

**MAJOR PROJECT ASSESSMENT  
ALTERATIONS AND ADDITIONS TO  
STAR CITY CASINO COMPLEX, PYRMONT  
& NEW HOTEL ON THE SWITCHING  
STATION SITE  
Proposed by SYDNEY HARBOUR CASINO  
PROPERTIES PTY LTD  
MP08\_0098**

Director-General's Environmental Assessment Report  
Section 75I of the  
Environmental Planning and Assessment Act 1979

January 2009



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# 1 EXECUTIVE SUMMARY

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This report is an environmental assessment of a Project Application seeking approval for alterations and additions to the Star City Casino at Pymont, pursuant to Part 3A of the *Environmental Planning and Assessment Act, 1979* ("the Act").

Sydney Harbour Casino Properties Pty Ltd (the proponent) is seeking approval for refurbishment and extensions to the existing Casino along with development of a new hotel on a vacant site, known as the Switching Station site, which adjoins the existing Casino at the south, with a frontage to Union Street.

The site has a total area of 39,206m<sup>2</sup>, including the 4,756m<sup>2</sup> Switching Station site, and is leased by the proponent from the Casino Control Authority.

The Project Application (through amendments in the Preferred Project Report), seeks approval for:

## **Switching Station site**

- A 13 storey 5-star hotel building containing 309 rooms;
- Existing Casino podium level to be extended into Switching Station site resulting in a 15 metre street edge podium containing the following:
  - Ground level – Hotel foyer, hotel back of house areas, retail and café/restaurant space
  - Level 1 – Gaming, leisure and relaxation areas, being an extension of the gaming floor in the existing Casino complex
  - Level 2 - Conference facilities.

## **Existing Casino - Pirrama Road frontage & Retail arcade**

Redevelopment of existing Casino frontage and alteration of internal pedestrian arcade as follows:

- Removal of existing pedestrian stairs and creation of a new focal entry point, including a new porte cochere arrangement for vehicle drop off and ground level café/restaurant spaces fronting Pirrama Road
- Extension of existing internal pedestrian arcade, level 1 gaming floor and external gaming spaces, level 2 harbour view night venue, bar and restaurant, and level 3 expanded ballroom space, open decks with break out spaces.

## **Car Park**

Extension of existing Casino basement car park onto the Switching Station Site, in a new basement below the proposed hotel podium comprising:

- 4 levels of parking and an additional 500 car parking spaces with public vehicle entry from existing entry point.

## **Existing Casino complex**

Upgrade works to the exterior of the existing casino tower buildings to enhance their external appearance.

The Capital Investment Value of the proposal is **\$350 million** and the proposal will create approximately **750** full time equivalent construction jobs and **900 - 1000** full time equivalent operational jobs.

## **Permissibility**

The project is a Major Project under *State Environmental Planning Policy (Major Projects) 2005* being schedule 1 of the MP SEPP identifies "Tourist, convention and entertainment facilities" to which Part 3A of the EP & A Act applies. Clause 17 of Schedule 1 identifies the development as one to which Part 3A applies. It is noted that the Switching Station site is identified by Schedule 2 of the MP SEPP at Clause 10(1)(g) and Map 9 and Part 3A applies to development that has a value of more than \$5 million on this site.

### **Public Exhibition**

The proposal was exhibited for a period of 31 days from 24 September 2008 to 24 October 2008. The Department received a total of 6 submissions from public authorities and 39 submissions from the public objecting to the proposal and 1 public submission of support. Key issues included:

- Height and bulk of new hotel tower
- Treatment of Pirrama Road frontage
- Traffic impacts
- Parking provision
- Overshadowing
- Loss of views
- Impacts from lighting and video displays
- Amenity impacts from outdoor entertainment / gaming area
- Intensification of gaming and potential associated crime / social impacts
- Conflicts with local business mix
- Inconsistencies with local planning strategies and controls
- Pedestrian / vehicle conflicts
- Reflectivity impacts
- Wind impacts

### **Preferred Project Report**

On 5 December 2008, the proponent submitted a final Preferred Project Report to address issues raised by the Department and the public. Revisions to the project included:

- Realignment of the façade to provide a straight plane above Pirrama Road level
- Provision of 3 main elements to the façade, including a central glazed entry form
- Introduction of sandstone and stainless steel to the side façade elements
- Introduction of sandstone colonnade at Pirrama Road level providing covered pedestrian access
- Provision of 2 separated vehicular arrival spaces in porte cochere arrangement in lieu of previously proposed single area and realignment to be parallel with the building façade
- Paving treatment to vehicular arrival high quality CBD standard to provide a contiguous pedestrian environment
- Reconfiguration of retail / café uses to increase activation to the public domain.

### **Key issues**

The key issues relating to the proposal are:

- Urban design and height consideration of the hotel on the Switching Station Site
- Car parking and traffic impacts
- Amenity impacts, particularly for outdoor areas

Appropriate conditions of approval address the above issues and the proposal is considered acceptable.

### **Public benefits**

The public benefits resulting from the proposal include (subject to recommended conditions of approval):

- Improved and enhanced entertainment and recreational facility
- Improved urban and aesthetic design to the site and locality
- Improved pedestrian connections
- Increased employment opportunities through the development of the hotel and commercial/retail uses
- Further the development of Sydney as a world class tourist destination

### **Key recommended conditions**

Key recommendations made to the proposal and included as conditions of approval to the Project Application are as follows:

- Reduction of hotel height by 3 floors, in line with recommendation from design competition jury panel and to match the existing casino building parapet height
- Requirement for a noise management plan, to ensure noise generated from new development is adequately managed and impacts are minimised on surrounding locality
- Restriction on noise levels generated from the development, to minimise impacts on nearby residents and in line with requirements of the City of Sydney Council
- Limiting hours of operation of outdoor gaming areas, to minimise impacts on surrounds
- Maximum car parking for the whole site to be 3000 spaces, to ensure traffic impacts on surrounding intersections are minimised
- Requirement to commission an artist to develop artwork and feature light displays to Pirrama Road frontage, to ensure appropriate treatment and quality of visual displays.
- Requirement to consult with Sydney Buses, RTA and Council to improve traffic circulation in and around the Pirrama Road frontage.

### **Conclusion**

The Department has assessed the merits of the project and is satisfied that the impacts of the proposed development have been addressed via the Preferred Project Report, Statement of Commitments and the Department's recommended conditions to the Project Application, and that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance. On these grounds, the Department is satisfied that the site is suitable for the proposed development and that the project will provide environmental, social and economic benefits to the region.

The Department recommends that the project be approved, subject to conditions.

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## 2 BACKGROUND

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### 2.1 THE SITE

#### 2.1.1 Site context and location

The Casino complex site is bound by Pirrama Road to the north-east, Jones Bay Road to the north-west, Pyrmont Road to the south-west, Union Street to the south and Edward Street to the east. The Switching Station Site is located in the southern portion within the Casino complex site and has a frontage to Union Street. The site is within the City of Sydney local government area and is owned by the Casino Control Authority.



Figure 1 – Site location

#### 2.1.2 Existing site features

The majority of the site is occupied by the existing casino complex, a multi-storey entertainment facility comprising a 10, 500m<sup>2</sup> main gaming floor (the casino), 3, 800m<sup>2</sup> of retail space, 11 restaurants and 10 bars, 2 theatres, 480 hotel rooms/serviced apartments, a 900 person ballroom/conference facility, basement parking for 2,500 cars, and bus / light rail interchange. The Switching Station site is a triangular vacant land parcel of 4,756m<sup>2</sup> on the southern edge of the site.



### 2.1.3 Surrounding development

The Pyrmont Peninsular, which forms the context of the Casino site, is a neighbourhood in transition from its historic function as a maritime industrial suburb with workers' accommodation to a contemporary mixed commercial and residential precinct. Current land use in the immediate vicinity of the site is diverse, including contemporary residential apartments, commercial premises, restaurants, cafes and parks with pockets of remnant terrace housing.

#### **North**

North of the site is a mixed use area including new residential apartments in buildings up to 8 storeys.

#### **East**

North east of the site is the recently re-developed commercial / retail and parkland precinct of Jones Bay Wharf, Darling Island and Darling Harbour Wharf 10. To the south east is a newly developed street block of 6 to 7 storey mixed use residential / commercial units (fronting Pirrama Road, Edward Street and Union Street) and a mix of lower scale development including commercial, retail and residential terraces along Union Street.

#### **South**

Union Street forms the southern boundary of the site. It supports largely medium density residential development, restaurants, pubs and cafes in remnant terrace buildings. Union Square, at the western end of the street at its intersection with Harris Street, is an important local community meeting place and restaurant / café hub.

#### **West**

Pyrmont Street, on the western boundary of the Casino site, supports a diverse range of building styles, heights and land uses ranging from 6 to 8 storey commercial buildings to heritage listed terrace houses.

### 2.1.4 Zoning

The site is zoned 'Residential – Business' (Non-residential development) within the Sydney Local Environment Plan 2005. The proposal is permissible with consent.

Under the provisions of Schedule 1, Clause 17 of State Environmental Planning Policy (Major Projects) 2005 (MP SEPP), the proposal constitutes a tourist, convention and entertainment facility for which the Minister is the consent authority.

## 2.2 SITE HISTORY

### **Previous applications / Current application**

- On 2 December 1994, the former Minister for Planning granted consent for *“development of a casino and entertainment complex, including hotel, serviced apartments, theatres, restaurants, bars, car parking and associated facilities”*.
- On 22 October 1997, the former Minister for Planning granted consent for the erection of a function centre with 500 car parking spaces and retail uses on the Switching Station Site. The scheme did not proceed and the consent has now lapsed.
- MP 06\_0167: The proposal sought approval for the construction of a multi-storey mixed use development containing a hotel, retail component, extension to the gaming area of the casino and car parking for 500 cars on the Switching Station Site in Union Street, Pyrmont. The establishment of a retail arcade through the ground floor level of the building, linking Pyrmont Bay Park to the intersection of Union Street with both Edward and Pyrmont Streets was also part of this proposal.

On 31 August 2006, the Director-General formed the opinion that this proposal was one to which Part 3A applied, and DGRs were issued on 12 March 2007.

On the 2 June 2007, the former Minister for Planning wrote to the Proponent raising concerns about the height of the proposed development on the Switching Station Site and reiterated the requirement for a competitive architectural design process to be undertaken for development on the site.

On 18 April 2008, the proponent sought an amendment to this proposal **to include alterations and additions to the existing Casino building**.

On 27 May 2008, the Director-General as delegate of the Minister formed the opinion that a new proposal for the site is a project to which Schedule 1, Clause 17 of the MP SEPP and Part 3A of the Act applies and re-issued DGRs.

On 9 July 2008, the Director-General as delegate of the Minister formally revoked the declarations under MP 06\_0167 (which only related to the Switching Station Site).

