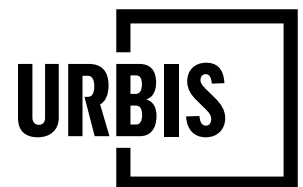


THE STAR – MODIFICATION 14 ENVIRONMENTAL ASSESSMENT REPORT

SEPTEMBER 2016
SA6161
MODIFICATION 14 – FORMAL LODGEMENT
PREPARED FOR THE DEPARTMENT OF PLANNING



URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Clare Brown
Senior Consultant	Erica Strohmeier
Consultant	Meadhbh Nolan
Project Code	SA6161
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EXECUTIVE SUMMARY

THE PURPOSE OF THIS REPORT

This Environmental Assessment Report (EAR) has been prepared by Urbis Pty Ltd (Urbis) on behalf of The Star Entertainment Group Limited (SEGL). It accompanies a proposal to modify the Part 3A Project Approval (MP08_0098) for The Star Sydney (The Star) under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The objectives of the proposed works are to:

- generally improve the functioning, circulation and amenity of The Star;
- contribute to the redevelopment of The Star to satisfy obligations to the NSW Government to maintain the site to a first class international standard for casinos and casino complexes in general;
- ensure competitiveness domestically and internationally by enhancing the overall experience of the complex and expanding the Sovereign Resort; and
- contribute to the improved functioning of The Star Multi Use Event Centre at Level 03 by providing additional pre-function space, which delivers a first class entertainment venue within close proximity to the city centre.

THE VISION

SEGL is a leading operator of integrated resorts catering to both local and international visitors and is the operator of The Star. Consistent with SEGL's commercial obligation to the NSW government to operate the site to a first class international standard, SEGL is proposing a revitalisation of the existing complex.

SEGL is embarking on a five year redevelopment journey to create a landmark, exemplar integrated resort. This proposed redevelopment will occur through the lodgement of two s75W applications lodged with the Department of Planning and Environment (Department), this Modification 14 and a future Modification 13. All works relating to Modification 14 are detailed within this EAR. Modification 13, which will involve the design of a new hotel tower that is proposed to be branded Ritz - Carlton and associated podium treatment at The Star, will be lodged separately.

SEGL is proposing to achieve the highest standard of built form outcomes for the site by encouraging innovation and best practice approaches to achieve an environmentally sustainable development that positively contributes to Pyrmont and the City of Sydney. This will be done through the implementation of new and advanced ESD initiatives, improved people and movement connections into and within The Star, alterations to the external appearance and presentation of the facility and improved integration of the external spaces with the Casino and Entertainment complex.

SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

SEGL lodged a request for Secretary's Environmental Assessment Requirements (SEARs) in relation to a modification of MP08_0098 on 15 December 2015 (Modification Request). At that time, the modification request was only intended to effect the modifications sought by Modification 13. SEARs for Modification 13 were then issued by the Department on 9 February 2016 and amended on 9 May 2016 (Mod 13 SEARs).

Following the issue of the original Mod 13 SEARs, SEGL identified operational and infrastructure improvements to The Star and resolved to seek further amendments to MP08_0098 (to be pursued separate to Modification 13) being the modifications set out in this EAR (Modification 14). In response to SEGL's request, the Department confirmed by way of letter dated 7 June 2016 that:

- it would not issue further SEARs in relation to Modification 14 as *'the assessment requirements for the modification appear generally consistent with those already issued for Modification 13'*; and
- as Modification 14 would have an environmental impact not greater than that of Modification 13, SEGL should address the relevant requirements of the Modification 13 SEARs in its environmental assessment for Modification 14.

Accordingly, this EAR for Modification 14 has been prepared referencing the relevant requirements of the Mod 13 SEARs.

THE SITE

The Star is located on an irregularly shaped block in Pyrmont, being Lot 500 in Deposited Plan (DP) 1161507, Lots 301 and 302 DP873212, and Lot 211 DP870336 (the site). The site is bounded by Pyrmont, Edward and Union Streets, and Pirrama and Jones Bay Roads.

