

Item 3.**Section 8.2 Review of Determination: 116 Lang Road, Moore Park - RD/2023/897/B****File Number:** RD/2023/897/B**Summary**

Date of Submission:	27 March 2026
Applicant:	The Trustee for Carsingha Investments Unit Trust
Owner:	The Centennial Park and Moore Park Trust
Planning Consultant:	Colliers
Zoning:	Site zoned under SEPP (Precincts - Eastern Harbour City) 2021. Continued use of entertainment facility permissible with consent in the zone
Proposal Summary:	A request for a review of the refusal of modification application D/2023/897/B under the provisions of Section 8.2(1)(a) of the Environmental Planning and Assessment Act. Modification application D/2023/897/B sought approval for the continued use of the time-limited approval for the use of Level 5 of the multi storey Entertainment Quarter car park for an electric go-karting entertainment facility until 1 July 2028. The modification application was refused by Council under delegated authority on 26 February 2026. The reasons for refusal included the following: • The proposal is likely to result in unreasonable parking and amenity impacts. • The continued occupation of 296 on-site spaces for the commercial activities reduces the precinct's ability to manage future parking demands, which has the potential to adversely affect the amenity of the area. • The closure of the Lower Kippax grass car park (EP2) within the Moore Park precinct is scheduled to occur on 1 July 2026.

- The new Venues NSW multi-level car park, currently under construction, will replace existing and previous parking areas at the northern end of the Moore Park precinct and will not offset or compensate for the 296 car spaces being occupied by the proposal.
- The proposal fails to demonstrate that satisfactory parking provisions will be consistently maintained throughout the precinct for the duration of the development.
- The proposal does not promote the orderly use of land.
- The proposal is not in the public interest.

The applicant is requesting that the Panel review the decision to refuse D/2023/897/B.

Notification

The review application was notified between 30 March 2026 and 14 April 2026. The proposal was notified to 4,470 properties and 3,739 submissions were received. 3,735 submissions were received in support of the proposal to extend the current use. Two submissions were received as comments, and 2 submissions received raised objections to the proposal.

Assessment

The review application includes the following additional information for consideration as part of the review application:

- a letter from the Greater Sydney Parklands advising that they are progressing the making of a regulation to extend the date for parking of vehicles at Lower Kippax car park within the Moore Park precinct
- previous approvals of the Moore Park Showground site to demonstrate the approval of a maximum number of car parking spaces for the Family Entertainment Precinct within the Entertainment Quarter
- car parking data and traffic reviews of the Moore Park precinct and Entertainment Quarter

The NSW Minister for Planning and Public Spaces has written to Council to confirm that a regulation has been approved extending parking at the Lower Kippax car park to 1 July 2027.

This additional information has been assessed with respect to the assessment of modification application D/2023/897/B and the reasons for refusal. The additional information addresses the reasons for refusal and it is recommended that the Panel change the determination of the refusal of D/2023/897/B and that the proposed modification be approved for the use to continue until 1 July 2028.

Summary Recommendation: The review application is recommended to change the determination of modification application D/2023/897/B to an approval.

Development Controls:

- (i) Sydney Development Control Plan 2012
- (ii) SEPP (Transport and Infrastructure) 2021
- (iii) SEPP (Biodiversity and Conservation) 2021
- (iv) SEPP (Precincts – Eastern Harbour City) 2021

Attachments

- A. Development Consent D/2023/897
- B. Notice of Determination D/2023/897/B
- C. Development Assessment Report D/2023/897/B
- D. Letter from Greater Sydney Parklands
- E. Letter from the Minister for Planning and Public Spaces
- F. Submissions

Recommendation

It is resolved that the decision to refuse the proposed modifications in modification application D/2023/897/B be changed to an approval and that the consent be modified as follows:

- (A) Condition 2 amended as follows (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(2) Time Limited Consent

The use may operate ~~for a period of two years from the date of consent~~ ***until 1 July 2028***. If the use is to be retained after this period, a further application may be lodged with the Council before expiration of the consent. Council's consideration of the continuation will be based on, among other things, compliance with the development consent conditions, any substantiated complaints received and the capacity of parking provisions.

Reason

To limit the use of Level 5 of the Entertainment Quarter carpark building as an entertainment facility.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The review application has submitted additional information in response to the reasons for refusal.
- (B) The proposal is substantially the same development.
- (C) The submissions made in relation to the review application have been considered.

Background

The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is a review application for which the applicant has requested the review be conducted by the Local Planning Panel under s8.3(4)(c) of the EP&A Act 1979.