### **2.3 DESIGN COMPETITION (SWITCHING STATION SITE)**

The Director General's Requirements for the Switching Station Site required a competitive design process to be undertaken for the new hotel building. The subsequent DGRs for both the Switching Station and Casino sites reiterated this requirement, and required the works to the Casino site to be consistent with the outcomes of the design competition.

The competition process was consistent with that outlined in the City of Sydney's Central Sydney DCP 1996, with the Department endorsing the brief. Cox Richardson, The Buchan Group and Hassell were the 3 architects invited by the proponent to participate. There were 6 jury members, 3 nominated by the proponent (Craig Garvin – Tabcorp, Tony Pieris – Tabcorp and Simon Swaney – Bates Smart) and 3 nominated by the Department (Peter Mould – Government Architect, Keith Cottier – Allan Jack and Cottier and Margaret Petrykowski – Department of Planning).

In August 2007 a winning entry was selected for the development of the Switching Station Site only, following a requirement by the Department to undertake a design competition for the site.

On 3 July 2008, the Proponent submitted the Design Panel Report which was finalised in August 2007. The design competition brief required height to be addressed, advising that if a height greater than the 28m limit is proposed then the development would need to mediate between the existing Casino building and the lower adjacent built form in Pyrmont, and demonstrate that a better outcome would be achieved.

The winning entry forms part of the subject Project Application for the whole site however, the winning design has continued to evolve through ongoing consultation with panel members and assessment of the application, including a recommendation to reduce the hotel tower height by 3 storeys for the following reasons:

- To mediate between the existing Casino buildings and adjacent Pyrmont area
- To align with the parapet height of the Casino tower buildings
- To achieve an acceptable contextual response
- To reduce impacts of the tower as viewed from the north to the east
- To achieve consistency with the jury recommendation

## 3 PROPOSED DEVELOPMENT

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### 3.1 The proposed development

Approval is sought for the development of the Switching Station site together with the redevelopment of the existing Casino site. Specifically, the proposal seeks the following:

#### Switching Station site

- A 13 storey 5-star hotel building containing 309 rooms;
- Existing Casino podium level to be extended into Switching Station site resulting in a 15 metre street edge podium containing the following:
  - Ground level – Hotel foyer, hotel back of house areas, retail and café/restaurant space
  - Level 1 – Leisure, relaxation and 712m<sup>2</sup> of gaming area, being an extension of the gaming floor in the existing Casino complex
  - Level 2 - Conference facilities.

#### Existing Casino - Pirrama Road frontage

Redevelopment of existing frontage as follows:

- New focal entry point presented by a punctuated glazed wall to the street edge with a curved feature to signify the new entry to the complex
- Removal of pedestrian stairs and replacement with a single flight of stairs
- Two new vehicle drop off zones created by a new porte cochere arrangement, on either side of the entry point
- New pedestrian entry between the two new drop off points via a glass enclosed foyer
- Ground level café/restaurant spaces fronting Pirrama Road and extension of existing internal pedestrian arcade
- Level 1 - extension to existing gaming floor, including 2 large open balconies to be used as break out areas to the gaming floor for gaming, leisure and entertainment purposes
- Level 2 – harbour view night venue, bar and restaurant, and open landscaped deck and void to entry below
- Level 3 – series of open decks with break out spaces, including a large ballroom pre-function area adjacent to existing ballroom.

#### Existing Casino - Retail Arcade

Alteration of internal pedestrian arcade to provide access through the site from the corner of Pyrmont/Union Streets through to Pirrama Road frontage as follows:

- New pedestrian entry point to arcade, at corner of Union/Pyrmont Streets
- Expansion and alterations to arcade to connect to new entry point at corner of Union and Edward Streets
- Upgrade of arcade to provide new connections to porte cochere area, Lyric theatre, and reconfigured Pirrama Road frontage and Jones bay Road
- New retail premises and café/restaurant areas.

#### Car Park

Extension of existing Casino basement car park onto the Switching Station Site, in a new basement below the proposed hotel podium comprising:

- 4 levels of parking, with each level connected to the existing Casino car park
- An additional 500 car parking spaces
- Public vehicle entry from existing entry point, with no new car park entry point(s) created.

### Existing Casino complex

Upgrade works to the exterior of the existing casino tower buildings to enhance their external appearance, including new glazed façade comprising structural framework infilled with open joined, colour backed glazed panels and horizontal elements to provide sun shading on the long facades of both tower buildings.

*Development Data Table*

	Requirement	Proposed project	Compliance
Site Area	N/A	38,206m <sup>2</sup>	-
Height	66m – existing Casino	No change	Yes
	28m – Switching Station Site	48.6 - 51.88m for new hotel on Switching Station Site	<b>No</b>
	15m podium	15m for podium height	Yes
Gross Floor Area	95,515m <sup>2</sup> under Sydney LEP 2005 139,500m under Pyrmont Bay Master Plan	130,148m <sup>2</sup>	<b>No*</b>
FSR	2.5:1	3.41:1	<b>No*</b>
Car Parking	184 spaces maximum on Switching Station Site	500 additional spaces on Switching Station Site	<b>No**</b>

*Table 1 – project figures across the whole site*

\* Pursuant to Clause 98(2) of the SLEP 2005, a greater FSR may be adopted for the site by way of a Master Plan. The previously adopted Master Plan for the site allowed for a maximum FSR of 3.65:1 for the site and the proposal complies with this.

\*\* The 1997 consent granted by the then Minister for Planning, for a function centre permitted 500 parking spaces (which was not built).



Figure 2 – proposed hotel perspectives from Pymont and Edward Streets (respectively)





Figure 3 – PPR Pirrama Road frontage

### 3.2 Project Chronology

- 2 June 2007 – letter to Proponent from the former Minister for Planning advising of concern relating to building height of proposed hotel on Switching Station Site.
- 27 May 2008 – Director-General, as delegate of the Minister, formed the opinion that the proposal is a Project to which Part 3A of the Act applies.
- 30 June 2008 – Director-General's Environmental Assessment Requirements issued to the proponent.
- 7 July 2008 – Environmental Assessment (EA) lodged with the Department (inadequate).
- 7 August 2008 – letter to proponent raising design concerns about the whole development
- 22 September 2008 – EA deemed adequate.
- 24 September to 24 October 2008 – EA placed on public exhibition.
- 21 November 2007 – copies of submissions provided to proponent.
- 17 November 2008 – letter to proponent requiring additional issues to be addressed, including comments from the 3 members of the Design Competition Jury.
- 5 December 2008 - proponent's response to submissions and preferred project report (PPR) received.
- 16 December 2008 – additional traffic information received.
- 22 December 2008 – additional acoustic information received.

### 3.3 Project Amendments

A preferred project report was submitted on 5 December 2008 incorporating the following amendments to the design of the Pirrama Road frontage of the development:

- Realignment of the façade to provide a straight plane above Pirrama Road level
- Provision of 3 main elements to the façade, including a central glazed entry form
- Introduction of sandstone and stainless steel to the side façade elements
- Introduction of sandstone colonnade at Pirrama Road level providing covered pedestrian access
- Provision of 2 separated vehicular arrival spaces in porte cochere arrangement in lieu of previously proposed single area and realignment to be parallel with the building façade
- Paving treatment to vehicular arrival high quality CBD standard to provide a contiguous pedestrian environment
- Reconfiguration of retail / café uses to increase activation to the public domain.

The PPR also submitted the following:

- Supplementary traffic impact report, including additional traffic impact modelling
- Supplementary reflectivity report
- Supplementary acoustic report

Additional traffic information received on 16 December 2008 provided further analysis on the performance of the Pyrmont Bridge Rd/Murray St intersection, based on the additional 500 parking spaces proposed.

Additional acoustic information received on the 22 December 2008 requested the inclusion of specific noise conditions as mitigation measures for the use of the outdoor terrace area fronting Union Street.

## 4 STATUTORY CONTEXT

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### 4.1 MAJOR PROJECT DECLARATION

The project is a Major Project under *State Environmental Planning Policy (Major Projects) 2005* as it is development described in Schedule 1, Part 3A, Clause 17 (tourist, convention and entertainment facility) as a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies. The opinion was formed by the Director General, as delegate of the Minister on 27 May 2008 and pursuant to Clause 75B of the Act that Part 3A applies to this development.

### 4.2 PERMISSIBILITY

Under the MP SEPP, the proposed development constitutes a tourist, convention and entertainment facility with a CIV of more than \$100 million and can therefore be considered by the Minister. The proposal is consistent with the objectives of the 'Residential – Business' zone (non-residential development) within the Sydney Local Environment Plan 2005 and is permissible.

### 4.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

The DGRs and following key issues were considered in the Department's assessment of the Environmental Assessment:

- Built Form and Urban Design
- Ecologically Sustainable Development
- Transport and Accessibility
- Public domain and safety
- Noise and Amenity

The DGRs are in **Appendix A**

The EA lodged by the proponent on 7 July 2008 and additional information received on 12 September 2008 was adequate for exhibition.

### 4.4 OBJECTS OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The objects of any statute provide an overarching framework that informs the purpose and intent of the legislation and gives guidance to its operation. The Minister's consideration and determination of a project application under Part 3A must be informed by the relevant provisions of the Act, consistent with the backdrops of the objects of the Act.

The objects of the Act in section 5 are as follows:

(a) *to encourage:*

- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) *the protection, provision and co-ordination of communication and utility services,*
- (iv) *the provision of land for public purposes,*
- (v) *the provision and co-ordination of community services and facilities, and*
- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) *ecologically sustainable development, and*
- (viii) *the provision and maintenance of affordable housing, and*



- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Project Application proposes to ensure that development on the Switching Station Site and works to the existing Casino complex occurs appropriately, whilst protecting the environment including the existing significant flora and fauna on the site, coordinates the orderly use of the land, and ensures that the site is publicly accessible.

With respect to ESD, the Act adopts the definition in the *Protection of the Environment Administration Act 1991* including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms.

The Department has considered the Objects of the Act, including the encouragement of ESD in the assessment of the project application. The balancing of the application in relation to the Objects is provided in Section 5.

#### **4.5.1 ESD Principles**

There are five accepted ESD principles:

- (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the integration principle);*
- (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);*
- (c) the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- (d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- (e) improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The Department has considered the redevelopment in relation to the ESD principles and has made the following conclusions:

- a) **Integration Principle** – The environmental impacts of the development are appropriately mitigated as discussed in this report. The Department's assessment has duly considered all issues raised by public authorities, and the proposal as recommended for approval will not compromise a particular stakeholder or hinder the opportunities of others.
- b) **Precautionary Principle** – The proposal presents no threat of serious or irreversible environmental damage to the site or the wider locality, and the EA is supported by technical and environmental reports which conclude that the proposal's impacts can be successfully mitigated. The site is not subject to any known effects of flooding and is not subject to bushfires. The recommended conditions require additional information to ensure the proposal's extent and nature is fully documented and opportunities are provided for proposed mitigation and management measures to incorporate best practices.
- c) **Climate Change** - The proposed development will not detrimentally increase potential flood affectation on other developments or property, will not result in an increased risk to human life, and is unlikely to result in additional economic and social cost. It is unlikely that this site or the proposed development will be impacted by changes in sea level resulting from climate change. The RL of the ground level (AHD) is approximately 4 metres.