The site is leased by a company within the SEGL group of companies from the Independent Liquor and Gaming Authority (ILGA) and accommodates, in addition to The Star, a light rail line (including The Star light rail station), a bus interchange located adjacent to the site's Pirrama Road frontage and a publicly accessible wharf serving both commercial boats and private watercraft.

THE PROPOSAL

The subject application seeks approval for the modification of MP08_0098 under section 75W of the EP&A Act as follows:

1. **Proposed development works:** Incorporating proposed works and site improvements, will expand on the existing improved uses onsite and will be contained internally within the site. The proposal includes modifications at Level B4, Level B2, Level 00, Level 01, Level 03, Level 04 and Level 05. These modifications will enhance the attractiveness and functioning of the complex, ensuring SEGL satisfies its ongoing obligations to the NSW Government to maintain The Star to a first class international standard; and
2. **Plan and condition consolidation:** Consolidating, reconciling and updating the existing approved plans for The Star into a single set of plans referenced in the Major Project Approval MP08_0098 (as modified). This will include incorporating works that have been approved under MP08_0098 (as modified) development consents granted by the City of Sydney Council and under the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Together, the above is referred to as Modification 14.

STATUTORY AND STRATEGIC FRAMEWORK

Sections 6 and 7 of this EAR provide an assessment against all relevant legislation as identified in the SEARs. The proposal falls within the Minister's power under section 75W of the EP&A Act and complies with all relevant legislative and policy requirements.

ENVIRONMENTAL PLANNING ASSESSMENT

This EAR addresses the key issues identified in the SEARs and other relevant considerations. The proposed development works represent a positive development outcome for the site and surrounding areas, as:

- The site is identified within the 'cultural ribbon' in *A Growing Plan for Sydney*. The modifications will enhance and attract more visitors to the Pyrmont area. This coupled with the prime location of The Star adjoining the Darling Harbour Precinct provides the opportunity for tourist connectivity along the foreshore between The Star and Darling Harbour;
- The site is easily accessible by public transport (notably a light rail station is located within the building) as well as a developed pedestrian and cycle paths to ensure that any additional movement to and from the site has negligible impact on the existing network;
- It comprehensively addresses the applicable SEARs and provides a full assessment of all relevant criteria to demonstrate that the proposal has limited environmental impacts;
- The proposal will provide additional employment and economic benefits to Pyrmont and greater Sydney;
- The modifications will serve to enhance the existing The Star building to provide a world class facility for both international and domestic tourists. This will further boost Sydney's reputation as a premier destination for international visitors; and

- The consolidated approved plans and conditions of approval will clarify and simplify the planning and development framework applying to the site, by providing a single compilation of architectural drawings and a consolidated set of conditions under which The Star will operate.

CONCLUSION

This EAR has addressed the SEARs that relevantly relate to the proposed modification. The proposed works and physical modifications are contained internally to the site, result in limited impacts and enhance the operational and environmental experience of The Star.

The Star has existed onsite since 1994 and contributed to the growth and development of the Pyrmont area. The Star will continue to contribute through increased employment opportunities, delivery of world class entertainment facilities, increased taxes and licence fees. The expansion in floor space will accommodate additional gaming area, retail and restaurant space enhancing local employment opportunities. The proposed modifications will improve and enhance the operations of The Star. The proposed modifications generate positive economic benefits for the Pyrmont area, and the wider Sydney and international population. Impact mitigation measures have been recommended where required and will be implemented through efficient and effective onsite management.

The proposed modifications are in the public interest and warrant the approval of the Minister for Planning.

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1. INTRODUCTION

This Environmental Assessment Report (EAR) is submitted to the Department of Planning and Environment (Department) to modify the existing Part 3A Project Approval (MP08_0098) for The Star Sydney (The Star) under s 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The site is known as 20-80 Pyrmont Road, Pyrmont, and is leased by a subsidiary of The Star Entertainment Group Limited (SEGL) from the Independent Liquor and Gaming Authority (ILGA). The proposed modification will enhance the attractiveness and functioning of the complex, ensuring SEGL satisfies its ongoing obligations to the NSW Government to maintain The Star to a first class international standard.

