

15 August 2022

2220427

Sally Hamilton
Director, Environment and Planning
Sydney Olympic Park Authority
Level 8, 5 Olympic Boulevard
Sydney Olympic Park NSW 2127

Attention: Vivienne Albin (Senior Manager, Planning)

Dear Vivienne,

Statement of Environmental Effects/Development Application Pod C P5 Carpark Sydney Olympic Park – Proposed Filming

This Statement of Environmental Effects (SEE) is submitted to the Sydney Olympic Park Authority in support of a Development Application (DA) for the temporary use of land for filming purposes at Pod C P5 Carpark, Hill Road, Sydney Olympic Park.

This SEE has been prepared by Ethos Urban on behalf of K25 Productions Pty Ltd. This report describes the site, its environs and the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

It is noted that filming and ancillary activities are generally considered Exempt Development pursuant to Clause 2.113 and 2.115 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP). However, as the scope of this production requires the erection and maintenance of temporary filming structures for more than 30 days in a 12 month period, development consent is required.

This SEE should be read in conjunction with the following supporting documentation appended to the report:

- Filming Management Plan (including Site Plan) prepared by K25 Productions (**Attachment A**);
- Risk Assessment & Safety Management Plan prepared by K25 Productions (**Attachment B**);
- Noise Impact Assessment prepared by Renzo Tonin (**Attachment C**);
- Lighting Management Plan prepared by Stephen Johnson (**Attachment D**);
- Waste Management Plan prepared by K25 Productions (**Attachment E**);
- Location Sustainability Guidelines prepared by NBC Universal (**Attachment F**); and
- Engineering Certificate for proposed temporary container wall by Event Engineering (**Attachment G**).

1.0 Background

In May 2022, Universal Pictures announced that as a result of location incentives offered by both the Federal and NSW Governments, filming of the feature film, *The Fall Guy*, will take place in Sydney and New South. The project is supported by Create NSW/Made in NSW fund which attracts significant international screen projects to NSW. The production is expected to inject more than \$244 million into the Australian economy supporting local businesses as they continue to rebound from the pandemic. In addition, over 1000 Australian cast and crew and more than 3000 extras will be employed on the film between June of this year and March 2023. The director is American filmmaker David Leitch a former actor, stunt performer and stunt coordinator, and Ryan Gosling will play the lead. The Fall Guy will feature sequences including some of Sydney's iconic places and infrastructure (specifically the Harbour Bridge and Opera House).

3.0 Description of the proposed development

Duration of Temporary Site Use

This application seeks the temporary use of land for filming and ancillary purposes for a temporary period of approximately 6 months commencing on 5 October 2022 and completing bump-out no later than 24 March 2023.

During this period the filming site and set will be established and maintained, however, filming is only expected to occur on a total of approximately 30-35 days. Outside of these filming days, production will occur at other offsite filming venues not associated with this DA.

Proposed Filming Duration

Of the 30-35 days on which filming is expected to occur at the site, it is envisaged that the majority of these will occur during daytime hours. Night-time filming would occur on no more than five (5) occasions. The proposed hours of filming would be as follows:

- Day time filming (Monday to Sundays) – 7am to 5pm
- Night time filming (Mondays to Sundays) – 7pm to 5am (following day) – **maximum of five (5) occasions**

An indicative filming schedule is provided at **Attachment**

Nature of Proposed Filming Activities

Filming at the site will include a range of activities within and around the designated set area. Filming may include the use of vehicles and cranes etc.

Drones may be used for filming and stunt purposes on filming days. A Drone Management Plan would be prepared and submitted to SOPA prior to the usage of drones at the site. All drone usage would be in accordance with the requirements of the *Civil Aviation Safety Regulations 1998*.

There is no pyrotechnics activity currently planned to support the proposed filming, however, this may change and consent is sought for the use of pyrotechnics. Prior to the bringing of any pyrotechnics onto the site, a Pyrotechnics Management Plan would be prepared by a suitably licensed pyrotechnics technician and submitted to SOPA for approval. All use of pyrotechnics on the site must comply with the *Explosives Act 2003*, *Explosives Regulation 2013*, the Australian Explosives Code and Australian Standard AS 2187 'Explosives- storage, transport and use'.

No helicopters are proposed to be used at the site.

During night time filming, lighting would be used to illuminate the site and set. All lights would be shuttered to contain lighting within the site.

Nature of Proposed Structures

Development to support the proposed filming would include the temporary accommodation of:

- A demountable toilet block
- A demountable office
- 6 storage containers
- 4 lighting cranes
- 60 (approximately) stacked, empty containers for a blue screen wall
- 3 x 3 cubic meter waste skips
- Portable generators.
- Other miscellaneous structures comprising the set, including fixed and moveable structures, and other structures necessary to support the use of the site for filming.

