,844.48.</li> <li>• The Applicant originally sought an exemption but, in response to advice from Council, has agreed that contributions will be payable.</li> <li>• The Department agrees that development contributions are required in accordance with the Contributions Plan.</li> </ul>	The Department recommends Council's condition requiring the payment of \$544,844.48 in accordance with the Contributions Plan.
Tree protection measures	<ul style="list-style-type: none"> <li>• Council raised concerns that tree protection measures for the six trees located within the central plaza had not been considered by the Arboricultural report and recommended that the plaza not be used for vehicle access or storage of materials during construction.</li> <li>• The Department notes that the trees located in the plaza are all located outside the area of proposed works for the site and the</li> </ul>	The Department recommends a condition be imposed requiring additional details be submitted regarding tree

	<p>Applicant's proposes construction vehicle access and egress via Errol Flynn Boulevard, with no site access provided from the central plaza.</p> <ul style="list-style-type: none"> <li>Notwithstanding, the Department recommends a condition requiring the Applicant demonstrate that construction vehicle access and the storage of materials and equipment during construction, will not impact trees in the plaza.</li> </ul>	protection measures.
Tree pruning	<ul style="list-style-type: none"> <li>The Applicant sought approval for the pruning of two trees (trees 8 and 9) due to their proximity to the proposed NSW Swifts building. These trees are not within the site, but within the Lang Road reserve.</li> <li>Council considers that the proposed pruning of trees 8 (13%) and 9 (20%) was excessive and recommended that pruning be limited to 10%.</li> <li>The Department considers that Council is best placed to determine the impact on trees within its road reserve and recommends that the proposed tree pruning is not approved as part of the application and be subject to a separate application to Council.</li> </ul>	No conditions or amendments to the proposal are necessary.
Impact on property values	<ul style="list-style-type: none"> <li>Concern was raised in public submissions the proposal would have an adverse impact on property values.</li> <li>The Department notes impacts on property values is not a planning consideration under the EP&amp;A Act.</li> </ul>	No conditions necessary.
Lease value	<ul style="list-style-type: none"> <li>Concerns were raised in public submissions that the value of site lease should be made publicly available, so that the financial value to the CPMPT and the ongoing management of the Parklands can be quantified against the loss of the space within the RHI.</li> <li>The Department notes that matters relating to private contracts are not planning matters for consideration, and objections based on lease value are not able to inform the assessment of the application.</li> </ul>	No conditions necessary.



## 7. Evaluation

The Department has assessed the merits of the proposal, taking into consideration the issues raised in submissions and the Applicant's response to these, and is satisfied the impacts have been acceptably addressed in the proposal and through the recommended conditions. The Department concludes that the adaptive reuse of the Royal Hall of Industries will sensitively revitalise and increase public accessibility to a building of heritage significance and the impacts of the development can be appropriately mitigated through the implementation of the recommended conditions. It is recommended the application be approved, subject to conditions.

The proposed development is consistent with the objects of the EP&A Act, the State's strategic planning objectives for the site set out in the Sydney Region Plan, Eastern City District Plan and Moore Park Masterplan 2040. The proposal will transform a currently underutilised building into a high-performance sports training and administrative facility, strengthening the role of, and increasing public access to, high performance sporting facilities within Moore Park, while retaining the ability to function as a public event and community space. The proposal will also result in increased public access and appreciation of a building of heritage significance.

The internal mezzanine and fit out of the RHI is not fixed to significant heritage fabric, respects the alignment of existing window openings and internal columns, and retains an uninterrupted vista through the central vault space of the building. All insertions are designed to be reversible and have no long-term physical impact on significant heritage fabric.

The Department has considered the proposed recreation, sporting, and commercial uses and supports the activation of the RHI through the adaptive reuse. The proposal provides a central multi use sporting and events space capable of accommodating events of up to 1,000 people as well as a foyer and café area suitable for smaller functions. The RHI has a strong history of incorporating a variety of uses and the Department considers the proposal is appropriate having regard to the cultural heritage significance of the building as an events space.

External works to the heritage fabric are minor in the context of the overall building and restricted to within existing openings and areas not visible from the public realm. The Department recommends detailed heritage conditions suggested by Heritage NSW and Council to safeguard the heritage significance of the site.