This EAR has been prepared by Urbis Pty Ltd (Urbis) based on the architectural drawings prepared by DWP Suters and other technical reports and information appended. This EAR describes the site, its environs, the proposed modifications and addresses the terms of the Major Project Approval MP08_0098. This EAR should be read in conjunction with the supporting documentation and plans.

This EAR has been prepared in accordance with the requirements of Part 3A of the EP&A Act; it addresses the relevant requirements of the Mod 13 SEARs; and presents recommendations for the consolidation of plans and conditions into Major Project Approval MP08_0098.

1.1. PROJECT OVERVIEW

The modification under s 75W seeks approval for:

- **Level B4 Infrastructure Upgrades** - Upgrades to existing generators, existing harbour heat rejection system, natural gas system, existing domestic cold water system and an additional sewer connection.
- **Level 00 – Porte Cochere and Astral Lobby Upgrade** - Realignment of Porte Cochere to accommodate expanded and upgraded Astral Lobby, upgraded Astral Lobby Bar and retail expansion and upgrades of the Main Casino Entry, including valet improvements to the Porte Cochere.
- **Level 00 Back of House Upgrades** - Internal upgrades and improvements to multiple aspects of the back of house space at Level 00.
- **Level 00 Astral Luxury Retail Zone** - New luxury retail zone connecting from Astral Hotel Lobby out to Jones Bay Road. Change of use from office / back of house to retail.
- **Level 00 - SELS Fit out** - Refurbish existing SELS Level 00 toilets at southern end of building to allow for adjacent lift lobby circulation areas. Upgrades and tenancy improvements to existing retail tenant at northern end of SELS building along Jones Bay Road. No external changes to SELS are proposed, with internal alterations only.
- **Level 00 SELS Lighting** - External lighting of the SELS building along Pyrmont Street to celebrate the heritage elements of the building.
- **Level 00 Darling Café** – New café within the existing Darling Hotel Lobby at Level 00.
- **Level 00 to 01 - G-Star Raw Escalators** - Replace existing G-Star Raw retail shop at Level 00 with new escalators providing access from Level 00 to Main Gaming Floor at Level 01. Includes new arrival bar adjacent to escalators at Level 01.
- **Level 01 - Main Gaming Floor Slab Infill** - Slab expansion off the Main Gaming Floor at Level 01 over the existing main entry foyer facing Pirrama Road. No facade works are proposed.
- **Level 02 – Oasis Gaming Area** – Minor external alterations to the Oasis unenclosed gaming area at Level 02.
- **Level 03 - Sovereign Expansion** – Expansion to the existing Sovereign Room at Level 03. This includes refurbishment of existing food, beverage and gaming locations, expansion of food and beverage opportunities and VIP gaming and unenclosed gaming areas.
- **Level 03 - Event Centre Pre-function Space** - New pre-function space adjacent to the MUEF at Level 03, to allow for circulation changes from the level 03 expansion.

- **Vertical Transportation Drum** - New escalators as part of a vertical transport arrival strategy from Level 00 to Level 03.
- **Level 04 – Star Administrative Offices** - Refit of the existing administrative offices within Astral Residences tower. Internal improvements only.
- **Level 05 – VIP Lobby & Check-in** – Conversion of existing pool plant space and enclosed pool deck at Level 05 to a lobby for the VIP hotel guest lounge.
- **Level 05 – Astral Residences Reception** - Conversion of meeting room to Reception and check-in lobby. Includes minor expansion to existing enclosed space.
- **Level 02 Northern Porte Cochere Canopy** - Removal of a section of the current glazing (retaining the canopy structure) of the current porte cochere canopy and include a new ceiling at a lower height over a section of the new slab (NW Gaming slab infill).
- **Existing Approvals** - Consolidation of the existing approved built works onsite into a consistent concise set of drawings and consolidated set of conditions.