A site plan showing the indicative site layout is provided at **Figure 3** and **Attachment A**.

Traffic and Parking

Limited parking would be provided within the site. Ample public paid parking is provided at the existing Pod A of the P5 Car Park, where any additional site attendees would be able to park on a commercial basis. Additional transportation (bus etc.) may be arranged by the proponent where necessary to facilitate efficient movement between filming at the site and other locations. Buses would be able to park at the P5 Pod A Car Park or other bus/coach parking within the vicinity. Route 526 also provides public bus services to Wentworth Point and Rhodes frequently throughout the day and night.

Community Notification

In addition to the DA notification by SOPA, the Proponent will notify nearby residents at the following stages:

- At least 72 hours prior to any night time filming.
- At least 72 hours prior to any use of pyrotechnics.

Notification would be via mail and/or electronic communications and would include details of the relevant proponent contact and complaints procedure.

Sustainability and Waste Management

Management of all Universal productions are carried out in accordance with the Location Sustainability Guidelines (**Attachment F**) which would apply to this project. A Waste Management Plan (**Appendix E**) has also been prepared.

Further Operational Details

A Filming Management Plan prepared by K25 Productions containing further proposed operational details is provided at **Attachment A**. This includes details of site management, emergency management and safety protocols.



Figure 3 Proposed Site Plan

Source: K25 Productions

4.0 Assessment of planning issues

The following is our assessment of the environmental effects of the proposed development. The assessment includes only those matters under section 4.15(1) of the EP&A Act that are relevant to the proposal.

4.1 Environmental Planning Instruments and Development Control Plans.

4.1.1 State Environmental Planning Policy (Precincts—Central River City) 2021

The site is identified as part of a 'State Significant Precinct,' subject to Chapter 2 of State Environmental Planning Policy (Precincts—Central River City) 2021 (PCRC SEPP), formerly State Environmental Planning Policy (State Significant Precincts) 2005. As a result, the site is subject to the controls described in Appendix 4 – Sydney Olympic Park site.

Clause 11 of Appendix 4 identifies the land zoning as RE1 Public Recreation, which allows the following development with consent (emphasis added):

*boat sheds; car parks; caravan parks; community facilities; depots; entertainment facilities; environmental facilities; **filming**; food and drink premises; heliports; information and education facilities; kiosks (but only if the gross floor area is 30m² or less); major events; markets; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); research stations; signage; water recreation structures.*

As such, the proposal is permitted with consent. Clause 16B, which governs the temporary use of land, also stipulates that development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months, which this development complies with.

Development Standards

The proposal has been assessed against relevant development standards set out in the PCRC SEPP at **Table 1**.

Table 1 Central River City SEPP Assessment

16B Temporary use of land	
(3) Development consent must not be granted unless the consent authority is satisfied that—	
(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with Chapter 2 and any other applicable environmental planning instrument, and	The proposed use is temporary in nature and includes restoring the site to its condition prior to the commencement of filming activities.
(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and	The proposed use is well isolated from sensitive land uses, and the existing development offers little amenity.
(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and	The proposed filming has negligible environmental impacts and will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards.
(d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.	The site will be restored to its condition prior to the commencement of filming activities.
24 Major events capability	
(2) Consent must not be granted to development on land within the Sydney Olympic Park site, if the consent authority is satisfied that during major events held within the Sydney Olympic Park site—	
(a) traffic generated by the development is likely to cause the local road network and connections to the regional road network to become saturated or otherwise fail, and	Traffic as a result of the proposal will be temporary in nature and is unlikely to cause any road network to become saturated. See Section 4.2 .
(b) the development is likely to prevent the effective management of crowd movement and transport services, and	The development will not prevent the management of crowd movement and transport services, and is removed from areas of high person and vehicle traffic.
(c) the development is likely to compromise the effective functioning of major event infrastructure, and	The proposal is temporary in nature and pertains to largely surplus infrastructure unlikely to compromise the operation of major events.