The built form of the NSW Swifts building is adequately setback from and deferential to the RHI, appearing as a well-considered modern addition which responds well to its heritage context through its massing and detailed design. The building was reviewed by the SDRP and supported by Heritage NSW, GANSW and Council.

The Department is satisfied transport, parking and access to the site can be appropriately managed and recommends a loading dock management plan and event traffic and transport management plan be prepared to address traffic and servicing and minimise any adverse impacts within the site and to surrounding local streets. By using existing car parking within the EQ, the proposal also promotes sustainable transport options and provides end of trip and public domain bicycle parking.

The removal of four trees on Errol Flynn Boulevard to accommodate the new vehicle crossover is considered acceptable as the proposed landscaping, including additional 26 trees, will significantly increase tree canopy cover and biodiversity at the site. Mitigation measures to protect microbats and microbat roosting sites identified at the site will be developed and implemented in consultation with EES.

The proposal will provide 30 operational and 130 construction jobs and will result in a wide range of positive public benefits, including employment and recreation facilities in a central location, well served by public transport and increased public access to a building of heritage significance.



## 8. Recommendation

It is recommended that the Executive Director, Infrastructure Assessments, as delegate of the Independent Planning Commission:

- **considers** the findings and recommendations of this report; and
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the application;
- **agrees** with the key reasons for approval listed in the notice of decision;
- **grants approval** for the application in respect of **SSD 9726**
- **signs** the attached development consent and recommended conditions of consent (**see Appendix C**)

Recommended by:

Amy Watson

**Team Leader**

**Key Sites Assessments**

Recommended by:

Anthony Witherdin

**Director**

**Key Sites Assessments**



## 9. *Determination*

The recommendation is: **Adopted by:**

4/6/2020

David Gainsford

**Executive Director**

**Infrastructure Assessments**



# Appendices

Appendix A – List of Documents

Appendix B – Relevant Supporting Information

Appendix C – Statutory Considerations

Appendix D – Summary of the Consideration of Community Views Raised in Submissions

Appendix E – Recommended Conditions of Consent

## Appendix A – List of Documents

List of key documents relied on by the Department in its assessment:

- Environmental Impact Statement, Urbis Pty Ltd, dated June 2019
- Response to Submissions, Urbis Pty Ltd, dated November 2019
- Response to Request for Further Information, Urbis Pty Ltd, dated 30 January 2020

## Appendix B – Relevant Supporting Information

The following supporting documents and supporting information to this assessment report can be found on the Department's website as follows.

1. Environmental Impact Statement  
<https://www.planningportal.nsw.gov.au/major-projects/project/11286>
2. Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/11286>
3. Response to Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/11286>
4. Response to Request for Further Information  
<https://www.planningportal.nsw.gov.au/major-projects/project/11286>

## Appendix C – Statutory Considerations

To satisfy the requirements of section 4.15 of the EP&A Act, the Department’s assessment of the proposal has given detailed assessment to a number of statutory requirements. These include:

- the objects found in Section 1.3 of the EP&A Act
- the matters listed under Section 4.15(1) of the EP&A Act, including applicable EPIs and regulations.

The Department has considered these matters in its assessment of the proposal in **Table 10** and **Table 11**.

**Table 10** | Consideration of the proposal against the objects of section 1.3 the EP&A Act

Objects of the EP&A Act	Consideration
<p>(a) <i>to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources</i></p>	<p>The proposal will deliver jobs to enhance economic and social welfare, while not impacting on any natural or artificial resources, agricultural land or natural areas.</p>
<p>(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment</i></p>	<p>The Department has considered the proposal in relation to ESD principles. The Precautionary and Inter-generation Equity Principles have been applied in the decision-making process by a thorough assessment of the environmental impacts of the proposal.</p> <p>Overall, the proposal is generally consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&amp;A Act. In particular, the proposed development will target 5-star Green Star Design &amp; As Built v1.2 certified As Built rating and includes the following ESD initiatives and sustainability measures:</p> <ul style="list-style-type: none"> <li>• high performance building fabric and glazing for the new building</li> <li>• energy efficient heating, ventilation and air conditioning systems</li> <li>• use of low global warming potential (GWP) and ozone depletion potential (ODP) air coolant refrigerant for air-conditioning</li> <li>• timing sensors fitted to bathroom lighting and individual lighting control systems for office space</li> <li>• new skylights and clear glazing to increase natural light into the RHI</li> <li>• solar photovoltaic (PV) energy generation system on the roof of the new building</li> <li>• all bathroom fixtures (toilet pans, urinals, hand basin taps and showers) will meet minimum WELS ratings</li> <li>• provision of significant bicycle parking and End of Trip facilities within the RHI</li> </ul>