- d) **Inter-Generational Principle** – The proposal represents a sustainable development of the Switching Station site and existing Casino complex. The proposed works will provide a high quality commercial/entertainment environment with improved resolution to the public domain.
- e) **Biodiversity Principle** – Following an assessment of the proponent's EA it is considered with certainty that there is no threat of serious or irreversible environmental damage as a result of the proposal. There is no natural vegetation on the site and the site does therefore not contain any threatened or vulnerable species, populations, communities or significant habitats.
- f) **Valuation Principle** – The approach taken for this project has been to assess the environmental impacts of the proposal and identify appropriate safeguards to mitigate adverse environmental effects. The mitigation measures include the cost of implementing these safeguards in the total project cost.

The proponent is committed to ESD principles and has reinforced this through the Statement of Commitments and the Environmental Assessment which explores key ESD opportunities, including mechanical, electrical and hydraulic systems as well as architectural designs to ensure high environmental performance is delivered.

#### 4.5 Section 75I(2) of the Act

Section 75I(2) of the Act and Clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director-General's report is to address a number of requirements in the Director General Report. These matters and the Department's response are set out as follows:

<b>Section 75I(2) criteria</b>	<b>Response</b>
Copy of the proponent's environmental assessment and any preferred project report	The Proponent's EA is located on the assessment file (attached)
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for the Minister's consideration is set out at Appendix B.
Copy of any report of a panel constituted under Section 75G in respect of the project	No statutory independent hearing and assessment panel was undertaken in respect of this project application.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the project is identified immediately below.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to the prevailing environmental planning instrument is provided in section 4 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the Project Application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The environmental assessment of the Project Application is this report in its entirety.
<b>Clause 8B criteria</b>	<b>Response</b>
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in section 5 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	The public interest is discussed in section 5 of this report.
The suitability of the site for the project	The site is identified in the SEPP (Major Projects) as a Specified Site and in the Newcastle City Centre LEP 2008 as having significant development and redevelopment opportunities essential to inner Newcastle's ongoing renewal and revitalisation.

Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in section 6 of this report.
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Table 2 - Section 75I(2) requirements for Director-General's Report

## 4.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

### 4.6.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75I(2)(d) and (e) of the Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project application.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 41 – Casino Entertainment Complex
- Sydney LEP 2005

### 4.6.2 State Environmental Planning Policy (Major Projects) 2005

The project is a Major Project under *State Environmental Planning Policy (Major Projects) 2005* being schedule 1 of the MP SEPP identifies "Tourist, convention and entertainment facilities" to which Part 3A of the EP & A Act applies. Clause 17 of Schedule 1 identifies the development as one to which Part 3A applies. It is noted that the Switching Station site is identified by Schedule 2 of the MP SEPP at Clause 10(1)(g) and Map 9 and Part 3A applies to development that has a value of more than \$5 million on this site.

### 4.6.3 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose.

The EA states that the Switching Station site has been remediated to a level suitable for its proposed use. A limited Phase 1 Contamination Assessment and a Contamination Revocation Notice provided for the site by DECC has been submitted, demonstrating that the site is no longer contaminated.

### 4.6.4 State Environmental Planning Policy (Infrastructure) 2007

The proposal is a Traffic Generating Development in accordance with Schedule 3 of the Infrastructure SEPP – increased commercial floor area of greater than 4000m<sup>2</sup> and car parking for more than 200 vehicles. Schedule 3 of the SEPP requires traffic generating development to be referred to the RTA. In a letter dated 8 October 2008, the Sydney Regional Development Advisory Committee of the RTA raised the following issues with regard to the proposal:

- The Pyrmont Bridge Road / Murray Street intersection requires additional modelling to account for City of Sydney's proposal to provide bike lanes through the intersection, and the intersection being congested during the Casino's peak use periods on Friday and Saturday nights; and
- Car parking provision should be consistent with City of Sydney controls.

The Committee also recommended a number of conditions of approval and requested that a copy of the Determination be provided to the Committee at the same time it is sent to the proponent.

The PPR includes a supplementary traffic assessment and is discussed in Section 5 of this report. An assessment is also provided for non-compliance with Council's parking requirements.

#### **4.6.5 State Environmental Planning Policy No. 41 – Casino Entertainment Complex**

The proposed refurbishment of the Casino site and development of the Switching Station site is consistent with the objectives of SEPP 41. The proposal also involves uses that constitute 'casino' or 'complementary development' under the SEPP. In this regard, the uses are all permissible.

#### **4.6.6 Sydney LEP 2005**

The site is zoned 'Residential Business' under the Sydney LEP 2005 and the proposed development meets the zone objectives by promoting a wide range of uses, particularly business development including tourist, leisure, commercial, retail and office development consistent with Ultimo-Pyrmont's proximity to the Sydney CBD, harbour locations and transport infrastructure.

##### **Height**

Pursuant to Clause 9 of the LEP, the site of the existing Casino complex is identified as a landmark location with a maximum building height of 66 metres.

The maximum building height for the Switching Station site is a 15 metre street-edge podium height to Union Street and a 28 metre height limit for the remainder of the site. The proposed hotel building complies with the street edge podium height but does not comply with the height limit for the remainder of the site. This is discussed further in detail in Section 5 of this report.

The Casino and Switching Station sites are located within a Masterplan Area mapped in the LEP Site Identification Map. Clause 106 of the LEP requires that masterplans be prepared for land within masterplan areas prior to approval of development on that land, with the proviso that the Minister has the discretion to waive the requirement for a masterplan. The proposal for the site has been the subject of a Design Competition and Design Review Panel (albeit the former is in relation to the Switching Station Site only), and therefore it is considered that a site specific master plan is not required in this instance. Further, the MP SEPP is not specifically bound by this LEP provision.

##### **FSR**

The LEP stipulates a maximum FSR of 2.5:1 for land within a Masterplan area, with allowance for greater FSR as part of an adopted masterplan. The Pyrmont Bay Masterplan, prepared under Sydney Regional Environmental Plan No. 26, indicates a total FSR of 3.65:1 (GFA of 139,500m<sup>2</sup>) over the Casino and Switching Station sites. The proposal seeks an FSR of 3.41:1 (GFA 130,048m<sup>2</sup>).

The previous 1997 consent for the Switching Station Site approved a development that fully realised the GFA attributed to it under the Pyrmont Bay Masterplan. The existing Casino has less GFA than allocated to it under the same Masterplan. Notwithstanding that the Masterplan no longer has any formal status as it was not adopted in the Sydney LEP, the total GFA of 130,148m<sup>2</sup> for the subject project application is generally consistent with what was originally planned for the site.

The built form outcome of the additional GFA is assessed as appropriate to the site's context subject to a 3 storey reduction in the height of the hotel, and on this basis the non-compliance with the FSR control is supported. The top 3 storeys of the hotel have a GFA of

3,382m<sup>2</sup> and the FSR will reduce from 3.41:1 to 3.32:1 following a reduction in the hotel height (GFA reduced from 130,048m<sup>2</sup> to 126,666m<sup>2</sup>).

## 4.7 OTHER PLANS AND POLICIES

### 4.7.1 Urban Development Plan for Ultimo Pyrmont

The Urban Development Plan was originally prepared by the Department in accordance with SREP 26 in 1999. In 2004 it was adopted by the City of Sydney Council and incorporated as a relevant document for consideration within the Sydney LEP 2005.

The Urban Development Plan contains guiding principles and a number of principles and controls relating to built form, character and detail, environmental issues, ecologically sustainable development, access, parking and circulation and public domain.

The proposal is generally consistent with the guiding principles contained within this plan. It does not comply with the maximum provision for 184 car parking spaces, which is discussed in more detail below, where it is concluded that the proposed additional car parking is acceptable to service the additional demand of the development, without compromising the existing road network.

### 4.7.2 Section 94 and Other Contributions

The City of Sydney Section 94 Contributions Plan – Ultimo Pyrmont 1994 provides the following contribution rates specifically for casino development:

	Amount	Proposed	Total
Gaming & Entertainment	\$123.70/m <sup>2</sup> site area	4,756m <sup>2</sup>	\$588,317.20
Retail & Restaurant	\$113.80/m <sup>2</sup> of gross floor area	7,971m <sup>2</sup>	\$900,954.60
Hotel (based on 5 star)	\$4,721.00/room	239 rooms**	\$1,128,319.00
<b>TOTAL</b>			<b>\$2,617,590.80</b>

Table 3 – s94 Developer Contributions

**\*\* The proposal is for 309 rooms however this report recommends a reduction to 239 rooms, resulting from a reduction in the hotel height by 3 storeys. (At 309 rooms the hotel contribution would be \$1,458,789)**

Based on the current contribution rate of \$33.34/m<sup>2</sup> of floor area for commercial developments, a total affordable housing contribution of \$916,716.64 is generated from an additional 27,496m<sup>2</sup> of additional proposed 'commercial' gross floor area. However, with the proposed reduction of 3 levels from the hotel building, equating with 3,381.80m<sup>2</sup>, this contribution will reduce to \$803,960.76.

## 5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

The Director General's Requirements and following key issues were considered in the Department's assessment of the Environmental Assessment:

- Built Form, Building Height & Urban Design
- Amenity Impacts on surrounding locality
- Traffic Impacts
- The Public Domain
- The Public Interest

## **5.1 BUILT FORM & URBAN DESIGN**

### **5.1.1 Switching Station Site Design Competition**

#### ***Outcome of competition***

The Director-General's Requirements issued for the Switching Station Site, a competitive design process was required to be undertaken for the new hotel building.

The jury selected the Cox Richardson scheme as the winning proposal, but with reservations (Refer Appendix D for Jury Report). Four of the 6 jury members selected this scheme as the preferred design and reservations related primarily to the height of the tower, with 3 of the jury members (those appointed by the Department of Planning) of the view that it was too high as submitted, and it did not mediate between the Casino buildings and adjacent Pymont area as required by the Competition Brief.

Cox Richardson submitted an alternate scheme, which reduced the height of the hotel by 2 floors. The jury members concerned about the height were of the view that it be reduced further by 1 level to achieve an acceptable contextual response, resulting in a total reduction of 3 levels from the winning scheme. The jury concerns about height particularly related to views of the tower from the north to the east.

The other 3 members of jury (those representing the owner/proponent) were of the view that the proposal as submitted, formed part of a group of buildings with the existing Casino towers, as a result of its curvilinear form, overall scale and aligned height. In addition they were satisfied that the podium at 15 metres high, in combination with the setback of the hotel tower from the street frontage, addressed the issue of pedestrian scale and sufficiently related the development to its adjacent context.