	Bump-out from the site is intended to be completed by 24 March 2023, being approximately two weeks prior to the opening of the 2023 Sydney Royal Easter Show, in order to avoid any potential impacts on the functioning and bump-in of major event infrastructure associated with the Show.
(d) the development conflicts with the emergency management plans of government agencies or the emergency evacuation plans of major event venues.	The proposal does not conflict with any emergency management plans.
25 Transport	
Development consent must not be granted for development on land within the Sydney Olympic Park site unless the consent authority is satisfied that the development includes measures to promote public transport use, cycling and walking.	A condition of consent may be applied to ensure that all members of cast and crew are made aware of public and active transport options to reach the site. These include one of numerous cycleways around SOP that directly adjoins the site, local bus services and SOP train station, located approximately 15-20 mins walk from the site.
26 Masterplan	
<p>(1) Development consent must not be granted for development on land within the Sydney Olympic Park site to which a master plan applies unless the consent authority has considered that master plan, except as provided by subsections (2) and (3).</p> <p>(2) Consideration of a master plan is not required if the consent authority is satisfied that—</p> <p>(a) the development involves a temporary use of the land, and</p> <p>(b) the development is of a minor nature.</p>	As the proposed development is temporary in nature, the Master Plan does not apply.

4.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2: Coastal Management

The site is located on land mapped as being within the Coastal Wetland Proximity Area (**Figure 4**) under Chapter 2 of State Environmental Planning Policy (Resilience and Hazards) 2021. The proposed development is consistent with the requirements of the SEPP in respect of this area as it:

- Will not impact on the biophysical, hydrological or ecological integrity of the adjacent coastal wetlands, as the development is for the temporary use of land only, does not involve any changes to existing ground water flows or vegetation removal, and includes measures to mitigate the impact of development on the local environment; and
- Will not impact on the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland as no changes to existing ground surfaces or stormwater flows are proposed.

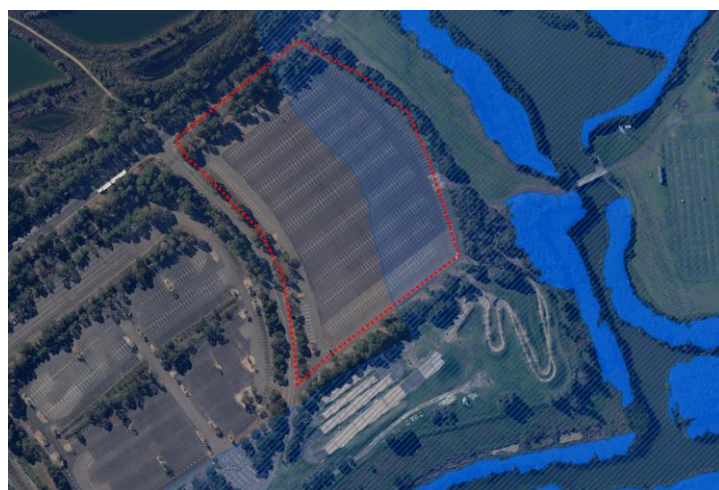


Figure 4 Extract from Coastal Wetlands (blue fill) and Proximity Area (hatch) (site boundary in red)

Source: NSW Planning Portal, annotated by Ethos Urban

Chapter 4: Remediation of Land

The proposed development involves the temporary use of land, and would not involve disturbance to existing ground conditions proposed as a result of the development. All existing car parking surfaces will be retained throughout the duration of the temporary use. The development does not involve any permanent change of use from the current car parking use. Accordingly, the site may be considered to be suitable for the proposed development in its current state.

4.1.3 Sydney Olympic Park Authority Act 2001

Any development not subject to the SOP Town Centre controls outlined in the Master Plan, must be consistent with the objects and functions of SOPA concerning the Parklands as described in Sections 28 and 29 of the Sydney Olympic Park Authority Act 2001 (SOPA Act). They are as follows:

28 Authority's objects concerning the Millennium Parklands

The objects of the Authority in relation to the Millennium Parklands are as follows—

- (a) to maintain and improve the Millennium Parklands,*
- (b) to encourage the use and enjoyment of the Millennium Parklands by the public by promoting and increasing the recreational, historical, scientific, educational and cultural value of the Millennium Parklands,*
- (c) to maintain, in accordance with any relevant plan of management referred to in this Part and the regulations, the public's right to the use of the Millennium Parklands,*
- (d) to ensure the protection of the environment within the Millennium Parklands,*
- (e) in relation to the Newington Nature Reserve, to ensure the achievement of the purposes for which the nature reserve is deemed to be dedicated under section 49 (3) of the National Parks and Wildlife Act 1974,*
- (f) such other objects, consistent with the functions of the Authority in relation to the Millennium Parklands, as the Authority considers appropriate.*

29 Authority's functions concerning the Millennium Parklands

The Authority has the following functions in relation to the Millennium Parklands—

- (a) to maintain the Millennium Parklands,*
- (b) to permit the use of the whole or any part of the Millennium Parklands for activities of a recreational, historical, scientific, educational or cultural nature,*
- (c) to exercise such other functions of the Authority as are necessary or convenient in order to give effect to any relevant plan of management referred to in this Part.*

The proposed filming activities are consistent with the above as:

- They offer a major cultural contribution to the parklands and Sydney;
- The film will include Sydney's iconic places and infrastructure; and
- The proposed activity utilises surplus carparking space that does not contribute to the protection of the environment nor recreational, historical, scientific, educational and cultural value of the Millennium Parklands.