Objects of the EP&A Act	Consideration
(c) <i>to promote the orderly and economic use and development of land</i>	<ul style="list-style-type: none"> <li>• separate water metering for RHI and new building and for mains and reclaimed water</li> <li>• Building Management System for the complete operation of all mechanical plant, including reporting for tenants.</li> </ul> <p>The proposal involves the orderly and economic use of land through the adaptive reuse of an existing building in close proximity to existing services and with excellent access to public transport.</p> <p>The proposal will provide for high performance sports facility, medical use and public events, the merits of which are considered in <b>Section 6</b>.</p>
(d) <i>to promote the delivery and maintenance of affordable housing</i>	N/A
(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	<p>The proposal is supported by a Biodiversity Development assessment report and will not adversely impact on any native animals and plants, including threatened species, populations and ecological communities, and their habitats subject to recommended conditions, including additional surveys to determine the presence of micro bat roosts, and any required mitigation measures, to the satisfaction of EES.</p>
(f) <i>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)</i>	<p>The proposal would not have an adverse impact on the existing building or nearby heritage items or conservation areas. The Department has recommended conditions relating to the protection / preservation of heritage items (<b>Section 6</b>).</p>
(g) <i>to promote good design and amenity of the built environment</i>	<p>The proposal achieves a high standard of design as discussed at <b>Section 6.1</b></p>
(h) <i>to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants</i>	<p>The proposal was accompanied by a BCA Report that concludes the development is capable of complying with the requirements of the relevant sections of the Act.</p>
(i) <i>to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State</i>	<p>The Department publicly exhibited the proposal, which included consultation with Council and other relevant Government agencies.</p>
(j) <i>to provide increased opportunity for community participation in environmental planning and assessment.</i>	<p>The Department publicly exhibited the proposal, which included notifying adjoining landowners, Council, relevant Government agencies, a notice in the newspaper and displaying the proposal on the Department's website and at Council's office (see <b>Section 5</b>).</p>

**Table 11** | Section 4.15(1) Matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of relevant EPIs is provided in this Appendix
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations	The proposal satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation and Schedule 2 of the EP&A Regulation relating to an EIS.
(a)(v) repealed	Not applicable.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department has considered the likely impacts of the proposed development are acceptable and/or have been appropriate managed or mitigated by recommended conditions of consent ( <b>Section 6</b> and <b>Appendix F</b> ).
(c) the suitability of the site for the development	The site is suitable for the proposal, as discussed in <b>Section 6</b> of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period (see <b>Sections 5 and 6</b> ).
(e) the public interest	The proposal is in the public interest. Refer to <b>Section 6</b> of this report.

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy No 47 (Moore Park Showground) (SEPP 47)
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 (Remediation of Land)
- Draft State Environmental Planning Policy (Environment) (draft Environment SEPP)

#### **State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)**

The aims of the SRD SEPP are to identify SSD, State significant infrastructure (SSI), critical SSI and to confer functions on regional planning panels to determine development applications. The proposal is SSD as summarised at **Table 12**.