1.2. STRUCTURE OF THE REPORT

This EAR provides the following sections:

- **Section 2 – Background and Historical Approvals:** Provides an overview of historic modifications and Development Applications.
- **Section 3 – Site and Surrounds:** Provides a description of the site, the regional and local context.
- **Section 4 – The Proposed Modification:** Provides a description of the proposed works.
- **Section 5 – Community and Stakeholder Engagement:** Describes the consultation undertaken with the relevant agencies and service providers.
- **Section 6 – Statutory Context:** Provides a detailed review of the proposal against the State and local planning framework.
- **Section 7 – Strategic Context:** Provides a detailed review of the proposal against the State and local strategic policies.
- **Section 8 – Environmental Assessment:** Provides an in-depth assessment of the existing environment, the potential impact, and the mitigation measures proposed. This section also includes an assessment of the cumulative and limited environmental impacts.
- **Section 9 – Conclusion.**

1.3. PROJECT TEAM

An expert project team has been formed to deliver the project and includes:

Table 1 – Project Team

Expertise	Consultant
Proponent	The Star Entertainment Group Limited (SEGL)
Urban Planning	Urbis
Architectural Plans, GFA Plans and Photomontages	DWP Suters
Traffic and Transport	Mott MacDonald
Heritage	Urbis
Acoustic Assessment	WSP / Parsons Brinckerhoff
Economic Impact	PWC
Social Impact	Urbis
BCA & Accessibility	McKenzie Group
Fire Life Safety	WSP / Parsons Brinckerhoff
Sustainability (ESD)	WSP / Parsons Brinckerhoff
Marine Impact Assessment	WSP / Parsons Brinckerhoff
Electrical and Hydraulic Services	Umow Lai
Heritage Lighting	Point of View
Structural Engineering	TTW

1.4. SECRETARY ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Urbis, on behalf of SEGL, made a request for Secretary's Environmental Assessment Requirements (SEARs), pursuant to clause 3, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* in relation to the modification of MP08_0098. The request was made on 17 December 2015 and at that time was only intended to relate to the works proposed under Modification 13. SEARs for Modification 13 were issued by the Department on 9 February 2016 and amended on 9 May 2016 (Mod 13 SEARs).

Following the issue of the original Mod 13 SEARs, SEGL identified operational and infrastructure improvements to The Star separate to Modification 13 and resolved to seek a further modification of MP08_0098 to include the works set out in this EAR (Modification 14) to enable delivery of those works prior to Modification 13. A proportion of the proposed works to be included in Modification 14 were originally included in the Modification 13 SEARs request sent to the Department. In response to SEGL's request, the Department confirmed by way of letter dated 7 June 2016 that:

- it would not issue further SEARs in relation to Modification 14; and
- as Modification 14 would have an environmental impact not greater than that of Modification 13, SEGL should address the **relevant requirements** of the Mod 13 SEARs in its environmental assessment for Modification 14.

The relevant SEARs requirements relating to works included in Modification 14 are addressed within this report (see **Table 2** below). A complete copy of the SEARs is included in full at **Appendix B**.

Table 2 – SEARS Assessment Requirements

Requirement	Comment
A. GENERAL REQUIREMENTS	
An executive summary.	Addressed in the Executive Summary .
A description of the existing and surrounding environment.	Addressed in Section 3 .
A thorough description and justification of the proposal, including: <ul style="list-style-type: none"> • A detailed justification for the increases in height, GFA and additional car parking; and • Description of the public benefits arising from the proposal. 	Addressed in Section 8 .
Consideration of any statutory provisions (see below).	Addressed in Section 6 .
A detailed assessment of the key issues specified below, including: <ul style="list-style-type: none"> • A description of the existing environment; and • An assessment of the potential impacts of the modifications, including cumulative impacts. 	Addressed in Section 3 and Section 8 .
An amendment to the approved Statement of Commitments (where relevant)	Addressed in Appendix Q .
B. KEY ISSUES	
1. Relevant EPIs, Strategies, Plans and Guidelines	
Address the provisions of State Environmental Planning Policies, strategies, plans and guidelines that would apply as if those provisions applied to the carrying out of the project, including the following: <ul style="list-style-type: none"> • State Environmental Planning Policy (State & Regional Development) 2011; • State Environmental Planning Policy No 55 – Remediation of Land; • State Environmental Planning Policy (Infrastructure) 2007; 	
	Addressed in Section 6.2 .
	Addressed in Section 6.3 .
	Addressed in Section 6.4 .