The Site and Surrounding Development

2. The subject site is identified as Lot 101 in Deposited Plan 1246842 and is commonly known as the Moore Park Entertainment Quarter (EQ). The site has a street address of 116 Lang Road, Moore Park. The Entertainment Quarter is adjacent to Moore Park to the south and west with Centennial Park located further to the east. The site is irregular in shape, with an area of approximately 11.08ha.
3. The area of the site to which the application relates is level 5 of the Entertainment Quarter car park which fronts to Errol Flynn Boulevard within the site.
4. The Entertainment Quarter contains a mix of cafés, restaurants, cinema complexes, media and film related offices, Brent Street Studios, the Australian Film, Television and Radio School (AFTRS), shops, weekly markets, a multi storey car park and open space area, including a permanent showground and parade ring.
5. The site is bounded by the Fox Studios and the Sydney Cricket Ground to the north, the showground and Cook Road to the east and Driver Avenue to the west. Further to the north and east are the predominantly residential areas of Paddington and Centennial Park. The surrounding areas are characterised by a mixture of land uses including commercial, sports and recreational facilities.
6. Centennial Park and Moore Park are State Heritage items and adjoin the site to the east and south, with Busby's Bore, also a State Heritage item (listing No. 00568), running north to south through the Entertainment Quarter.
7. The site is located approximately 200m from the Moore Park Light Rail Station. Vehicular access to the site is provided from the signalised intersection at Lang Road and Errol Flynn Boulevard. Pedestrian access is gained primarily from Errol Flynn Boulevard.
8. Photos of the site and surrounds are provided below.

