



***SEPP No
47— Moore
Park
Showground
(Amendment
No 3)***

*Summary of Submissions
to the Explanation of
Intended Effect*

November 2018

November 2018

© Crown Copyright, State of NSW through its Department of Planning and Environment 2018

Disclaimer

While every reasonable effort has been made to ensure this document is correct at time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in this document. This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.

Contents

Introduction	4
Purpose of report	4
Background	4
Consultation	5
Overview of Submissions	5
Issues raised in submissions	6
Response to submissions	7

Introduction

Purpose of report

This document provides a summary of feedback received during the exhibition of an explanation of intended effect (EIE) for the proposed State Environmental Planning Policy No 47— Moore Park Showground (Amendment No 3).

The EIE was exhibited for a period of 2 weeks, from 9 November 2018 to 23 November 2018.

Background

The NSW Government proposes to redevelop the Sydney Football Stadium (SFS), which adjoins the Moore Park Showground Precinct. As a result, a number of activities and businesses currently operating within the SFS must relocate whilst the stadium is being redeveloped. These uses include training facilities for the Sydney Roosters football club, associated administration offices and meeting rooms, health facilities such as a sports medicine clinic and medical imaging, a gymnasium and associated facilities/services.

The Sydney Cricket and Sports Ground Trust, with the authorisation of the NSW Minister for Sport, is proposing to temporarily locate these uses to the Entertainment Quarter, located within the Moore Park Showground Precinct for a four-year period. Due to permissibility issues arising from the current provisions of the State Environmental Planning Policy No 47 - Moore Park Showground (SEPP 47) and concept plan approval applying to the site, planning approval cannot be granted to permit the temporary relocation of these uses.

The proposed amendment to the SEPP No 47 will make health service facilities, commercial premises, recreation facilities and temporary demountable buildings permissible as complying development in certain areas of the Moore Park Showground Precinct for a four (4) year period ending on 1 January 2023.

Consultation

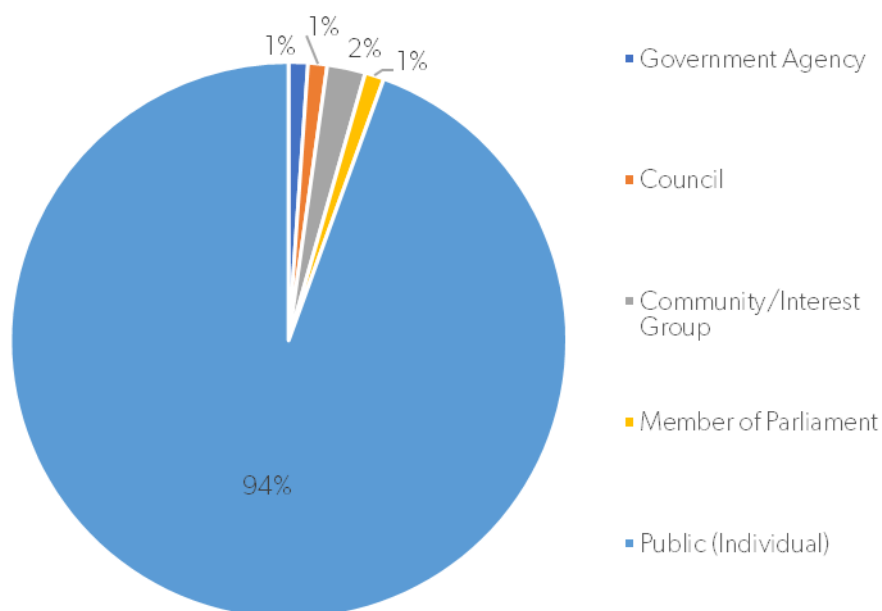
An EIE outlining the proposed amendment was exhibited for a period of 2 weeks, from 9 November 2018 to 23 November 2018.

Overview of Submissions

89 submissions were received in response to the exhibition. 85 of these were individual submissions and 2 were submissions by community and interest groups.

A submission from the City of Sydney Council and Alex Greenwich, Member of the New South Wales Legislative Assembly were received opposing the proposed amendments.

The Sydney Cricket and Sports Ground Trust made a submission in support of the proposal.



The submissions received, excluding those requesting confidentiality, have been published and are available on the Department's website at:

http://planspolicies.planning.nsw.gov.au/index.pl?action=view_job&job_id=9722

Issues raised in submissions

Except for the submission from the Sydney Cricket and Sports Ground Trust, all other submissions opposed the proposed amendments, due to the following concerns:

- the loss of public open space, parkland and the privatisation of public land for commercial interests;
- the appropriateness of the proposed uses and inconsistency with the nature of the cultural and creative precinct;
- the timing of the proposed SEPP amendments prior to the determination of the stadium redevelopment application;
- the appropriateness of permitting a private certifier to approve developments on public land;
- the loss of Byron Kennedy Hall for functions and community events;
- the amendments will lead to further changes in the intention of the original SEPP and these temporary proposals may turn into permanent arrangements;
- lack of context or master planning for the proposed works due to this being a 'spot' rezoning and a piecemeal approach;
- insufficient time to comment on the proposed amendments;
- expansion of the SCG Trust activities into the Entertainment Quarter with no information regarding the long-term plans for these facilities after the redevelopment of the stadium; and
- no consideration of the proposed amendments against the Eastern City District Plan.