Requirement	Comment
<ul style="list-style-type: none"> • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 and Foreshores and Waterways DCP; 	Addressed in Section 6.5.
<ul style="list-style-type: none"> • Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012 and Draft City of Sydney Development Contributions Plan 2015; 	Addressed in Section 6.6 & Section 6.7.
<ul style="list-style-type: none"> • NSW State Priorities; 	Addressed in Section 7.1.
<ul style="list-style-type: none"> • A Plan for Growing Sydney; 	Addressed in Section 7.2.
<ul style="list-style-type: none"> • NSW Long Term Transport Master Plan; 	Addressed in Section 7.3.
<ul style="list-style-type: none"> • Sydney City Centre Access Strategy 2013; 	Addressed in Section 7.4.
<ul style="list-style-type: none"> • Sydney's Cycling Future 2013; 	Addressed in Section 7.5.
<ul style="list-style-type: none"> • Sydney's Walking Future 2013; and 	Addressed in Section 7.6.
<ul style="list-style-type: none"> • Sydney's Light Rail Future 2013; 	Addressed in Section 7.7.
Demonstrate that the proposal has limited environmental impacts beyond those already assessed for project approval MPP 08_0098 and any subsequent modifications to that approval.	Addressed in Section 8.
2. Built Form and Design Excellence	
<ul style="list-style-type: none"> • Demonstrate design excellence 	Addressed in Section 1.5.
<ul style="list-style-type: none"> • Address the height, bulk and scale of the proposed development within the context of the locality. 	Addressed in Section 8 and within the Architectural Plans & Photomontages at Appendix A.
<ul style="list-style-type: none"> • Address visual impact when viewed from the public domain and key vantage points surrounding the site. 	Addressed in Section 8 and within the Photomontages at Appendix A.
<ul style="list-style-type: none"> • Address design quality, with specific consideration of the overall site layout, siting and design, orientation, vistas and connectivity, street activation, open spaces and edges, façades, massing, setbacks and building articulation. 	Addressed in Section 8 and within the Architectural Plans & Photomontages at Appendix A.
<ul style="list-style-type: none"> • Provide a table identifying the proposed development's different land uses including a floor-by-floor breakdown of GFA, total GFA and site coverage. 	Addressed within the Gross Floor Area Table (3) in Section 4.2 and Plans at Appendix A.

Requirement	Comment
3. Amenity <ul style="list-style-type: none"> Address and outline design principles incorporated into the development in terms of sunlight/overshadowing, natural ventilation, wind impacts, reflectively, visual and acoustic privacy, and safety and security. 	<p>Sunlight/overshadowing, natural ventilation, wind impacts, reflectively and visual privacy are not applicable as the proposed does not include additional building height or works outside the property boundary.</p> <p>Acoustic privacy is addressed in Section 8.3 and within the Noise Impact Assessment at Appendix E.</p> <p>Safety and Security is addressed in Section 8.12 and within the Social Impact Statement at Appendix G.</p>
4. Visual Impacts <p>A visual impact assessment must be undertaken to identify the visual changes and view impacts of the development.</p>	<p>Addressed within the Architectural Plans & Photomontages at Appendix A.</p>
5. Traffic, Car Parking, Transport and Access <p>The modification application shall include a Traffic and Transport Impact Assessment that:</p>	
<ul style="list-style-type: none"> evaluates daily and peak hour vehicle, public transport and pedestrian movements likely to be generated by the development (construction and operation) including peak traffic movements; 	<p>Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C.</p>
<ul style="list-style-type: none"> models and assesses the current and future performance of key intersections providing access to the site under 'project' and 'no project' scenarios, and identifies any upgrades (road/intersections) required as a consequence of the proposal; 	<p>Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C.</p>
<ul style="list-style-type: none"> evaluates the cumulative impacts and potential conflict with traffic movements generated by existing and approved development in the vicinity of the site; 	<p>Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C.</p>
<ul style="list-style-type: none"> assesses the ability of existing and future public transport networks (including passenger access to platforms) to ensure the development does not adversely impact on its safe and efficient operation; 	<p>Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C.</p>
<ul style="list-style-type: none"> outlines existing public transport services and opportunities for greater usage for workers and visitors; 	<p>Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C.</p>