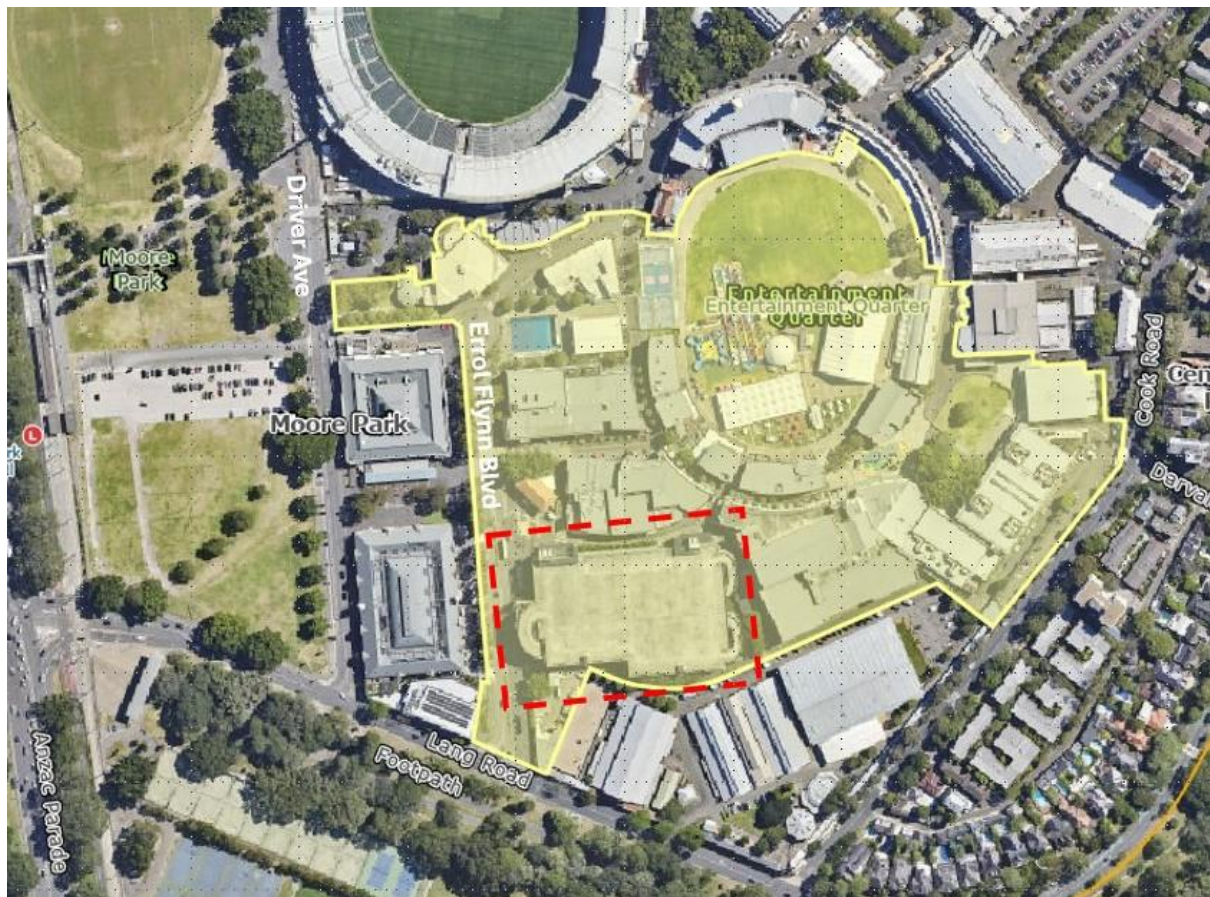


Figure 1: Aerial view of site and surrounds with the EQ car park shown dashed



Figure 2: EQ car park viewed from Errol Flynn Drive

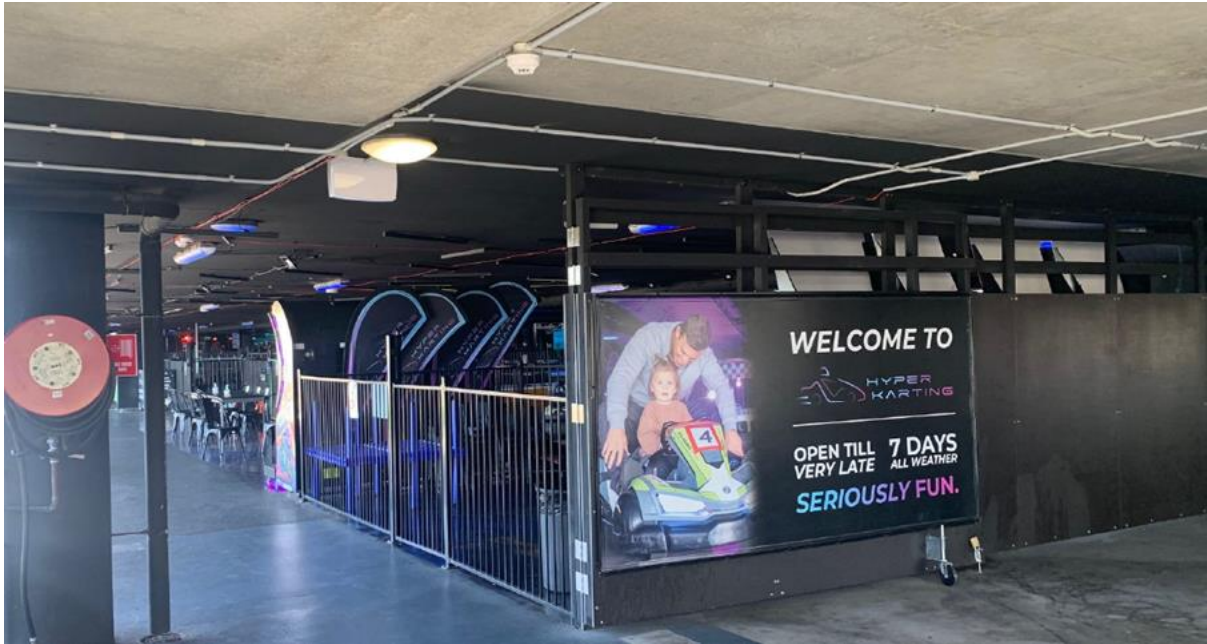


Figure 3: Entry to level 5 electric go-karting tenancy

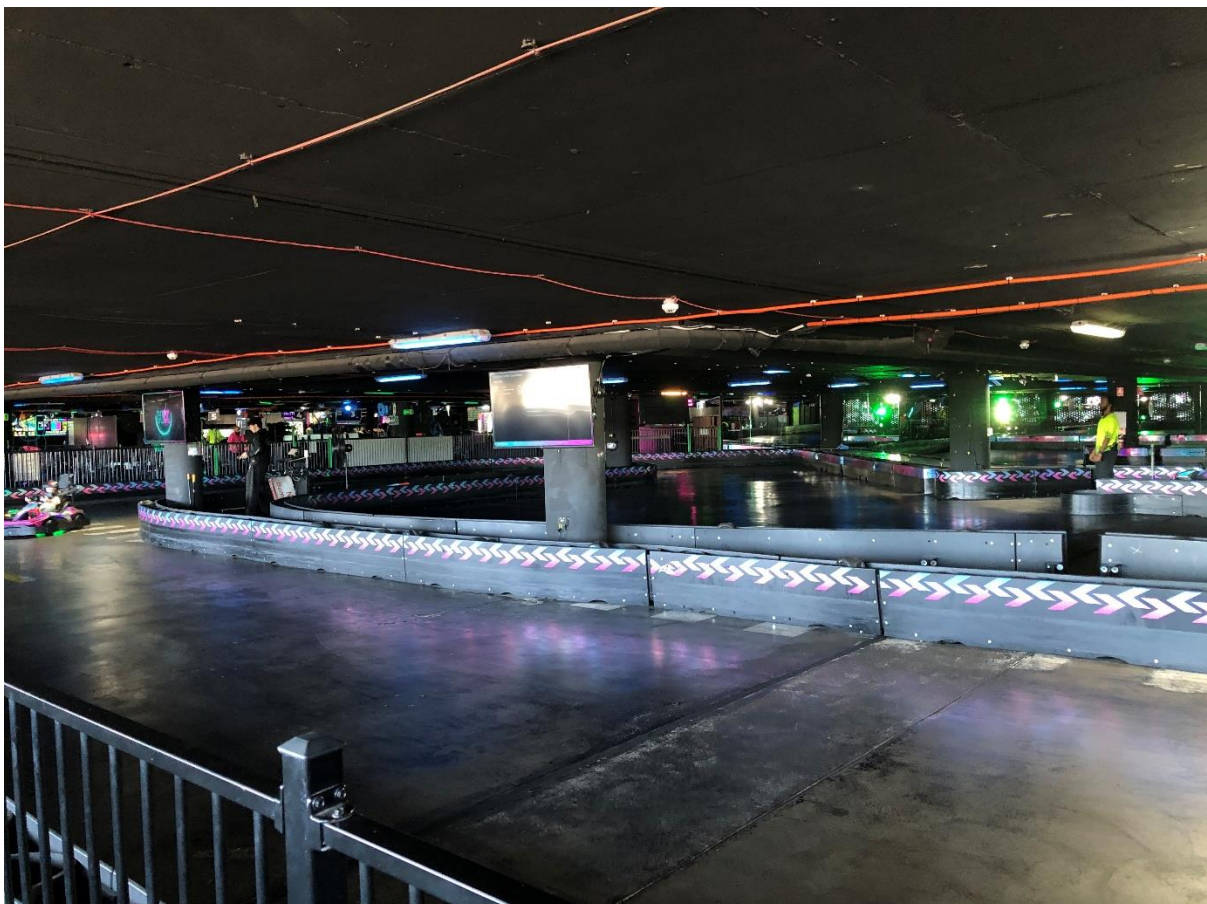


Figure 4: Electric go-kart track

History Relevant to the Development Application

Development Applications

9. The following applications are relevant to the current proposal:

- **D/2020/24** – Development consent was granted on 2 July 2020 for the temporary use of Peter Finch Avenue, Bent Street, Studio Plaza, Cinema Plaza, Heritage Park and a portion of the existing multistorey carpark building within the Entertainment Quarter for temporary events for a 5-year period ending 1 July 2025.
- **D/2023/897** - Development consent was granted on 15 February 2024 for continuation of the temporary use of Level 5 of the multistorey Entertainment Quarter car park for electric go-karting and associated entertainment activities. The approval also included the expansion of the existing go-kart track and ancillary entertainment activities to occupy the whole of Level 5, with a maximum capacity of 448 patrons. The approved operating hours are 7am and 12 midnight, 7 days per week with amplified performance activities to cease at 10pm. Condition 2 of the consent restricts the approved use to a period of two (2) years from the date of consent – i.e. until 15 February 2026.
- **D/2023/897/A** - application number not used.
- **D/2023/897/B** - Section 4.55(2) modification to continue the use of Level 5 Entertainment Quarter car park for electric go-karting and associated entertainment activities until 1 July 2028 was refused by Council under delegated authority on 26 February 2026. This application seeks a review of that decision.