Other concerns included general opposition to the Sydney Football Stadium redevelopment and concerns regarding the impact of the construction of the light rail on Moore Park.

Two submissions raised concerns regarding impacts to the heritage values of the site, including one from the National Trust of Australia. The Royal Agricultural Society Showground Urban Conservation Area is listed on the National Trust Register but there are no other statutory heritage listings applying to the site. The National Trust has raised concerns that the complying development pathway does not allow for an assessment of the proposed works, and that there are no requirements that any alterations to existing buildings are reversible or be removed at the end of the temporary period.

The second submission raised concerns regarding the proposed works to the heritage value of Byron Kennedy Hall. In particular, the submitter considers that the proposed uses are not compatible uses, would detract from the setting of the building and the aesthetic value of the front façade, there is no provision for interpretation or maintenance.

The Sydney Cricket and Sport Grounds Trust submission indicated that the temporary relocation of uses to the Entertainment Quarter also includes a proposal to locate the Sydney Swans and AFL NSW & ACT sports administration offices in suites 220-2A and 2B of building 220. The submission requested that, in line with the key objective outlined in the EIE, building 220 be added to the land on which the proposed complying development pathway applies. The addition of this building would ensure that the changes facilitate the temporary relocation of existing businesses and uses to the Entertainment Quarter as part of the Sydney Football Stadium redevelopment.

Response to submissions

The Department has reviewed and considered the feedback and suggestions provided by submissions. It is considered that the development standards and conditions imposed by the proposed amendments are adequate to respond to concerns regarding the consistency of the uses with existing buildings and uses of the Entertainment Quarter and that no alterations to the amendments proposed are required.

In particular:

- the uses will be located within existing buildings and on a former coach car park, and therefore will not result in the loss of any open space or parkland in the precinct. Additionally, public access throughout the site will not be diminished by the development;
- the temporary nature and restricted location set out in the proposed amendments will ensure that the predominant nature of the precinct for film, television and public entertainment purposes will not be diminished;
- the proposed SEPP amendments, whilst facilitating certain premises to relocate from the stadium, are separate to the application for redevelopment of the stadium and therefore the timing of the SEPP amendments is unrelated to the determination of the stadium application;
- the complying development pathway is considered appropriate given the imposition of development standards and the relatively simple, low impact nature of the uses permitted by the amendment;
- SEPP 47 currently provides a range of permissible uses for Byron Kennedy Hall extending beyond functions and community events. There remains adequate space elsewhere in the Moore Park Showgrounds where this use may continue, as appropriate. Additionally, it is noted that following the four year temporary commercial administration use, the Byron Kennedy Hall will again become available for any of the existing permissible uses, including functions and community events;
- the proposed amendments to SEPP 47 are temporary and apply to a small portion of the site and therefore will not materially alter the intended planning outcome of the SEPP. Any further amendments to SEPP 47 will be required to undergo a consultation and review process;
- the proposed amendments do not alter the underlying zoning and planning controls contained within the SEPP, and a master planning approach is not required due to the temporary and discreet nature of the proposed amendments;
- a two-week time frame was considered sufficient time for consultation on the proposed amendments given that the proposed amendments are temporary and straightforward;
- the proposed activities and businesses relocated from the SCG into the Entertainment Quarter is permitted for four years only, and these businesses will be required to cease operating in this location by 1 January 2023. Whether these businesses relocate back to the stadium after redevelopment or relocate elsewhere is not a planning matter to be addressed in the SEPP; and
- the Eastern City District Plan identifies the Moore Park area as a precinct for a diverse range of cultural, creative educational and recreational endeavours and notes there is potential to grow the opportunities of this precinct. The proposed amendments will not hinder the delivery of any actions identified in the District Plan.

In relation to heritage concerns raised regarding the proposed amendments, it is noted that no buildings on the site are listed in an environmental planning instrument as specific items of environmental heritage, however there is a 1996 Conservation Strategy for Moore Park Showgrounds applicable to the site. The proposed works are low scale, temporary and reversible, and the provisions of the SEPP specifically require the uses to cease and works to be removed at the end of the four-year period. On this basis, it is considered that the proposed amendments will have minimal impact on the heritage value of the site.

In response to the Sydney Cricket and Sport Grounds Trust submission, building 220 has been added to the amendments. This addition is in line with the aim outlined in the EIE to facilitate the temporary relocation of businesses and uses to the Entertainment Quarter as part of the Sydney Football Stadium redevelopment. A restriction will be applied to restrict the use of the complying development pathway to only apply to an area of 766sqm of building 220.