**Table 12** | SRD SEPP compliance table

Relevant Sections	Departments Consideration	Complies
<p><b>3 Aims of Policy</b> The aims of this Policy are as follows:</p> <p>(a) to identify development that is State significant development,</p>	<p>The proposed development is identified as SSD.</p>	<p>Yes</p>
<p><b>8 Declaration of State significant development: section 89C</b></p> <p>(1) Development is declared to be State significant development for the purposes of the Act if:</p> <p>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</p> <p>(b) the development is specified in Schedule 1 or 2.</p>	<p>The main component of the proposed development, being the “recreation facility indoor” use is permitted with consent by virtue of the Site Compatibility Certificate granted by the Secretary on 19 March 2020 issues under Clause 19 (5) of the ISEPP.</p> <p>The other uses being events, offices and medical facilities are permissible without consent or prohibited but are able to be considered as part of the SSD as outlined in <b>Section 4.3</b>.</p> <p>The site is specified in Schedule 2.</p>	<p>Yes</p>
<p><b>Schedule 2 State significant development —identified sites</b></p> <p><b>7 Development at Fox Studios, Moore Park Showgrounds and Sydney Sports Stadiums Site</b></p> <p>Development on land identified as being within Fox Studios, Moore Park Showgrounds and Sydney Sports Stadiums Site on the State Significant Development Sites Map if:</p> <p>(a) it has a capital investment value of more than \$10 million, or</p> <p>(b) it is for the purposes of an event that is not a sporting event on land described in Part 1 of Schedule 2 to the <i>Sydney Cricket and Sports Ground Act 1978</i>.</p>	<p>The site is within the area identified as the Fox Studios, Moore Park Showgrounds and Sydney Sports Stadiums Site on the relevant State Significant Development Sites Map. The capital investment value of the proposed development is approximately \$43 million.</p> <p>The development is not located on land described in Part 1 of Schedule 2 to the <i>Sydney Cricket and Sports Ground Act 1978</i></p>	<p>Yes</p>

**State Environmental Planning Policy No. 47 (Moore Park Showground) 2005**

THE State Environmental Planning Policy No. 47 (Moore Park Showground) 2005 (SEPP 47) includes a number of aims and objectives in relation to the redevelopment of Moore Park Showground and outlines the importance and significance of the precinct. The proposal complies with the relevant provisions of SEPP 47 as summarised at **Table 13**.

**Table 13** | SEPP 47 compliance table

Relevant Clause	Department's Consideration	Compliance
<p><b>3 Aims and Objectives</b></p> <p>(a) to enable the redevelopment of the Moore Park Showground in a manner that is consistent with its status as an area of importance for State and regional planning in New South Wales, and</p> <p>(d) to allow a range of film, television, video and related development, commercial uses associated with the film, television and video industry and other entertainment, recreational and educational activities on the Moore Park Showground, and</p> <p>(g) to recognise the heritage significance of the Moore Park Showground and protect any archaeological relics.</p>	<p>The Department is satisfied that the proposal provides recreational facilities that are consistent with the status of Moore Park as an area of importance for State and regional planning in NSW.</p> <p>The impacts of the development including heritage impacts have been assessed and considered to be acceptable (<b>Section 6</b>)</p> <p>The Applicant submitted an Historical Archaeological Assessment and Work Method Statement with the EIS. Heritage NSW considered the Work Method Statement is appropriate for the assessed level of archaeological potential and significance (<b>Section 6.6</b>).</p>	<p>Yes</p>
<p><b>15 Matters for consideration</b></p> <p>In addition to considering other matters referred to in section 90 of the Environmental Planning and Assessment Act 1979, in determining a development application, the consent authority must consider such of the following matters as are in the consent authority's opinion of relevance to the development:</p> <p>(a) the management of noise emanating from the development and the views of the Environment Protection Authority in relation to noise</p> <p>(b) traffic and parking generated by the development, measures to facilitate the use of public transport and the views of the Roads and Traffic Authority and Department of Transport,</p> <p>(c) the height, scale and bulk of the development and whether the development maintains the original road layout and vistas,</p> <p>(d) overshadowing impacts on open spaces and adjoining residential properties,</p> <p>(f) the extent to which the development is ecologically sustainable</p>	<p>The proposal is supported by NVIA and NMP. Noise impacts of the development have been considered in <b>Section 6.6</b> and are considered acceptable subject to the recommended conditions.</p> <p>Traffic and parking have been assessed by the Department in and the impacts are considered to be acceptable (<b>Section 6.3</b>).</p> <p>The height bulk and scale of the new building is in keeping with the RHI and is located in an historically back of house area and will therefore not affect the existing road layout and vistas.</p> <p>The proposal includes the adaptive reuse of an existing building and construction of a new building of lower height than the existing building. The shadow cast by the new building falls primarily within the existing RHI building shadow onto the adjacent road network. The proposal will not affect existing public open spaces or residential properties.</p> <p>Overall, the proposal is generally consistent with ESD principles and the Department is</p>	<p>Yes</p>