Proposed Review

10. The review application seeks to change the refusal of the modification sought under modification application D/2023/897/B to allow for the continued use of Level 5 Entertainment Quarter car park for electric go-karting and associated entertainment activities until 1 July 2028.
11. The review application has provided the following additional information in consideration of the review.
 - response document prepared by Colliers dated 24 March 2026
 - a letter from the Greater Sydney Parklands (GSP) dated 10 April 2026 advising that the GSP are progressing the making of a regulation to extend the date for parking of vehicles at Lower Kippax car park (EP2). This letter is included as Attachment D. The letter notes that the Venues NSW car park will not be operational by 1 July 2026, and that subject to ministerial approval, on-grass parking within the Lower Kippax area at Moore Park East (EP2) will be extended until the new carpark is operational
 - previous approvals of the Moore Park Showground site to demonstrate the approval of a maximum number of car parking spaces for the Family Entertainment Precinct within the Entertainment Quarter including:

- DA No. 1/96 for the Moore Park Showground Masterplan redevelopment approved by the Minister for Urban Affairs and Planning on 24 April 1996.
- DA No. 37/96, a detailed development application for the demolition of existing structures and the erection of new buildings including the subject car parking building approved by the Minister for Urban Affairs and Planning Minister for Housing on 22 April 1997. Condition 15 of this consent amends the car parking provision for the development to a maximum of 2,000 spaces within the Family Entertainment Precinct.
- DA No. 382-11-00 a development application for operational details of approved tenancies within the Family Entertainment Precinct approved by the Minister for Urban Affairs and Planning on 13 July 2001. Condition 16(j) of the consent states that the top level of the multi storey car park shall remain closed at all times unless the capacity of the car park exceeds 75% on any day.
- Car parking data collected by the applicant of the capacity of the Entertainment Quarter between 12 February 2024 to January 2026, recording instances of full capacity and when reaching 75% capacity.
- Car parking data for the Moore Park Precinct from Transport for NSW for major sporting and concert events from 2022 and 2023.
- Minutes of the Moore Park Events Operations Group meetings.
- Traffic impact assessment report prepared by Traffix, dated August 2023.

Assessment

12. The review application is made within six months of the date of determination of the modification application.
13. The development to which the proposal relates is substantially the same as that originally granted.

Reasons for refusal

14. The notice of determination for modification application D/2023/897/B is included as Attachment B. The reasons for refusal of the modification application are summarised as follows:
 - (a) The proposal is likely to result in unreasonable parking and amenity impacts, as:
 - (i) The proposed development would result in the ongoing exclusive use of 296 on-site car parking spaces for a commercial activity, thereby reducing parking availability for the range of uses throughout the Moore Park precinct.
 - (ii) The continued occupation of 296 on-site spaces for the commercial activities reduces the precinct's ability to manage future parking demands, which has the potential to adversely affect the amenity of the area.

- (iii) Parking availability across the precinct has reduced since the commencement of the development.
 - (iv) Closure of the Lower Kippax car park (EP2) is scheduled to occur on 1 July 2026.
 - (v) The new Venues NSW multi-level car park, currently under construction, will replace existing and previous parking areas at the northern end of the Moore Park precinct and will not offset or compensate for the 296 car spaces being occupied by the proposal.
 - (vi) The proposal fails to demonstrate that satisfactory parking provisions will be consistently maintained throughout the precinct for the duration of the development.
- (b) The proposal does not promote the orderly use of the land, given that:
- (i) The ongoing operation and exclusive use of the Entertainment Quarter Level 5 car park would prevent use of 296 parking spaces which are intended to support activities within the Entertainment Quarter and the broader Moore Park precinct.
 - (ii) The ongoing removal of 296 car parking spaces from public use undermines the orderly provision of parking for the existing and potential future uses within the Moore Park precinct.
- (c) The proposal is not in the public interest as:
- (i) The continued occupation of 296 on-site spaces for the commercial activities results in a reduction in publicly available on-site parking.

Discussion

15. The additional information submitted as part of the review application seeks to address the reasons for refusal.
16. The letter provided by the Greater Sydney Parklands (GSP) dated 10 April 2026 states that the Venues NSW car park (MP1) currently under construction will not be operational by 1 July 2026, and that subject to ministerial approval, on-grass parking within the Lower Kippax area at Moore Park East (EP2) will be extended until the new carpark is operational.
17. The NSW Minister for Planning and Public Spaces has written to Council to confirm that a regulation has been approved extending parking at the Lower Kippax car park to 1 July 2027. This letter is included as Attachment E. The letter confirms the intention for the new Venues NSW car park to be operational by late 2026 or early 2027 and that on-grass parking would remain available until the car park is operational.
18. A map showing these parking areas as included in the modification application assessment report is included below.