4.2 Traffic and Parking

The proposed development is expected to result in negligible and temporary traffic impacts. Parking demand during peak periods (filming days) is able to be readily accommodated through existing capacity within the public car park at Pod A of the P5 Car Park as well as through limited on-site parking. The P5 carparking facility is generally underused and sees usage only on the occasion of major events within SOP, with parking demand able to be accommodated at other major car parks during these infrequent events. Further, Pod A of P5 will remain available for carparking, as well as numerous other facilities within SOP. As a result, it is expected that the impact on overall parking capacity is minor in nature.

Traffic management will be implemented as required for heavy vehicle and/or container delivery. It is proposed that larger vehicles enter via the P5 Loop Road and enter the carpark at the south-west corner with bollards to be removed. The Traffic Guidance Scheme can be seen at **Figure 5**. Additionally, a Safety Risk Assessment & Safety Management Plan has been prepared by Expert Safety and is made available at **Attachment B**.

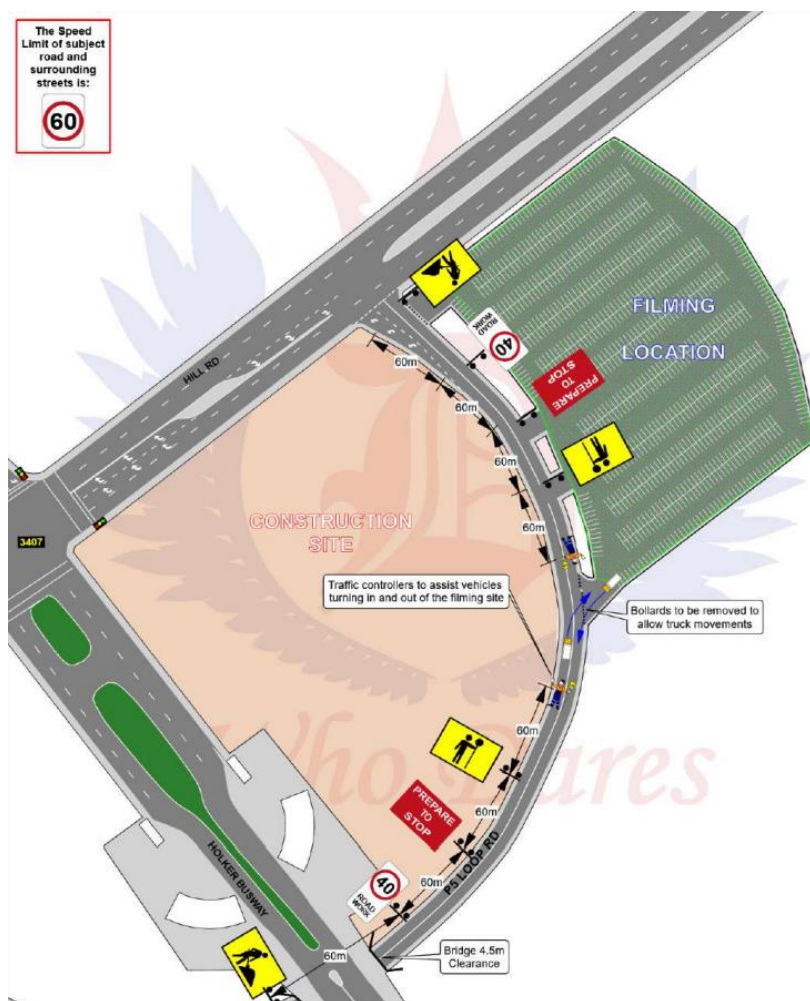


Figure 5 Traffic Guidance Scheme

Source: Who Dares Pty Ltd

4.3 Noise Impacts

A Noise Impact Assessment (NIA) has been prepared by Renzo Tonin & Associates (**Attachment C**), which considers the noise impacts of worst-case noise impacts associated with the proposed filming, including the use of pyrotechnics.