Relevant Clause	Department's Consideration	Compliance
<p>(g) whether there is contamination on the site, or asbestos is present in buildings, and remediation and validation of remediation so as to protect public health,</p> <p>(h) the appearance of external lighting at the site and measures to minimise spill,</p> <p>(i) the impact of the development on the amenity of the adjoining residential areas,</p> <p>(j) the provisions of the Conservation Strategy for the Moore Park Showground and the views of the Heritage Council,</p> <p>(k) how the proposed development would affect the heritage significance of the site and any relic known or reasonably likely to be located at the site.</p>	<p>satisfied the proposed sustainability initiatives will encourage ESD (<b>Table 14</b>)</p> <p>The application is supported by a Detailed Site Investigation (DSI) which indicates that the identified levels of onsite contamination do not pose a risk to human health, terrestrial ecology or inground structures. The Department recommends a condition requiring the preparation and implementation of an unexpected finds protocol in accordance with the recommendations of the DSI.</p> <p>The application is supported by a Lighting strategy. The Department recommends conditions secured detailed lighting design be submitted of approval prior to the issue of a construction certificate (<b>Section 6.6</b>).</p> <p>The application is supported by shadow analyses which demonstrates the shadow cast by the new building will not affect any residential properties.</p> <p>The application is supported by a Noise Impact Assessment (NIA) and Noise Management Plan (NMP) and which demonstrate that the proposal will not result in unacceptable noise impacts to residential properties during construction or standard hours of operation.</p> <p>The Department recommends a condition requiring the NMP be updated to address any potential noise impacts during special events outside of standard hours of operation.</p> <p>The application was supported by a Heritage Impact Statement (HIS) which assessed the proposal against the provision of the Conservation Strategy. Heritage NSW supports the proposal subject to the imposition of conditions (<b>Section 6.2</b>).</p> <p>Heritage and archaeological impacts of the proposal have been assessed and are considered to be acceptable (<b>Section 6.2</b>)</p>	

Relevant Clause	Department's Consideration	Compliance
<p><b>16 Floor space</b></p> <p>The consent authority must not grant consent to an application to erect or alter a building on that part of the Moore Park Showground shown diagonally hatched on the map if the total floor area of buildings within that part will exceed 144,000 square metres.</p>	<p>The proposed new building is located on the area of the map show Diagonally hatched and contained within the EQ Concept Plan (MP07_0144). The proposal will not result in floorspace within this area exceeding 144,000 m<sup>2</sup>.</p>	<p>Yes</p>

### State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

**Table 14** | ISEPP compliance

Clause	Consideration	Compliance
<p><b>18 Additional uses of certain State land permitted</b></p> <p>(1) In this clause, prescribed State land means State land that is—</p> <p>(a) not subject to a standard local environmental plan made as provided by section 3.20(2) of the Act, and</p> <p>(b) not zoned for conservation purposes under an environmental planning instrument, and</p> <p>(c) not a forestry area within the meaning of the Forestry Act 2012, and</p> <p>(d) not reserved under the National Parks and Wildlife Act 1974, and</p> <p>(e) not reserved under the Crown Land Management Act 2016 for a public purpose that, in the opinion of the Secretary, is an environmental protection or nature conservation purpose.</p> <p>(2) Development on land for a purpose that is permitted without consent by the zoning of that land may be carried out without consent on adjacent land that is prescribed State land despite any local environmental plan applying to that adjacent land.</p>	<p>The site is located on prescribed state land and the proposed Recreation Facilities (Indoor) use is permitted on adjacent land subject to the provisions of Sydney LEP 2012.</p> <p>There is a valid site compatibility certificate applying to the development granted by the Secretary of 19 March 2020.</p> <p>The permissibility of the proposed land use under the ISEPP is considered in <b>Section 4</b> of this report.</p>	<p>Yes</p>