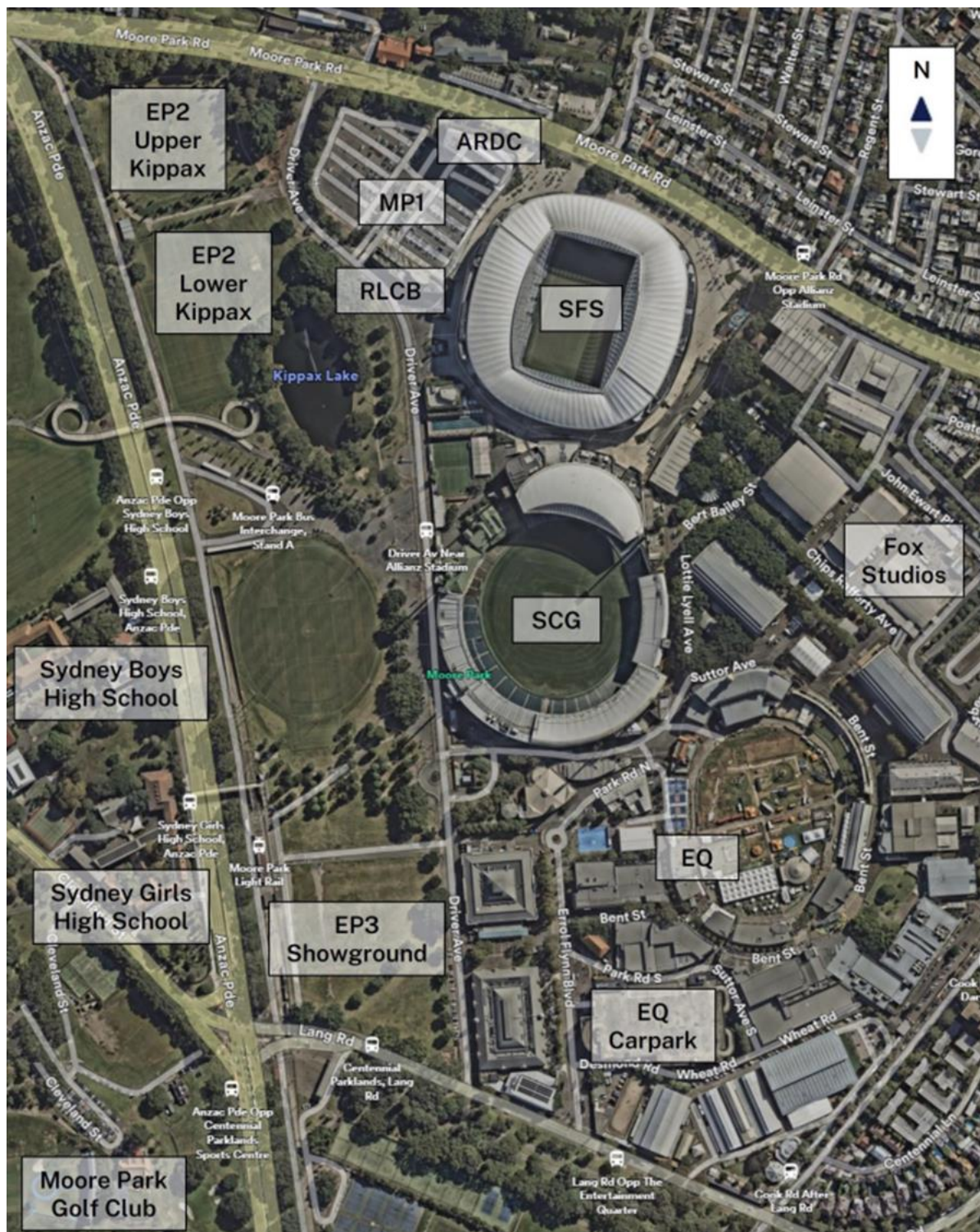


Figure 5: Aerial view of Moore Park precinct with parking areas labelled (Source: SSD-9835-Mod-9 Assessment Report)

19. As part of the assessment of modification application D/2023/897/B, the following was noted in terms of the parking availability across the Moore Park precinct (in summary):

Parking Area	Number of Spaces	Note
EP2 Upper Kippax	650	Not in use since 1 July 2022
EP2 Lower Kippax	350	Use to end from 1 July 2026
MP1	1,342	Under construction - estimate early 2027
EP3 Showground	950	Use to end from 1 July 2028
EQ Car Park	2,003 (total)	296 spaces on Level 5

20. The letters provided from Greater Sydney Parklands, the Minister for Planning and Public Spaces, and the additional parking assessment information addresses the reasons for the refusal of the extension of use in relation to unreasonable amenity impacts and the public interest and shows a managed approach to car parking across the Moore Park precinct. Extension of the use until 1 July 2028 aligns with the overall parking strategy for the precinct, including the increased usage of public transport with the operation of the light rail.
21. The details provided of the previous approvals for the site issued by the Department including DA No. 1/96, DA No. 37/96, and DA No. 382-11-00, demonstrate that the parking approved within the Family Entertainment Precinct is a maximum provision of parking for this precinct (2,000 car parking spaces). The proposed continued use of the car parking spaces on level 5 which results in a reduction in parking within the Entertainment Quarter as proposed is not inconsistent with these approvals. A diagram of the Family Entertainment Precinct included in Attachment 3 of DA No. 37/96 is shown below.