The jury decided that the Cox Richardson scheme be the winning proposal, but it be reduced by 3 floors to review the impacts of the building mass on the skyline of Pymont and to review its role in the mediation between the existing Casino buildings and adjacent Pymont area, particularly when viewed from the east and north. The 3 level reduction results in a building height that aligns with the parapet of the adjacent casino tower. At the same time the jury recommended that the provision of Plant Room space be addressed.

#### ***Consistency of proposal with competition***

The submitted design has not reduced the height of the hotel tower, despite the recommendation of the jury. It proposes a 13 storey hotel tower above a 3 storey podium as was presented to the design jury. The RLs are marginally higher than those presented in the design competition scheme.

### **5.1.2 Height of hotel building (Switching Station Site)**

The proposed 3 level podium has a height of RL 122.5, the 13 storey hotel tower has a height of RL 159.55 to the roof of the topmost habitable floor, with the parapet to the plant area having an RL of 164.2. The following table indicates the proposed heights in metres above street levels in 3 locations:

- Union Street at its intersection with Pymont Street
- Union Street in approximately the centre of the street frontage
- Union Street at its intersection with Edward Street.

Height above street level	Cnr Pyrmont and Union Streets (RL 110.9)	Union Street (RL 109.55)	Cnr Union and Edwards Streets (RL 107.62)	Compliance with Sydney LEP 2005
<b>Podium</b>	11.6 metres	12.95 metres	14.88 metres	Yes (max = 15 m)
<b>Hotel – top of habitable floor</b>	48.65 metres	50 metres	51.93 metres	No (max = 28 m)
<b>Hotel – uppermost parapet</b>	53.3 metres	54.65 metres	56.58 metres	No (max = 28 m)

Table 4 – height of hotel above street level

The Sydney LEP 2005 sets maximum heights for this site of 15 metres for the podium and a total of 28 metres for remaining built form on the site. The height of a building is defined as the vertical distance in metres between the natural surface level of the ground on site or adjoining public domain and the ceiling of the topmost habitable floor of the building above that point. The proponent contends that the maximum height applying to the site is 66 metres, as the LEP map indicates the casino site as a landmark location - building. The Department disagrees with this interpretation as the 66 metre height limit specifically relates to the landmark development on the site of the existing casino complex and not the Switching Station site which clearly has a 28 metre height limit on the LEP map.

Reducing the height of the hotel tower by 3 levels does not comply with the 28 metre control however it will reduce the height to a maximum RL of 151.00, equal to a height of 40.1 – 43.38 metres. This 8.5 metre reduction, together with the proposed setback of the tower from the podium frontage, is reasonable and would reduce the visual dominance of the corner building, reduce overshadowing impacts and ensure that its scale is contextually appropriate by mediating between the existing casino buildings and the adjacent significantly lower development in Pyrmont. The reduction in height would also achieve an appropriate urban design relationship between the new building and the existing Casino tower buildings to ensure that they do not read as a single wall of buildings, particularly when viewed from longer distances from Pyrmont Bay and the CBD, and for the Casino towers to remain as landmark elements. The reduction in height will result in the hotel tower matching, or being slightly lower than, the height of the parapet of the Casino tower buildings, taking into account the façade portion which is higher than the uppermost slab level. This will assist in the achievement of an appropriate urban design relationship and the mediation between adjacent built form. (Refer to Figure 4).

On this basis it is recommended that a condition be imposed requiring a reduction in the height of the hotel by 3 levels, or a lesser reduction in height subject to the upper-most structure of the hotel being no greater than RL 152.8, which is the height of the adjacent casino tower parapet.

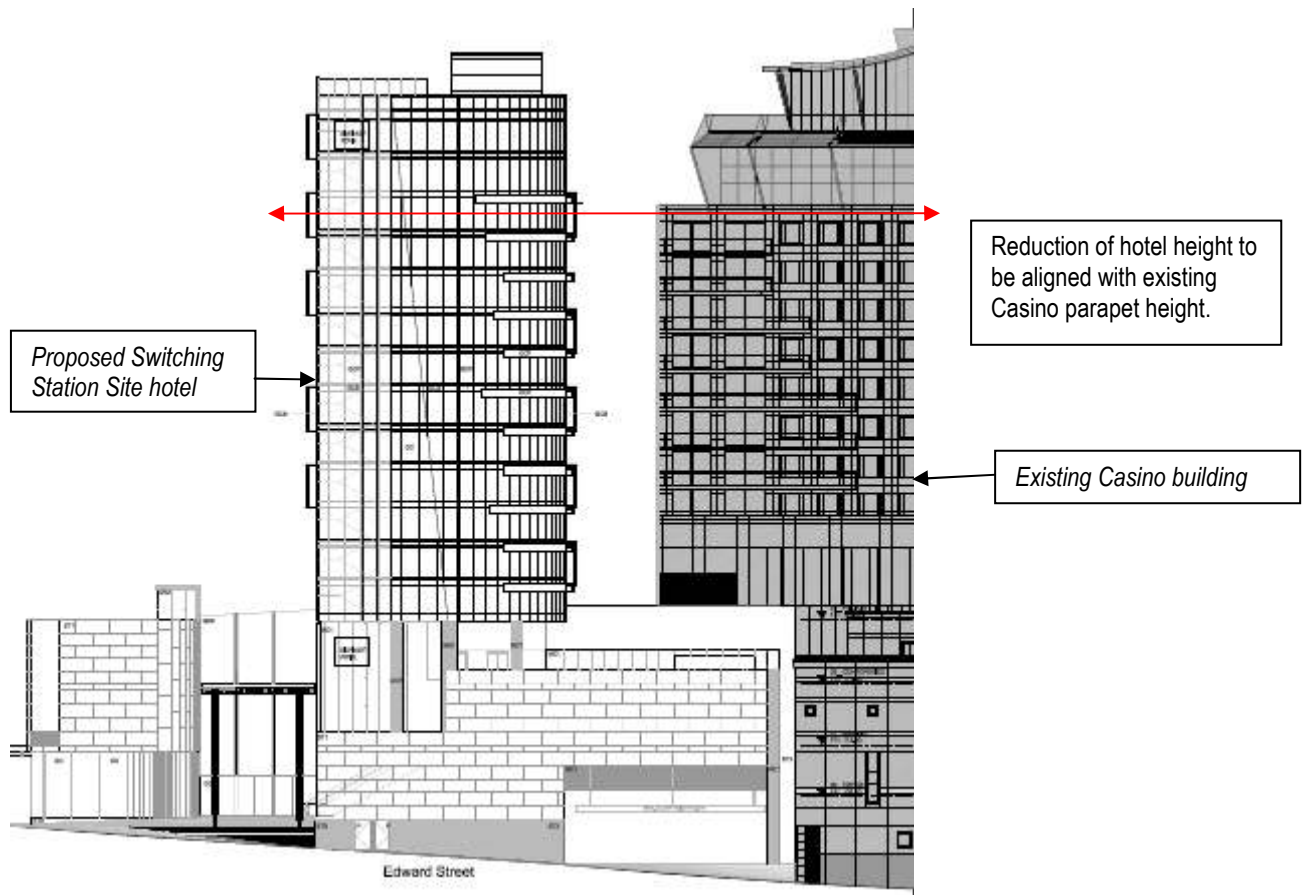


Figure 4 – Hotel tower elevation relative to existing Casino tower height.

### 5.1.3 Existing Casino (Pirrama Road frontage)

The proposed design for the Pirrama Road frontage has evolved through a detailed design process, following initial concerns raised by the Department.

The Department engaged 3 members of the hotel design competition jury to provide further advice on the overall development, specifically the proposed works and upgrade to the Pirrama Road frontage and existing Casino buildings. The panel members were engaged when the proponent was formulating early designs for the Pirrama Road frontage and provided input to the Department.

#### **Original design**

The proposal seeks to remove the existing stairs which dominate this frontage, and provide additional built form and a vehicular drop off area between the existing buildings and the Pirrama Road site boundary.

Prior to public exhibition of the proposal, the Proponent submitted a design for the Pirrama Road frontage involving a curvilinear frontage and dominant cone-like entry structure (see *Figure 4 – original design*). Concern was raised by both the Department and panel members that the proposed new entry structure did not achieve an integrated frontage and compromised the circulation within the building and the adjacent public domain areas, whilst adding another element to an already complex structure. This design also compromised the public pedestrian environment on Pirrama Road.





Figure 5 - Original design with new entry element (prior to exhibition)



Figure 6 - Original design porte cochere (prior to exhibition)

### **Exhibited design**

An amended design removed the cone-like entry structure and introduced an expansive 130 metre glass frontage incorporating a curved and tilted entry element. This amended design was publicly exhibited.

Whilst more integrated as a façade than the previous design, the Department and panel raised the following concerns about the amended design:

- the scale and length of the single plane glazed façade (approximately 130 metres)
- lack of active uses to Pirrama Road due to the width of the vehicular drop off
- poor interface with the public domain.

It was also considered desirable that the façade be broken into more than 1 element and sandstone be utilised to the edge elements. Previous concerns about the new vehicular drop-off and its interface with the public domain were also reiterated and were not addressed by this design.



Figure 7 - Exhibited design of Pirrama Road frontage



Figure 8- Exhibited design of porte cochere

### **Amended Design as submitted in the PPR**

The PPR made further amendments to the design of this frontage, summarised as follows:

- Realignment of the façade to provide a straight plane above Pirrama Road level
- Provision of 3 main elements to the façade, including a central glazed entry form
- Introduction of sandstone and stainless steel to the side façade elements
- Introduction of sandstone colonnade at Pirrama Road level providing covered pedestrian access
- Provision of 2 separated vehicular arrival spaces in lieu of previously proposed single area and realignment to be parallel with the building façade
- Paving treatment to vehicular arrival high quality CBD standard to provide a contiguous pedestrian environment
- Reconfiguration of retail / café uses to increase activation to the public domain

### **Pirrama Road facade**

The amended design addresses previously raised concerns by the Department and panel by breaking the façade into 3 distinct elements and providing greater articulation and reference to the surrounding context through the introduction of sandstone and other solid materials.

The façade contains a number of active uses and will allow for activation and engagement between the building and the surrounding public domain. The reduction in the extent of glass combined with a more modulated and articulated façade on either side of the entry structure will reduce the impact of the additional floor space on this frontage, both from immediate and longer distance views of the building.

### **Vehicular drop-off**

The division of the vehicular drop off spaces into 2 areas and the realignment of these results in an improved relationship with the public domain areas and pedestrian environment. The Pirrama Road frontage, with high quality paving and shared zones (at kerb cross overs) will have a greater emphasis on pedestrians rather than vehicles.