Clause	Consideration	Compliance
<p>(3) Development on land for a purpose that is permitted with consent by the zoning of that land may be carried out with consent on adjacent land, despite any local environmental plan applying to that adjacent land, if—</p> <p>(a) there is a valid site compatibility certificate applying to the development, and</p> <p>(b) the adjacent land was prescribed State land when the Secretary issued the certificate.</p>		

### State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure potential contamination issues are considered in the determination of a development application. SEPP 55 requires the consent authority to consider whether the land is contaminated, and if so, whether the land is suitable for the purpose of the proposed development.

A Detailed Site Investigation (DSI) was submitted with the SSD application to determine the potential for onsite contamination. The DSI indicated the site is not included on the 'List of NSW Contaminated Sites Notified to EPA'. An area of contaminated land is located to the western side of Driver Avenue, however as this land is down-hydrogeological gradient from the site and will not impact the site.

Potential sources of contamination include fill imported prior to the construction of the RHI in 1913, hazardous materials from previous demolished structures, spills or chemical leaks and pesticide use below concrete slabs. Although metals, PAH, TRH and dieldrin were identified in the soil, the DSI considered that the concentrations levels do not pose a risk to human health, terrestrial ecology or inground structures for the proposed development. The DSI considered that the site is suitable for the development subject to the preparation of an Unexpected Finds Protocol (UFP).

The Department is satisfied the proposed development is consistent with the provisions of SEPP 55 and suitable for its intended use. The Department recommends a condition requiring the preparation and implementation of an unexpected finds protocol in accordance with the recommendations of the DSI.

### Draft Remediation of Land State Environmental Planning Policy

The Explanation of Intended Effect for a Draft Remediation of Land SEPP was exhibited until 13 April 2018. The Draft Remediation of Land SEPP proposes to better manage remediation works by aligning the need for development consent with the scale, complexity and risks associated with the proposed works. As the proposal has demonstrated it can be suitable for the site, subject to conditions, the Department considers it would be consistent with the intended effect of the Remediation of Land SEPP.

## Appendix D – Community Views for Draft Notice of Decision

A summary of the Department’s consideration of the issues raised in submissions is provided at 15.

**Table 15** | Department's consideration of key issues raised in submissions

Issue raised	Consideration
Loss of venue for large events and public accessibility	<ul style="list-style-type: none"> <li>• The Department has carefully considered the concerns raised about the loss of capacity of the RHI to hold large events. However, the Department considers that the proposal offers a number of key benefits compared to the current and recent use of the RHI and supports the proposal for the following reasons               <ul style="list-style-type: none"> <li>○ the building is currently underutilised and outside of a small number of specific events, is inaccessible to the public</li> <li>○ the adaptive reuse of the RHI has been designed in a in a flexible manner to accommodate a range of uses and events</li> <li>○ the combined café/foyer area will be available to hire on evenings and weekends for use by schools, local clubs, charities and community groups for events of up to 200 patrons</li> <li>○ out of season the central multipurpose space can be hired for larger scale special events of up to 1000 people.</li> <li>○ the netball court will be available to local netback clubs for training</li> <li>○ while the capacity and availability of the building to host large scale events will be reduced, the proposal will result in increased public accessibility whilst still retaining capacity for larger scale events within the building</li> <li>○ alternative larger capacity venues are available within the central Sydney area including the International Convention Centre in Darling Harbour.</li> </ul> </li> </ul>
	<p>Recommend conditions</p> <ul style="list-style-type: none"> <li>• Events and Operational Management Plan</li> </ul>
Heritage impacts	<ul style="list-style-type: none"> <li>• The Department has carefully considered the potential heritage implications of the proposal and is satisfied that the proposed adaptive reuse and associated works will not result in adverse heritage impacts.</li> <li>• The works to the RHI are loose fit and structurally independent of original fabric and retain the volume of the central vault.</li> <li>• External works are restricted to within existing window and door openings or in the case of the roof lights and plant, contained within the existing roof valley and screened from public view.</li> <li>• The proposed new building is located in an historically back of house area of the site and would read as a sensitive modern infill, which would not have an overbearing impact on, or affect the appreciation of the RHI</li> <li>• All works are reversible.</li> </ul>

#### Recommended conditions

- heritage interpretation
- details of all new window and doors, demonstrating heritage interventions into the heritage fabric of the building is minimised
- details of all fixings of structures to original fabric including the waste storage unit and proposed railings
- photographic archival recording of all heritage fabric
- storage of all removed heritage fabric on site.