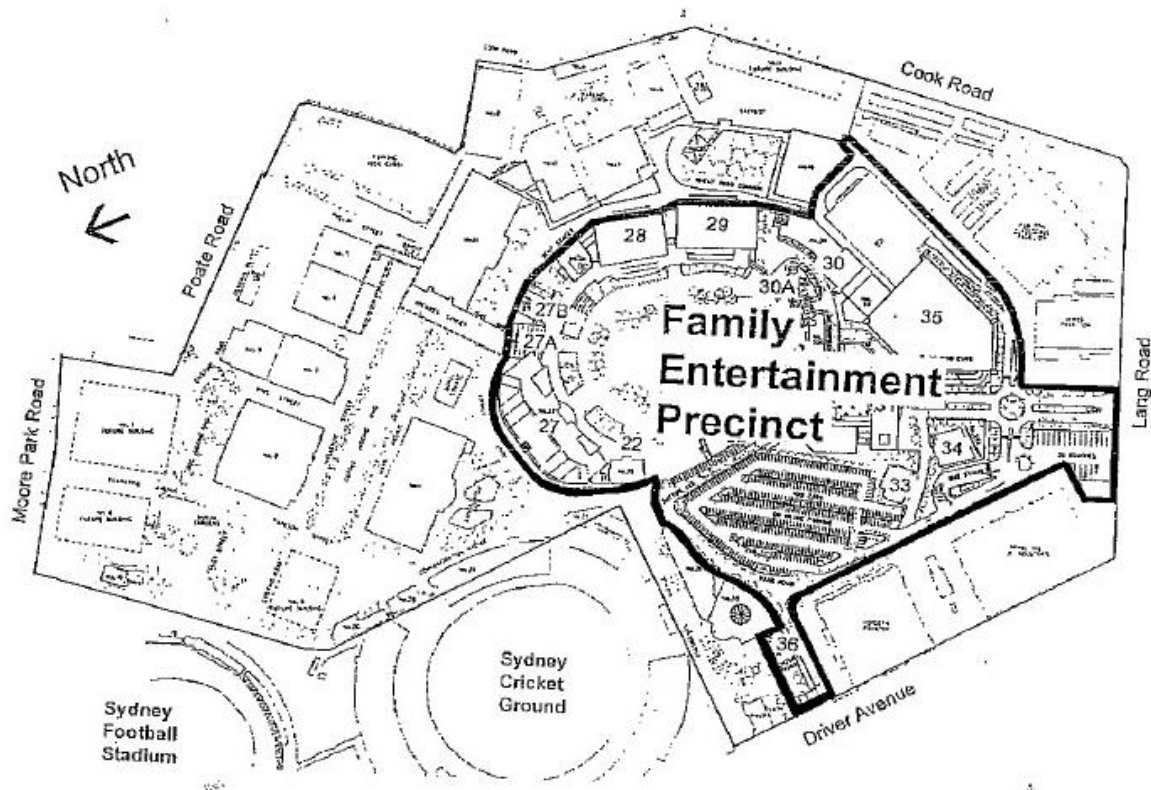


Figure 6: Plan showing the area comprising the Family Entertainment Precinct (Source: Appendix 3 DA No. 37/96)

22. This additional information addresses reasons for refusal in relation to orderly use of land and the public interest and identifies the provision of parking within the Family Entertainment Precinct is primarily to serve those uses. When considered with the applicant's submissions and letter provided by the GSP in relation to car parking management, there is sufficient justification provided to change the decision to refuse the extension of the use to 1 July 2028.

External Referrals

NSW Police

23. The original modification application was referred to the NSW Police for comment.
24. A response was received raising no objections to the proposed extension of use and recommended measures to reduce thefts.

Transport for NSW

25. Pursuant to Section 245(3) of the EP&A Regulations 2021, the review application was referred to Transport for NSW (TfNSW) for comment.
26. Comments were received on 20 April 2026 advising that TfNSW has no requirements for the proposal.