Based on the predicted operational noise levels presented in the table above, predicted noise levels at the nearest receivers generally comply with the nominated criteria for all time periods during filming activities. Receiver R1 (Blaxland Ave, Newington), would experience up to 2 dB(A) exceedance during the night period for filming activities when pyrotechnics are used. The NSW Noise Policy for Industry (EPA, 2017) states that exceedances of up to 2 dB(A) are considered negligible and would not be discernible by the average person. Therefore, noise impacts at Receiver R1 due to the filming activities, including the use of pyrotechnics, are considered to be in compliance and would not warrant receiver based treatment of controls. A sleep disturbance assessment was also undertaken with consideration to the use of pyrotechnics during night time period. This assessment found that the use of pyrotechnics is unlikely to cause awakening reactions at the nearest residential receiver.

The predicted noise conditions are not inconsistent with the noise environment created elsewhere within the Sydney Olympic Park events precinct, including during night time periods, and major noise generation is not expected to occur frequently. Whilst the NIA has assessed the impact of night time filming using pyrotechnics, it is noted that filming during night time periods would not occur on more than five (5) occasions and use of pyrotechnics is not currently planned. Accordingly, the impact of noise on residential, commercial and environmental receivers is considered to be in acceptable and keeping with the existing local noise environment.

Notwithstanding the above, the Proponent has also committed to the prior notification of nearby residential receivers (refer **Section 3.0**) in advance of any night time filming and use of pyrotechnics, in order to allow residents to take additional noise mitigation measures (closing windows etc.) in advance of night time filming.

4.4 Light Spill

A Lighting Management Plan has been prepared by Stephen Johnson (**Attachment D**). For filming at night, lights will be shuttered and will be directed away from nearby receivers. The area lit will be contained to the set and surrounds, with the perimeter of the site remaining unlit. The general lighting strategy for night filming is to create pools of light rather than saturate the area with bright lights. This will ensure that lighting impacts during the rare (less than 5 occasions) night time filming periods will not result in any significant impacts on the local environment. Outside of night filming periods, lighting will be only as required for site safety and will be required to comply with Australian Standard AS 4282 'Obtrusive Effects Of Outdoor Lighting'. Having regard to this assessment, the proposed lighting impacts are considered to be acceptable.

4.5 Visual Impact

The filming will have negligible visual impacts. The proposed temporary structures have limited visual exposure and are hidden from public view by a fence. Other view lines are already obscured by ongoing construction work on URBNSURF Sydney, which is expected to continue throughout the filming period.

4.6 Security

Due to the high profile of the film, in coordination with SOPA, the production company will have security in place to secure the site during filming. Security presence will be 24/7. All points of entry to the set and support areas will be manned, and entry to the site will be by an accredited staff only. During filming, all potential points of entry will be monitored by roving security personnel.

4.7 Waste Management

A Waste Management Plan (WMP) has been prepared (**Attachment E**) that will be adhered to that identifies materials coming to site, their re-use or recycling onsite, and their eventual disposal. The primary construction materials on site will be plywood, MDF, timber and steel. Paper and food waste will be placed in waste skips and removed regularly by a licensed recycling or disposal company. Production will also occur in accordance with the Sustainability Strategy provided at **Attachment F**.

4.8 Social and Economic Impact

A Universal movie with international reach filming in Sydney will lead to an upgrade in skill and expertise for crew, stunt performers and actors, and benefit small businesses supplying material for the project. Local contractors will be used for roads, fencing and supporting facilities on site at Homebush. The production is expected to inject more than \$244 million into the Australian economy supporting local businesses as they continue to rebound from the pandemic. In addition, over 1000 Australian cast and crew and more than 3000 extras will be employed on the film between June 2022 and March 2023.

4.9 Public Interest

The proposal is in the public interest as:

- It is a productive use of typically vacant surplus parking land;
- It creates jobs and economic activity and increases skill levels of local film practitioners;
- It realises the incentives and support facilitated by Create NSW which attracts significant international screen projects to NSW; and
- It publicises Sydney and its iconic landmarks and infrastructure.

5.0 Conclusion

The proposed development seeks approval for the temporary use of land for filming and ancillary purposes for 30 non-consecutive days.

This SEE has provided a detailed assessment of the proposal against the relevant matters under section 4.15(1) of the EP&A Act. The application is recommended for approval given the following reasons:

- The proposed development is consistent with the aims, objectives and controls set out in State Environmental Planning Policy (Precincts—Central River City) 2021 as well as the Sydney Olympic Park Authority Act 2001.
- It realises the incentives and support facilitated by Create NSW which attracts significant international screen projects to NSW;
- The environmental impacts associated with the proposal are generally positive and will not give rise to any adverse impacts; and
- The proposed development is suitable for the site and is in the public interest.

Yours sincerely,



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