Requirement	Comment
<ul style="list-style-type: none"> details sustainable travel initiatives for workers and visitors, particularly for the provision of end-of-trip facilities; 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> details existing and proposed vehicular access and car parking arrangements for workers and visitors (cars, coaches/buses & taxi ranks), including compliance with parking codes and Australian Standards; 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> details of the potential impacts to access and manoeuvring in the bus interchange; 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> identifies pedestrian and cycle connections/circulation, particularly the cycle network identified in the Sydney City Centre Access Strategy; 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> details access arrangements for emergency and service vehicles, including loading dock arrangements; and 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> in relation to construction traffic: 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> outlines anticipated daily and peak hour light and heavy vehicle movements to and from the site; 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> outlines car parking and work zones for construction traffic; 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> outlines access arrangements for workers to/from the site, emergency vehicles and service vehicle movements; 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> outlines measures to mitigate construction traffic impacts on vehicles, pedestrians, cyclists and public transport operations; and 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
<ul style="list-style-type: none"> outlines measures to maintain pedestrian and cyclist safety during construction. 	Traffic, Car Parking, Transport and Access have all been addressed within Section 8.1 and within the Traffic Impact Statement at Appendix C .
6. Public Domain and Public Access	
<ul style="list-style-type: none"> materials and finishes; 	Addressed within the Architectural Plans & Photomontages at Appendix A .

Requirement	Comment
<ul style="list-style-type: none"> street lighting, pedestrian lighting and feature lighting; 	Addressed within the Architectural Plans & Photomontages at Appendix A.
<ul style="list-style-type: none"> steps, ramps, vehicle crossings, decks and pathways; 	Addressed within the Architectural Plans & Photomontages at Appendix A.
<ul style="list-style-type: none"> services where affected, utility poles, and service pits; 	Addressed at Section 8.12 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M.
<ul style="list-style-type: none"> civil and stormwater infrastructure; 	Addressed at Section 8.10 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M.
7. Ecologically Sustainable Development (ESD)	
<ul style="list-style-type: none"> Identify how the development will incorporate best practice ESD principles in the design, construction and ongoing operation phases of the development. 	Addressed in Section 8.11 and within the Sustainability Report at Appendix K.
8. Heritage and Aboriginal Heritage	
<ul style="list-style-type: none"> Prepare Historic Heritage and Aboriginal Heritage impact assessments. 	Addressed in Section 8.2 and the Heritage Impact Statement at Appendix D. That proposal would not require an Aboriginal Heritage impact assessment; however community consultation with land groups has occurred in this regard. (Appendix O).
9. Contamination	
<ul style="list-style-type: none"> Demonstrate compliance with the requirements of SEPP 55. 	Addressed in Section 6.3 and Appendix R.
10. Infrastructure	
<ul style="list-style-type: none"> Detail any infrastructure proposed to service the development and demonstrate that the site can be suitably serviced. 	Addressed at Section 8.10 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M.
<ul style="list-style-type: none"> Detail the existing infrastructure on site, and identify any possible impacts on infrastructure (particularly the light rail) arising from the construction of the proposed development. 	Addressed at Section 8.10 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M.
<ul style="list-style-type: none"> Where the proposed works affect existing infrastructure, the application should detail any mitigation works proposed, including service relocations. 	Addressed at Section 8.10 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M.