### **Signage / Feature lighting displays**

The PPR proposes external signage, including video signage and feature lighting displays, to be located on the existing and proposed building elements fronting Pirrama Road. The extent of information provided about the proposed signage is conceptual, providing little more information than potential locations for it and is insufficient to allow an informed and detailed assessment of its impacts. On this basis a condition will omit this part of the application from the approval, and future signage will be the subject of a separate development application to Council.

A condition of approval requires the proponent to commission an artist to develop artwork and feature light displays to Pirrama Road frontage, to ensure appropriate consideration and quality of visual displays.

In conclusion the removal of the existing stairs to this frontage and provision of a new façade provides a new entry to the casino, represents an improved design outcome for both the building and adjacent public domain and is supported.



Figure 9 - Pirrama Road frontage and porte cochere amended by the PPR



Figure 10 - Porte cochere and vehicular arrival space at Pirrama Road level as amended by the PPR



#### **5.1.4 Works to existing Casino**

The proposal also involves upgrade works to the facades of the existing hotel and serviced apartment towers to integrate their external appearance with the new hotel building and Pirrama Road frontage works. The existing towers have a masonry appearance, combined with glazing.

The works involve recladding of the 2 existing towers with a glazed façade including horizontal sun shading elements. This treatment will align with the proposed hotel building on the switching station site and are acceptable.

### **5.2 AMENITY**

#### **5.2.1 Proposed Outdoor Gaming Areas**

The proposal includes outdoor gaming areas to both Pirrama Road and Union Street, on Level 1 of the development resulting from the extension of existing gaming areas within the Casino.

The provision of any gaming facilities to this area would be subject to separate licensing by the Liquor Administration Board.

The PPR includes a supplementary Acoustic Report analysing the likely noise emissions from the use of the outdoor areas and their impacts on the nearest residential receivers in the Jones Bay Wharf area, Union Street and Pyrmont Street. The assessments are based on busy operating scenarios. The noise criteria used is based on the noise limits set by the Liquor Administration Board, the NSW Department of Environment and Conservation and the City of Sydney Council.

This Report concludes that the Pirrama Road outdoor gaming and terraces will comply between 7am and 12 midnight, with a minor exceedance being experienced between 12 midnight and 7am. The report also states that the exceedances are likely to be imperceptible given the mid-frequency nature of the noise and minor degree of exceedance.

Given the time of the exceedance and the number of residential properties within close proximity to the terraces, it is recommended that a condition be imposed requiring a Noise Management Plan to be prepared that provides adequate mitigation measures to ensure that full compliance on these outdoor areas is achieved.

The Report also concludes that the outdoor area on Union Street would result in mid-frequency exceedances during both the day and night time periods due to people talking.

The conditions of approval require that noise generated from the open terrace areas comply with the *Protection of the Environment Operations Act 1997*, restrictions on the emission of L<sub>10</sub> noise levels, and that noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

Additional conditions of approval allow for a trial period of 12 months for the use of proposed outdoor gaming areas / terraces fronting Union Street from 10am to 12 midnight and for 24 hours to Pirrama Road. The proponent is required to submit a further application to the Department to continue beyond the trial period.

The Acoustic Report concludes that mitigation measures are necessary for the predicted exceedances including:

- Additional acoustic – absorptive finishes and alternative perimeter treatments;
- Development of a Noise Management Plan for the operation of all gaming and entertainment measures including:
  - Limit patron numbers
  - Do not permit high noise level automated music playback when 'linked jackpot' is won

- Operate coin-less type electronic gaming machines
- Patron management
- Staff supervision of patrons
- Volume-limiting system on background music.

In order to ensure that impacts on the surrounding area, in particular residences, are minimised the above have been adopted as conditions, although modified to require outdoor areas to achieve compliance with maximum noise levels at all times and to not allow any amplified music in these areas.

### **5.2.2 Wind impacts**

The proponent has undertaken an analysis of the wind environment, the results of which indicate that the pedestrian ground level areas are generally not adversely affected by principal winds given the existing and proposed tree plantings and awnings, and by existing neighbouring buildings.

The wind conditions for the balconies, gaming areas and terraces associated with the development will be acceptable for their intended use given the proposed impermeable balustrades and roofing. Some outdoor areas will also be shielded by the existing casino buildings and the proposed hotel tower. The addition of two 3 metre high screens in between the hotel tower and existing casino tower is expected to ameliorate any potential funnelling effect between the two towers and make the area suitable for its intended use.

The addition of a full height screen or panel louvring on the western edge of the proposed hotel gaming area will mitigate potential wind impacts at this point, as well as the proposed door and baffle screen arrangement at the Pymont and Union Street entrance to the ground level retail area.

The proposed development is not expected to generate adverse wind effects given the prevailing wind conditions and the proposed measures included in the conditions of approval are considered to be satisfactory.

### **5.2.3 Reflectivity**

The proponent engaged consultants to undertake an assessment of the potential for reflected solar glare from the proposed vertical plane glass façade and canopy facing Pirrama Road. The study identified key observation points at pedestrian and driver heights, which revealed potential locations for views of the development proposal. Analysis reveals that the proposed façade design involves no sunlight reflection towards the location near the intersection of Pirrama Road and Edward Street, and likewise for vertical glass, there is no sunlight reflection towards pedestrians directly in front of the Pirrama Road frontage.

The study recommends that glazing be vertical and that glass is to have as low reflection characteristic as possible and its recommendations have been adopted as a recommended condition. The assessment of impacts of reflectivity and proposed measures are considered to be satisfactory.

### **5.2.4 Solar access**

Additional solar access analysis submitted with the PPR demonstrates that at 9am in mid-winter proposed hotel building on the Switching Station Site will overshadow the fronts of residential properties on Pymont Street (refer Figure 11). These properties overshadow their own rear gardens at this time.

By 10am only two of these dwellings are affected and by 11am they are all unaffected by the hotel tower. Due to their orientation, the affected dwellings have opportunities to receive good solar access to any side (northern) windows and rear gardens between 11am and 2pm in mid-winter.

It is noted that Union Square is currently overshadowed in mid-winter by the existing casino towers between 9am and 10am and the hotel tower will not impact on it.

Between 12 noon and 3pm in mid-winter the proposed hotel tower casts shadows on commercial buildings in Union Street (Refer figure 12).

On this basis the proposed new hotel development will not significantly create adverse overshadowing to adjoining areas. The recommended reduction of the hotel tower by 3 levels will further reduce its overshadowing impacts.

Figure 11: Detailed analysis  
at 9.00am, 22 June

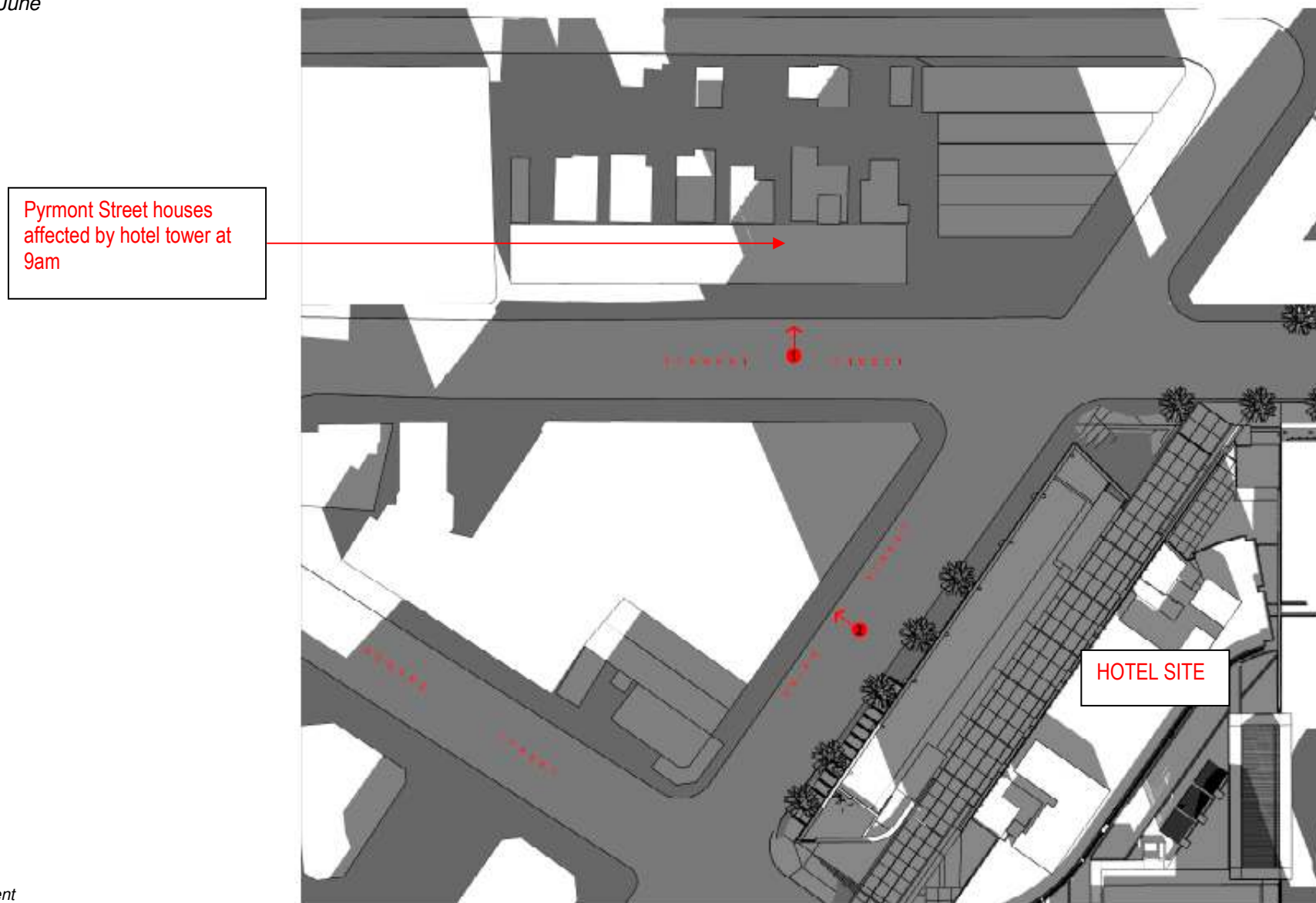
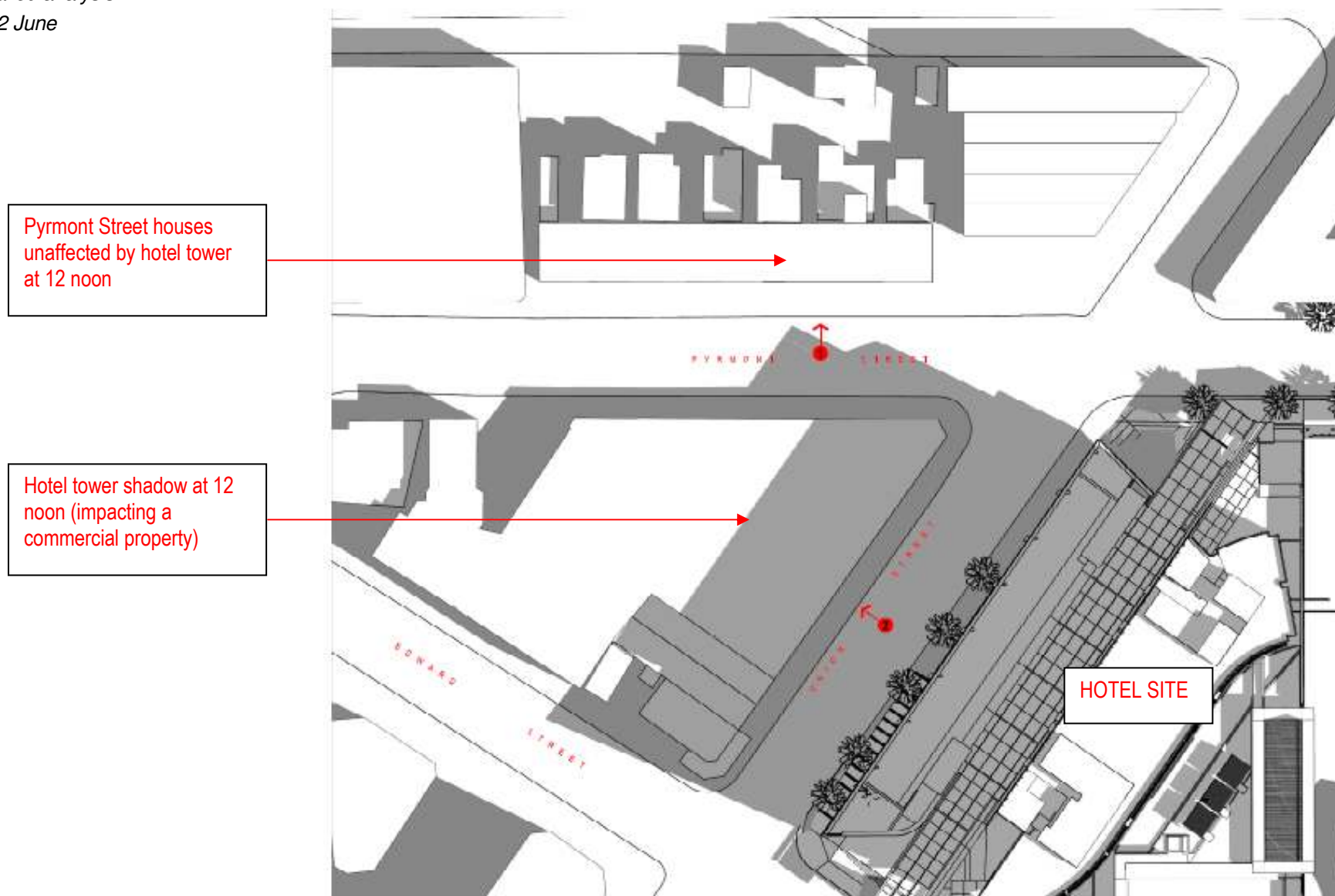