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#### Trees

- The proposal results in the removal of four Spotted Gums on Errol Flynn Boulevard to accommodate the new vehicle crossover, however results in the planting of 26 new trees on site,
- The Department considers the removal of the proposed trees is acceptable as the proposed new crossover will improve servicing and access to the site. In addition, the proposed additional 26 trees will significantly increase canopy cover, habitat and visual amenity on site compared to the existing situation.
- The applicant confirmed that all trees to be retained would be protected during the demolition and construction stages of the development.

#### Recommended conditions:

- Tree protection measures and management during excavation and construction.

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#### Permissibility

- The site is adjacent to land zoned RE1 in the Sydney LEP 2012, which permits Recreation Facility (Indoor) use with consent.
- A site compatibility certificate for the development was granted by the Secretary on 19 March 2020.
- The proposal is therefore permitted with consent on site by virtue of clause 18(3) of the ISEPP.
- The event, office and medical facility uses are either permissible without consent or prohibited however are considered to form important components of the high-performance sports training and administrative facility and are able to be approved as part of the SSD application.

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#### Traffic impacts

- The proposal includes nine car parking including one accessible parking space. The Department concludes the proposed parking provision is appropriate noting the site is well served by public transport and the sufficient spare parking capacity within the adjacent EQ Car park.
- The Applicant will prepare and implement a GTP to encourage sustainable travel choices for staff, players and visitors to the site.
- The proposal results in only a minor increase in vehicle movements during peak periods and has a minimal impact on the surrounding road network and performance of intersections.

#### Recommended conditions:

- Restrict the car parking to nine spaces
- Preparation and implementation of a GTP.

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#### Compatibility with

- The Department considers that the proposed office use component of the development is compatible with surround land uses as:

- surrounding land uses
- the office component comprises only 36% of the proposed floorspace and is located mainly at first floor level, with main frontages and entrances of both the RHI and new building incorporating active uses which engage with the public realm.
  - the RHI proposal includes a café and foyer area to the main northern entrance of the RHI increasing activation of this frontage and public accessibility within the building compared to the existing situation
  - the new building includes a publicly accessible foyer and netball court fronting Errol Flynn boulevard with offices located to the rear of the site and at first floor level.
  - the proposed office floors space will not result in any adverse impacts in terms of traffic, parking or access
  - the proposal will not have the general characteristic of an office building and provide active frontages which engage with public realm and increase public access of the building and site compared to the existing situation.

- Precinct strategy
- The Department notes that no works are proposed to the public domain outside the site and considers that the development of a precinct strategy is outside the scope of an application of this type and scale.
  - The Department considers that the Applicant has adequately demonstrated that the proposed site landscaping design aligns with the proposed works to the plaza and Hordern Pavilion to the north.

Recommended Conditions

- Submission of plans confirming that the proposed site landscaping, including furniture, paving, levels and drainage integrates with the works to the plaza, prior to the issue of the Construction Certificate.

- Property values
- Matters relating to the private contracts of sale and/or value of properties are not planning matters for consideration and therefore objections based on loss of property value are not able to inform the assessment of the application.
  - Notwithstanding, the Department has assessed the merits of the application and concludes, subject to conditions, the proposal has acceptable impacts, and thereby there is no evidence to suggest that it would adversely impact on property values

- Lease value
- The Department notes that matters relating to private contracts are not planning matters for consideration and therefore objections based on lease value are not able to inform the assessment of the application.
  - The Department has assessed the merits of the application and concludes that the proposed uses within the RHI are appropriate.

## Appendix H – Recommended Instrument of Consent/Approval

The recommended conditions of consent (SSD 9726) can be found on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/11286>