Requirement	Comment
<ul style="list-style-type: none"> Prepare an Infrastructure Management Plan. The applicant shall provide information on the required water and waste water services, electricity and gas and any augmentation of Sydney Water and RMS and Light Rail infrastructure that may be required for the proposed development. 	Addressed at Section 8.10 and Section 8.10 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M .
11. Air, Noise and Odour	
<ul style="list-style-type: none"> Address potential air quality, noise and odour impacts, in particular during the construction and operation of the development and appropriate mitigation measures. 	Addressed at Section 8.3 and within the Noise Impact Statement at Appendix E .
12. Drainage and Stormwater	
<ul style="list-style-type: none"> Prepare a Stormwater and Drainage Assessment to assess the impacts of the proposal on surface and groundwater hydrology and quality. 	Address at Section 8.10 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M .
<ul style="list-style-type: none"> Identify appropriate water quality management measures focussing on the management of the impacts from the proposed works. 	Addressed at Section 6.5 and within the Electrical and Hydraulic Services Infrastructure Report at Appendix M .
13. Staging	
<ul style="list-style-type: none"> Details regarding the staging of the proposed development. 	No staging of the development is proposed. The construction staging will be addressed in a Construction Management Plan.
14. Prescribed Airspace for Sydney Airport	
<ul style="list-style-type: none"> Identify any impacts of the proposal on the prescribed airspace for Sydney Airport, including impacts of cranes required for construction. 	Not a relevant requirement.
15. Developer Contributions	
<ul style="list-style-type: none"> Scope of developer contributions proposed in accordance with the Draft Sydney Contributions Plan 2015. 	Addressed within Section 6.6.3 .
C. CONSULTATION	
During the preparation of the modification application, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.	Addressed in Section 5 and in the Summary of Stakeholder Consultation at Appendix O .

Requirement	Comment
In particular you must consult with:	
• City of Sydney Council;	
• Office of Liquor, Gaming and Racing;	
• Sydney Water;	
• Ausgrid;	
• Local heritage group/s; and	
• Local Aboriginal Land Council and relevant stakeholders.	

1.5. DESIGN EXCELLENCE

Part 2 of the SEARs requires that the proposal demonstrate design excellence. As discussed previously, the SEARs were issued in relation to Modification 13. Modification 13 proposes a new hotel building onsite. The works proposed under for Modification 14 occur predominantly within the existing building envelope. The works will not have an impact on the streetscape, will not incur a visual impact and will fit within the existing built form. In terms of visual perception from the streetscape, the proposed additions will not be obvious from street level or in the context of the existing development.

In this regard we consider that a Design Excellence Strategy is not applicable given the nature and scale of the proposed works associated with Modification 14.

2. BACKGROUND AND HISTORICAL APPROVALS

2.1. SITE BACKGROUND

The site was historically occupied by the Pyrmont Power Station, one of two key electricity generating plants located on the Pyrmont Peninsula. The power station was decommissioned in 1983 and afterwards remained derelict for almost a decade. Most of the structures on the site were demolished in 1993 as part of the development of the temporary Sydney Harbour Casino.

2.2. ORIGINAL MAJOR PROJECT APPROVAL

Development Application 33/94 was approved by the Minister for Planning on 9 December 1994 under section 91 of the EP&A Act and clause 6(1) of the State Environmental Planning Policy No 41 – Casino Entertainment Complex for a permanent casino and entertainment complex including a hotel, serviced apartments, theatres, restaurants, bars, car parking and associated facilities on the site. The Star City Casino and Entertainment Complex began operation in November 1997.

2.3. SUBSEQUENT MAJOR PROJECT APPROVAL

In 2007, a major expansion of The Star City Casino (known as 'Project Star') comprising the following elements was proposed:

- a new 309 room hotel with ancillary lower level retail, gaming and conference facilities on the 'Switching Station' site;
- 500 additional basement car parking spaces accessed via existing car park;
- redevelopment of the retail arcade through the ground floor of the building, linking Pyrmont Bay Park to the intersection of Union and Pyrmont Streets, and to Jones Bay Road;
- redevelopment of the eastern (Pirrama Road) portion of The Star building currently occupied by large external stairs to contain additional restaurants, retail outlets, gaming space, other entertainment and tourist related facilities, a ceremonial entry and a driveway provide a new vehicular drop-off to The Star; and
- works on the exterior of the existing tower buildings to enhance their external appearance.