Figure 12: Detailed analysis  
at 12.00pm, 22 June



## 5.3 TRAFFIC, ACCESS & PARKING

### 5.3.1 Traffic and Access

#### **Traffic Generation**

The site is highly accessible by public transport services, including the Star City light rail station, Pyrmont Bay Ferry Wharf, frequent local bus services, and the Sydney Monorail. The proposed CBD Metro line will have a station near Union Square in the immediate vicinity. The site is also accessible by private vehicle via 3 major vehicular access points into the site, as well as by pedestrian and cycling links.

The proposal seeks to provide additional car parking on site, hence the requirement of the DGRs to undertake modelling of 6 key intersections within the vicinity of the site.

The Transport Impact Report submitted with the EA surveyed 8 surrounding intersections and modelled 6 of these at 3 times of the day relevant to the casino use, including in the late evening (10.30 – 11.30pm). Modelling was based on an increased parking supply on the site by 500 as proposed.

The modelling demonstrates that 5 of the 6 key intersections will retain a good level of service with significant spare capacity, including the intersection closest to the car park entry. The intersection of Pyrmont Bridge Road and Murray Street is predicted to be at capacity in all 3 critical time periods, following the proposed development. This intersection is currently operating at near capacity (level of service D), and additional analysis by the proponent's traffic consultant indicates that the future traffic scenario, based on the additional 500 spaces, will observe little difference in the operation of the intersection and there would be a slight deterioration in the level of service. As this intersection is currently operating at an acceptable level, this reduction in performance is not considered significant enough to cause a significant increase in traffic delays, and traffic would continue to clear the intersection in a single signal cycle, with average delays at acceptable levels.

The proposed right turn ban from Pyrmont Bridge Road into Murray Street by the City of Sydney Council, to accommodate a future cycleway along Union Street, will further increase capacity at this location.

The PPR provided additional information about 3 further intersections:

- Pyrmont Bridge Road / Harris Street
- Pyrmont Bridge Road / Western Distributor / Bank Street
- Pyrmont Bridge Road / Bridge Road / Wattle Street

The surveys and modelling of these intersections indicate that they will retain good levels of service (with spare capacity) following the proposed redevelopment.

The Transport Impact Report and supplementary Traffic Report submitted with the PPR demonstrate that the impacts on the adjacent road intersections are acceptable and propose the following measures to mitigate any impacts resulting from the development:

- Reviewing and monitoring the performance of the Murray Street / Pyrmont Bridge Road intersection following completion of the project.
- Retaining and enhancing access to public transport facilities.

An additional condition is also recommended requiring consultation with Sydney Buses, RTA and City of Sydney Council regarding amended linemarking and signage surrounding the site and to improve circulation near the entrance of the car park.

#### **Pirrama Road Porte Cochere**

The proposed new hotel development and works to the existing Casino complex will not adversely affect the existing access points to the site. The proposed porte cochere arrangement to the Pirrama Road frontage is intended to provide a new entry point to the site in line with the works to this frontage and enhance traffic movements along Pirrama Road, in particular the management of arrival/drop offs and taxi operations.

The Paramics modelling of the porte cochere shows that its impact on the road network surrounding the casino will be insignificant and that the porte cochere will be able to cope with the peak level of traffic arriving at it, with spare capacity and very little likelihood of spill-over into Pirrama Road.

The PPR has amended the design and materials of the vehicle drop off to create 2 smaller driveways on either side of the entrance in lieu of the previously proposed single driveway. The northern porte cochere will be limited to use by limousines and VIP vehicles during special events at which time attendants will direct vehicles in and out. When not in use the driveway will be chained off so prevent unauthorised entries.

The amended design also provides for a continuous footpath treatment along the Pirrama Road frontage with driveway style cross overs, with consistent pavement material, to encourage vehicles to give way to pedestrians.

In addition, the Transport Reports submitted with the EA and PPR recommend the following measures to mitigate impacts from the new porte cochere, which have been included as recommended conditions:

- Improved lighting of the Pirrama Road / Jones Bay Roundabout to maximise pedestrian safety.
- Commissionaire staff managing the operation of the porte cochere at busy times.
- Providing double lines on Pirrama Road to discourage right turn movements into and out of the porte cochere.

In addition, the following measures are also recommended as conditions to ensure impacts are minimised:

- Use of the northern porte cochere only during special events, and when managed by staff attendants. At all other times vehicular access to this porte cochere is to be restricted by a physical barrier.

### **5.3.2 Parking**

The proposal is seeking to extend the existing basement car park under the Casino onto the Switching Station site, as a new basement below the proposed hotel podium to serve both hotel guests and general visitors to the Casino.

In addition to the existing 2,500 spaces on site, the enlarged basement car park provides 500 extra spaces, accessed from existing entry points and the existing basement car park.

The Urban Development Plan for Ultimo Pyrmont – 1999 update specifies maximum parking generation rates for Business Development of 1 space per 150m<sup>2</sup>. On the basis of the additional 27,597m<sup>2</sup> gross floor area proposed, this would generate a maximum additional 184 car parking spaces which is significantly less than what is proposed.

The Sydney LEP 2005 sets out maximum parking rates for Central Sydney of 1 space / 5 hotel rooms and 4 spaces / 100m<sup>2</sup> of function room. This would generate approximately 237 spaces for the proposal, although does not strictly apply to the site as the LEP does not set rates for Ultimo Pyrmont.

The rates in the Urban Development Plan for Ultimo Pyrmont are relatively generic for business development, incorporating office and retail type development, and may not be entirely appropriate for the types of uses on the subject site, whereas the rates in the Sydney LEP are more aligned with the proposed additional gross floor area and uses on the site.

A previous Ministerial consent for a hotel function centre on the Switching Station site approved a net increase of 500 parking spaces on the site and a total combined number of 3000 spaces including the Casino car park. The consent was issued on 22 October 2007, and has since lapsed.

The proponent has undertaken a study of existing and future parking demand on the site, which indicates that existing peak demand on Friday and Saturday evenings may be between 3,300 and 3,600 parking spaces, with demand at remaining times being well below the existing 2,500 spaces on the site. The additional demand for parking during the Casino's peak periods is managed through the external supply of parking in the Darling Harbour precinct, and to a lesser extent in surrounding streets.

The increase in floor area on the Casino site and the proposed hotel on the Switching Station site will increase demand for car parking on the site.

The traffic generation modelling concluded that following an increase in parking supply by 500 spaces on the site, existing intersections will continue to have a good level of service and some with further capacity. The provision of lesser car parking (than 500 spaces) on the site could result in worsened impacts to the surrounding streets at peak times.

Given that the Department has previously recognised the need for 3,000 parking spaces servicing the entire Casino complex in an earlier approval, and on the basis that impacts on surrounding intersections will not be adverse, additional carparking, to a maximum number of 3,000 for the whole complex is recommended (also noting acceptable traffic impacts, subject to conditions).

Additional supplementary traffic and acoustic reports have also been submitted with the PPR and are discussed in this report.

#### **5.4 PUBLIC INTEREST**

The proposed development will provide significant public benefits as follows:

- Improved and enhanced entertainment and recreational facility
- Improved urban and aesthetic design to the site and locality
- Improved pedestrian connections
- Increased employment opportunities through the development of the hotel and commercial/retail uses and other long term economic benefits
- Further the development of Sydney, in particular as a world class tourist destination

The proposal results in an appropriate building form and urban design that ensures the development will not have any adverse impacts upon the amenity of the surrounding locality.

Accordingly, the proposal is considered in the public interest for the above reasons.

## **6 CONSULTATION AND ISSUES RAISED**

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### **6.1 PUBLIC EXHIBITION**

The major project application was exhibited from 24 September 2008 to 24 October 2008 for 31 days and was published in the newspaper. The EA was made available to the public in the Department's Information Centre and at the office of City of Sydney Council.