Advertising and Notification

27. The review application was notified between 30 March 2026 and 14 April 2026. The proposal was notified to 4,470 properties and 3,739 submissions were received during the notification period (358 blank submissions were also received in addition to this number).
28. A total of 3,735 submissions were received in support of the proposal to extend the current use. Two submissions were received as unrelated comments, and 2 submissions were received raising objections to the proposal.
29. The receipt of 3,735 submissions in support of the proposal to extend the current use demonstrates a high level of wider community support for the proposal.
30. The submissions received in objection raised the following issues which are considered as follows:

(a) **Issue:** Use of open space for car parking

A concern was expressed regarding the use of public open space for car parking within the Moore Park precinct and that the extension of the use of the Entertainment Quarter car park should cease as per the original consent.

Response:

- The subject open space areas within the Moore Park precinct that are utilised for car parking is managed by the Greater Sydney Parklands, under the Centennial Park and Moore Park Trust Act 1983, independent of Council. The original modification assessment was based on the information available at that point in time in terms of the closures of on grass parking areas and available parking within the Moore Park precinct. Additional information has been provided with this review application, including details of the extension of car on grass parking until the new Venues NSW car park is completed. A strategy remains in place for parking on the open space areas within the Moore Park precinct to cease as noted above within this report.

(b) **Issue:** Operation grievances

Response:

Particular grievances regarding a personal experience of the facility do not relate to the subject application.

Financial Contributions

Levy under Section 7.12 of the Environmental Planning and Assessment Regulation 2000

31. Not applicable as the Central Sydney Development Contributions Plan 2020 does not apply to the site.

Contribution under Section 7.11 of the EP&A Act 1979

32. The City of Sydney Development Contributions Plan 2015 applies to the site. A contribution was not applied under the original consent D/2023/897 and a contribution does not apply for the proposed continued use as a modification.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

33. The City of Sydney Affordable Housing Program does not apply to the site as it is not land to which SLEP 2012, SLEP (Green Square Town Centre) or SLEP (Green Square Town Centre - Stage 2) 2012 applies.

Housing and Productivity Contribution

34. The development is not subject to a Housing and Productivity Contribution under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2024.
35. While the site is located with the Greater Sydney region, the development as a continued use is not a type of commercial not a type of development to which the Housing and Productivity Contribution requires a contribution.

Relevant Legislation

36. Environmental Planning and Assessment Act 1979.

Conclusion

37. The application for a review of the determination of modification application D/2023/897/B has been assessed under the provisions of Section 8.2(1)(a) of the EP&A Act. Modification application D/2023/897/B sought approval for the continued use of the time-limited approval for the use of Level 5 of the multi storey Entertainment Quarter car park for an electric go-karting entertainment facility until 1 July 2028. The modification application was refused under delegation on 26 February 2026.
38. As part of this review application the applicant included additional information to address the reasons for refusal including:
- (a) A letter from the Great Sydney Parklands advising that they are progressing the making of a regulation to extend the date for parking of vehicles at Lower Kippax car park.
 - (b) Previous approvals of the Moore Park Showground site to demonstrate the approval of a maximum number of car parking spaces for the Family Entertainment Precinct within the Entertainment Quarter.
 - (c) Car parking data and traffic reviews of the Moore Park precinct and Entertainment Quarter.
39. The review application was notified between 30 March 2026 and 14 April 2026. The proposal was notified to 4,470 properties and 3,739 of submissions were received. 3,735 submissions were received in support of the proposal to extend the current use. Information received in submissions has been considered as part of this review.

40. The additional information provided with the review application addresses the reasons for refusal. The letters provided from Greater Sydney Parklands and the Minister for Planning and Public Spaces, and the additional parking assessment addresses the reasons for the refusal of the extension of use in relation to unreasonable amenity impacts and the public interest and shows a managed approach to car parking across the Moore Park precinct. The details of previous approvals for the Entertainment Quarter issued by the Minister addresses reasons for refusal in relation to orderly use of land and the public interest and identifies the provision of parking within the Family Entertainment Precinct is expressed as a maximum parking allowance and is primarily to serve the demand within the Family Entertainment Precinct.
41. Sufficient justification has been provided to change the decision to refuse the extension of the use to 1 July 2028, and it is therefore recommended that the review application be approved with the extension of the use to 1 July 2028 with the amendment of Condition 2 of development consent D/2023/897.

ANDREW THOMAS

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