### **6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT**

During the public exhibition period the Department received a total of 39 public submissions, and 6 from public authorities being NSW State Transit Authority, NSW Maritime, CBD Metro, Sydney Water, the RTA/Sydney Regional Development Advisory Committee, and the City of Sydney Council.

The issues raised are summarised below.

### **6.2.1 NSW State Transit Authority**

Sydney Buses raised concern about the impacts of the proposed development on local traffic conditions, particularly with regard to the proposed 500 space car park, and potential for pedestrian/vehicular conflict with the new porte cochere arrangement.

The traffic generation modelling concluded that following an increase in parking supply by 500 spaces on the site, existing intersections will continue to have a good level of service and some with further capacity - the provision of lesser car parking (than 500 spaces) on the site could result in worsened impacts to the surrounding streets at peak times.

#### **Comment**

The PPR amends the porte cochere arrangement and provides for safer movement of pedestrians around this part of the site, including a pedestrian crossing and pedestrian islands. Traffic management measures are required to be implemented in the conditions of approval.

### **6.2.2 NSW Maritime**

NSW Maritime did not raise objection to the proposal but identified some issues regarding reflectivity of materials on the water and its impacts on the amenity of the general public and surrounding development, visual impacts of illumination from proposed LCD system and signage, and the implementation of appropriate safeguards to control sediments entering the waterway during construction.

#### **Comment**

The impacts of reflectivity on the water will be minimal given the site's distant location relative to the harbour. The PPR submits a supplementary reflectivity report which recommends vertical glazing to minimise potential impacts and specific glass types to achieve reflectance levels. Further, the extent of glazing proposed to the Pirrama Road frontage has been reduced to address this issue.

The impacts from illumination and signage, and sediment runoff are addressed through conditions of approval.

### **6.2.3 Sydney Metro Authority**

Sydney Metro Authority has reviewed the proposal and considers that the proposed hotel basement will impact on the preliminary alignment for the CBD Metro rail corridor.

In a letter received by the Department on 8 December 2008, Sydney Metro Authority advise that they have met with the proponent to discuss the details of the two projects and examine the structural implications of the hotel on the proposed tunnel alignment. Subject to further detailed geotechnical investigations, the Sydney Metro Authority is satisfied that both projects can proceed without structural changes being required to either project.

Conditions have been submitted by Sydney Metro Authority and included in the conditions of approval.

### **6.2.4 Sydney Water**

Sydney Water provided comments with regard to the discharge of trade waste to the sewerage system, installation of the appropriate level of backflow prevention containment on the drinking water services and fire services supplying the site, the proposed diversion of stormwater to a stormwater harvesting tank on the hotel site, water sensitive urban design and ESD, and Sydney Water servicing (s.73 certificate).

The implementation of best practice urban stormwater management using water sensitive urban design and the maximisation of stormwater reuse are included as conditions of approval. The proponent will also be required to submit detailed designs of the stormwater harvesting tank to Sydney Water prior to issue of a construction certificate.

The requests from Sydney Water are noted and included as conditions of approval.

### **6.2.5 RTA/SRDAC**

SRDAC commented that the performance of the Pyrmont Bridge Rd/Murray St intersection is satisfactory during peak periods but can become congested during peak operating times of the Casino. This was made with regard to the City of Sydney's proposal to eliminate the city bound right turn from Pyrmont Bridge Rd into Murray St in order to facilitate bike lanes at this intersection. The proponent's initial traffic report states that this intersection is at capacity and recommends no action be taken and the intersection monitored following completion of the development.

SRDAC recommends a raised concrete median to prevent right turns into and out of the porte cochere, instead of relying on double white barrier lines (which permit right turns into property), and that proposed car parking for the project comply with the requirements of City of Sydney. As discussed in section 5.3, the proposed car parking spaces is the same as that approved in the 1997 consent for a function centre on the site.

It is also recommended that swept paths are in accordance with AUSTROADS, car park layout in accordance with the relevant Australian Standard, all vehicles enter and leave in a forward direction, a demolition and construction traffic management plan be prepared, and that all works and regulatory signposting be at no cost to the RTA. These recommendations are included in the conditions of approval.

### **6.2.6 City of Sydney**

The City of Sydney is in general support of the upgrade to the Casino complex and the development of the vacant Switching Station Site, however it has raised concern with aspects of the proposal it believes will compromise the character and amenity of the surrounding locality. The design competition for the hotel development and detailed resolution of the Pirrama Road frontage have not taken into consideration the impacts of the proposal on the surrounding locality and amenity of both residents and users of the site.

It is recommended by Council that the height of the hotel is reduced to comply with the maximum 28 metre height limit under Sydney LEP 2005

#### **Comment**

The detailed design competition process for the Switching Station Site has considered the proposal in response to the requirements of the competition brief, which required height to be addressed, advising that if a height greater than the 28m limit is proposed then the development would need to mediate between the existing Casino building and the lower adjacent built form in Pyrmont, and demonstrate that a better outcome would be achieved than a complying development. The Jury Panel Report recommends the hotel tower to be reduced by 3 floors to provide an improved design response to the existing built form, and this is imposed as a condition of approval.

Council consider that a masterplan be prepared and adopted for the site in accordance with provisions in the Sydney LEP 2005. Pursuant to Clause 75R of the Act, environmental planning instruments, other than SEPPs, are not required to be considered in the assessment of a major project.

#### **Comment**

In this instance, a masterplan was not considered for the project and instead a design competition was held for the Switching Station Site. Further detailed design comments guided the outcome for the Pirrama Road frontage. This enabled a thorough design process where urban design issues were given high priority. The PPR incorporates all comments into the amended proposal.

The proposal calculates a combined FSR for the whole site however Council believes that FSR should be calculated separately for the Switching Station Site which thus results in a FSR of 5.02:1. Council recommends that the FSR for the Switching Station Site be reduced to comply with the limit of 2.5:1 under Sydney LEP 2005.

### **Comment**

The proponent relies on the GFA allocated under the previous Pyrmont Bay Master Plan as well as the previous 1997 consent for the Switching Station Site for a development with GFA of 21,500m<sup>2</sup>. The subject proposal has a total GFA of 130,048m<sup>2</sup> which is less than the 139,500m<sup>2</sup> GFA envisaged for the site under the Pyrmont Bay Master Plan.

Council also raises concern about solar access, conflicts arising from the porte cochere arrangement, car parking non-compliance and the modelling of intersections to justify the increased parking provision and its impacts on traffic flow, proposed Pirrama Road design, and provision of gaming and public entertainment to outdoor areas.

These issues have been considered in the assessment of the project and addressed in the PPR.

### **6.2.7 Public submissions**

Public submissions were received from residents living within proximity to the proposed development as well as community groups. Issues raised are as follows:

- Hotel does not comply with height limit and FSR controls for the site under SLEP 2005. Height of hotel does not respect scale of surrounding neighbourhood.

**Comment:** Pursuant to Clause 75R of the Act, EPIs other than SEPPs are not required to be considered in the assessment of major projects. However, the proposed hotel has been the subject of a design competition and detailed design critique to achieve a development that provides a transition between existing development in Union Street and the existing Casino complex.

- A master plan should be developed for the Switching Station Site.

**Comment:** Pursuant to Clause 75R of the Act, the master plan requirement under SLEP 2005 was not considered and instead a design competition was undertaken to develop an appropriate response to the site.

- Adverse noise impacts from proposed outdoor gaming area.

**Comment:** The PPR includes a supplementary Acoustic Report analysing the likely noise emissions from the use of the outdoor areas and their impacts on the nearest residential receivers in the Jones Bay Wharf area, Union Street and Pyrmont Street. The assessments are based on busy operating scenarios, and the report concludes that the Pirrama Road outdoor gaming and terraces will comply between 7am and 12 midnight, with a minor exceedance being experienced between 12 midnight and 7am. The exceedances are likely to be imperceptible given the mid-frequency nature of the noise and minor degree of exceedance.

Given the time of the exceedance, it is recommended that a condition be imposed requiring a Noise Management Plan to be prepared that provides adequate mitigation measures to ensure that full compliance on these outdoor areas is achieved. It is also recommended that a condition of approval allows a trial period of 12 months for use of all outdoor terraces from 10pm to 12 midnight, and for the proponent to submit a further application to continue beyond the trial period.

- New glass frontage to Pirrama Rd is excessive, high reflective surface, and should incorporate sandstone in the facade. Concern is also raised about increased illumination from signage.

**Comment:** The PPR reduces the extent of glass façade to the Pirrama Rd frontage and incorporates sandstone elements. A reflectivity report submitted with the EA and a supplementary report submitted with the PPR provide recommendations to address potential impacts, and is discussed in section 5.2.3 of this report. The proposed signage and associated illumination is not considered in this project application and a condition of approval requires the proponent to obtain a separate approval.

- Acoustic and wind tunnel testing required.

**Comment:** A Wind Effects Report submitted with the EA provides recommendations to alleviate potential wind impacts and is discussed in section 5.2.2 of this report. Mitigation measures are recommended in the Acoustic report and specific conditions of approval will require noise generated from outdoor terrace areas to be within statutory requirements and restrict noise levels from exceeding acceptable levels.

- Porte cochere arrangement will impact on pedestrian access along Pirrama Road.

**Comment:** The PPR amends the porte cochere arrangement to address concerns raised about pedestrian impacts. The porte cochere has been divided into 2 components enabling improved traffic flow and provides a greater depth for pedestrian islands, a pedestrian crossing and improved paving to encourage a shared zone. This provides for an improved public domain environment.

- Traffic impacts associated with development and additional 500 car parking spaces.

**Comment:** A previous consent (now lapsed) for a hotel function centre on the Switching Station site approved a net increase of 500 parking spaces on the site and a total combined number of 3000 spaces including the Casino car park. The proponent has undertaken a study of existing and future parking demand on the site, which indicates that existing peak demand on Friday and Saturday evenings may be between 3,300 and 3,600 parking spaces, with demand at remaining times being well below the existing 2,500 spaces on the site. The additional demand for parking during the Casino's peak periods is managed through the external supply of parking in the Darling Harbour precinct, and to a lesser extent in surrounding streets. The traffic generation modelling concluded that following an increase in parking supply by 500 spaces on the site, existing intersections will continue to have a good level of service and some with further capacity. The provision of lesser car parking (than 500 spaces) on the site could result in worsened impacts to the surrounding streets at peak times.

- Overshadowing (to properties on Pyrmont Street)

**Comment:** Additional hourly shadow diagrams submitted with the PPR indicated that impacts in midwinter from the new hotel will affect adjoining residents at 9am but this will decrease up until 10-11am, by which time these residences will not be affected by overshadowing.

- Impacts of climate change/sea level rise on the development.

**Comment:** The Pirrama Road frontage has an outlook to the harbour. Three small retail tenancies are proposed at the Pirrama Road level however they are located approximately 2.8 metres above sea level. The remainder of the new works are 8.5 metres and greater above sea level, and there are no habitable areas at the lower parts of the site. It is considered that the impacts of sea level rise will be minimal.

- Adverse social impacts

**Comment:** Residents raised concern about incidents of crime and anti-social behaviour that currently exists with the Casino complex and believe that the subject development does not address this issue. Whilst these concerns are a policing matter and that gaming related issues fall within the jurisdiction of the licensing function of the Casino Control Authority, the existing Security Management Plan will be updated to reflect the revised design and additional facilities. Further, the proposal has address CPTED in the design of the project application.

- Proposal does not consider the impacts of the development on surrounding heritage significance of the area.

**Comment:** The proposed works do not directly affect any heritage items. Surrounding items already exist in a context of historic buildings adjacent to a major casino facility, and the proposed new hotel building reconciles this relationship and makes a positive response to the existing heritage character within the vicinity of the site.



The proponent has satisfactorily addressed the issues raised during public exhibition in their Preferred Project Report and response to submissions, and recommended conditions have been imposed in this consent.

### 6.3 PUBLIC BENEFITS

The public benefits resulting from the proposal include:

- Improved and enhanced entertainment and recreational facility
- Improved urban and aesthetic design to the site and locality
- Improved pedestrian connections
- Increased employment opportunities through the development of the hotel and commercial/retail uses
- Further the development of Sydney, in particular as a world class tourist destination

## 7 CONCLUSION

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The Department has assessed the EA and considered the submissions in response to the proposal. The key issues raised in submissions relate to the height and FSR of the proposed new hotel building, noise impacts from proposed new outdoor gaming area, impact of new works to Pirrama Road frontage such excessive glass façade and reflectivity, pedestrian vehicle conflict with porte cochere arrangement, additional 500 space car park and associated traffic impacts, overshadowing, social impacts, and heritage matters.

The Department has determined that the proponent's response to the key issues relating to urban design, height consideration, car parking and traffic impacts, and amenity impacts, particularly for outdoor areas, will ensure there are minimal environmental impacts as a result of the proposal.

Key features of the Project Application include the development of a new hotel building on the Switching Station Site developed through a design competition process, a new basement car park for 500 spaces, and works to upgrade the existing Casino complex, including improvements to the Pirrama Road frontage.

The Project Application has demonstrated high quality design and a vastly improved building contributing to the area. The intent of the proposal meets the objectives identified for the site in the Sydney LEP 2005.

The Department has determined that the site is suitable for the proposed development. Accordingly, the Department recommends that the Project Application be approved, subject to conditions.

## 8 RECOMMENDATION

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It is recommended that the Minister:

- (A) **Consider** all relevant matters prescribed under Section 75J(2) of the *Environmental Planning and Assessment Act, 1979*, including those relevant matters prescribed by 75I(2) as contained in the findings and recommendations of this report;
- (B) **Approve** the application, subject to conditions, under section 75J(1) Environmental Planning and Assessment Act, 1979 having considered all relevant matters in accordance with (A) above; and
- (C) sign the attached Instrument of Approval.

Josephine Wing  
**Team Leader**  
**Urban Assessments**

Michael Woodland  
**Director**  
**Urban Assessments**

Jason Perica  
**Executive Director**  
**Strategic Sites and Urban Renewal**

## APPENDIX A.DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

### Director-General's Requirements Section 75F of the *Environmental Planning and Assessment Act 1979*

Application #	MP 08_0098.
Project	<p>The Project Application will seek approval for the following:</p> <ul style="list-style-type: none"> <li>• Construction of a multi-storey hotel with ancillary lower level retail, gaming and conference facilities, and additional car parking, on the vacant 'Switching Station' site; and</li> <li>• Alterations and additions to the existing Star City Casino building.</li> </ul>
Location	24-28 Union Street, Pyrmont & 20-70 Pyrmont Street, Pyrmont.
Proponent	Sydney Harbour Casino Properties Pty Ltd.
Date issued	<p>30 June, 2008</p> <p><i>If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director General in relation to the preparation of the environmental assessment.</i></p>
Key issues	<p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> <li><b>1. Relevant EPI's and Guidelines to be addressed</b> <ul style="list-style-type: none"> <li>• Address the planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>◦ SEPP 41 – Casino Entertainment Complex;</li> <li>◦ SEPP (Major Projects) 2005 Schedule 2, Sydney Harbour Foreshore Sites;</li> <li>◦ SEPP (Infrastructure) 2007;</li> <li>◦ SEPP 55 – Remediation of Land;</li> <li>◦ Sydney Local Environmental Plan 2005;</li> <li>◦ Ultimo-Pyrmont Urban Development Plan; and</li> <li>◦ NSW Government's Metropolitan Strategy.</li> </ul> </li> <li>• Address provision of public infrastructure with regard to the Ultimo-Pyrmont Section 94 Contribution Plan;</li> <li>• Address the nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.</li> </ul> </li> <li><b>2. Design Competition and Panel (Switching Station Site)</b> <ul style="list-style-type: none"> <li>• Provide details on the outcomes of the Design Competition held for the Switching Station Site; and</li> <li>• The works proposed to the Casino site are to be consistent with the outcomes of the design competition for the switching station site.</li> </ul> </li> <li><b>3. Architectural, Building and Urban Design Impacts</b> <ul style="list-style-type: none"> <li>• Address the visual impact of the project in context of adjoining development, impact on any heritage item (on-site as well as adjoining the site) and its setting and building mass as viewed from public areas including the Darling Harbour/Cockle Bay Wharf and the Sydney CBD;</li> <li>• Also address: <ul style="list-style-type: none"> <li>◦ Consistency with the character of development in the locality and relative to adjacent buildings including density, street frontage, scale, height, built form including roof form;</li> <li>◦ Amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas;</li> </ul> </li> </ul> </li> </ol>

- Proposed treatments to the open areas designated for managed public access;
- Analysis of views & vistas and impact of the proposal on these views, particularly on views from Harris & Union Square and Darling Harbour/Cockle Bay Wharf and the Sydney CBD;
- Way-finding and building identification signage; and
- Demonstrate that the proposed building siting does not have unacceptable level of impacts on acoustic and visual privacy, views, wind impacts and overshadowing of the adjoining residential sites.

#### **4. Safety/ Public areas/ Pedestrians**

- Demonstrate how the proposed building envelope, design and public domain treatment will:
  - Maximise safety, security and public surveillance within the public areas including the retail arcade at ground floor level and the basement car park. Specific regard should be given to the Department of Planning's Guideline; *Crime prevention and assessment of development applications* 2001;
  - Ensure access for people with disabilities; and
  - Minimise potential for vehicle and pedestrian conflicts.

#### **5. Public Domain**

- Provide details on the interface between the proposed uses and public domain, and the relationship to and impact upon the existing public domain; and
- Address the provision of linkages with and between other public domain spaces, including Union Square and the waterfront.

#### **6. Transport and Accessibility (Construction and Operational)**

- The Department does not favour additional parking in areas well-served by public transport and, if provided, this would need careful justification given that the site is well located for public transport use.
- Provide a Traffic and Transport Impact Study, prepared in accordance with the RTA's Guide to Traffic Generating Developments, which assesses the traffic and transport impacts of the project. The study should consider:
  - Traffic generation including daily and various peak traffic movements and the increase in the level and type of traffic associated with the proposal;
  - Cumulative impacts on the local and subregional area;
  - Impacts and measures to mitigate impacts on local and arterial roads and adjacent road intersections;
  - Provide details / modelling for key intersections being:
    - Pyrmont Bridge Rd/Pyrmont St;
    - Pyrmont St/Union St;
    - Union St/Edward St;
    - Pirrama Rd/Edward St;
    - Pyrmont Bridge Rd/Union St; and
    - Pyrmont Bridge Rd/Murray St.
  - Details of public transport accessibility and strategies to encourage public transport patronage in particular the light rail given its proximity to the site, for both employees and visitors;
  - Proposed number of car parking spaces, and compliance with relevant Council and RTA traffic and car parking codes;
  - Detail the existing pedestrian and cycle movements within the vicinity of the subject site and determine the adequacy of the proposal to meet the likely future demand for increased pedestrian and cycle access;
  - Provide details of coach, taxi, shuttle bus, service, delivery and emergency vehicle movements, and adequate provision for such vehicles; and
  - Consideration of Council's program of footpath widening on Union Street at

Pymont Bridge Road and 2-way traffic scheme on Pymont Street south of Pymont Bridge Road.

## 7. Noise Impacts

- Demonstrate that the proposal will be designed, constructed, operated and maintained so that there is no unacceptable level of noise impacts (including traffic noise) on amenity in the locality. The consideration of noise impacts shall have specific regard to the following;
  - The proposed development should be protected against noise and vibration from the adjoining light rail; and
  - Effective sound isolation should be demonstrated for the protection of the adjacent Lyric Theatre from noise or vibration intrusion from the proposed development.

## 8. Construction Impacts

- Address measures to ameliorate potential impacts arising from the construction of the proposed development.

## 9. Ecologically Sustainable Development (ESD)

- The proposal is to be designed to incorporate ESD principles in the design, construction and ongoing operation phases; and
- Provide an assessment of the new hotel building against the Department of Environment and Climate Change's *NABERS Energy and Water Rating for Hotels*, and demonstrate that a 4.5 Star rating can be achieved.

## 10. Social and Economic Context

- Address the social and economic context of the development in terms of infrastructure requirements and access including staging and monitoring of infrastructure works. An economic analysis shall include an investigation of the economic impact of the project upon the hotel and accommodation industry within the locality.

## 11. Services/infrastructure and utilities

- In consultation with relevant agencies, address the existing capacity and requirements of the development for water, electricity, waste disposal, telecommunications and gas.
- Details of any augmentation to services and utilities required to meet the demand generated by the proposed project.

## 12. Drainage

- Address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.

## 13. Utilities

- In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.

## 14. Staging

- Include details regarding the staging of the proposed development (if proposed)

## 15. Consultation

- Undertake an appropriate and justified level of consultation in accordance with the Department's *Major Project Community Consultation Guidelines October 2007*.

## 16. Audit of Compliance with previous Casino consent

- Include a copy of the conditions of consent for the Casino DA and an audit /response to demonstrate compliance in particular having regard to the transport arrangements/public transport.

Deemed  
refusal period

60 days.

## **APPENDIX B. RESPONSE TO SUBMISSIONS**

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A response from the Proponent to matters raised in submissions is addressed in the Preferred Project Report.

## **APPENDIX C. ENVIRONEMNTAL ASSESSMENT**

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To be provided on disk.



## **APPENDIX D. SWITCHING STATION DESIGN COMPETITION JURY REPORT**

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