On 27 May 2008, the Minister formed the view that this proposal was development to which Part 3A of the EP&A Act applied.

A number of modifications to the approved project were approved under section 75W of the EP&A Act including the following:

- **Modification 1** (3 March 2009) – modifying conditions A6 and B1 to provide clarity in respect of specific condition requirements;
- **Modification 2** (25 March 2009) – modifying condition B2 to provide clarity in respect of the approved hotel height;
- **Modification 3** (6 April 2009) – modifying condition B4 to allow a staged agreement process for excavation within the vicinity of the rail tunnel easement;
- **Modification 4** (1 December 2009) – modifying the approval to facilitate an alternative façade design, consolidation of porte cochere, reconfiguration of the entry arrangements and extension to the entertainment deck;
- **Modification 5** (20 July 2010) – modifying conditions to alter general project arrangements, reflect revised BCA capability and extend hours of construction;
- **Modification 6** (9 September 2009) – deleting Level 13 and increasing the floor to ceiling heights on Levels 11 and 12 of the hotel, along with a reduction in the number of suits on Levels 6 to 12, resulting in an overall reduction in the total number of hotel suits from 252 to 173;
- **Modification 7** (29 July 2011) – modifying the approval to facilitate the construction of the Multi-User Entertainment Facility (MUEF) on Level 4 roof top terrace area;

- **Modification 8** (16 November 2010) – modifying the approval to facilitate the partial enclosure of the existing outdoor terrace adjoining the Sovereign Room on level 3;
- **Modification 9** (13 October 2011) – modifying the approval to facilitate the relocation of the night club to the southern end of Level 2 and relocation of the restaurant to the northern end of Level 2;
- **Modification 10** (16 December 2011) – modifying the approval to facilitate a change to the cladding material on the façade of the MUEF;
- **Modification 11** (17 October 2012) – modifying Condition F1 to permit the playback of background music and DJ/live music events on the Level 3 Darling Pool Terrace;
- **Modification 12** (14 October 2014) – modifying Condition F1 to permit the installation of speakers on the Level 3 Pirrama Road Entertainment Deck and within the Level 1 Pirrama Road unenclosed gaming areas. Modification to Condition F3 to enable the continued and permanent use of the Level 1 Pirrama Road unenclosed gaming area for 24 hour per day use.

As identified previously SEARs were issued for proposed **Modification 13** (as amended on 9 May 2016) for a proposed New Hotel and Residential Tower and associated alterations and additions involving both internal and external work. Modification 13 will be lodged subsequent to Modification 14.

2.3.1. Other Approvals

Facilities upgrades and internal and external alterations and additions to The Star Casino and Entertainment Complex following completion of Project Star have occurred through-out the site under development consents granted by the City of Sydney. More than 50 development consents have been granted since 2009 for temporary events and permanent works. In addition complying development certificates have been issued in relation to minor internal alterations and works granted in accordance with the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. (Council Consents).

These approvals relate primarily to minor works and alterations and include but were not limited to:

- Temporary events on-site;
- Commercial fit-outs;
- Refurbishment and reconfiguration of internal areas;
- Replacement of existing signage; and
- Alterations and additions to the Astral Hotel and Residence.

This has created a highly complex set of planning approvals and overlapping conditions regulating the site operations.

An objective of Modification 14 is to simplify and consolidate the terms of the approvals applying to The Star and to produce a consolidated set of drawings that document the approved and constructed work on site. The Architectural Plan Package in **Appendix A** of this EAR includes a set of existing site drawings (identified as the existing site plan within the plans pack) and uses this as the basis for the new works proposed under Modification 14. The three schedules within **Appendix P** identify the development consents issued by the City of Sydney since 2009, nominates the conditions from those consents proposed to be incorporated into Project Approval MP08_0098 and presents a consolidated set of conditions using the Project Approval MP08_0098 as the base.

DWP Suters Architect undertook an audit of the plans approved under the Council Consents and the development on site, and prepared the existing site plans included in **Appendix A**. Further details of this consolidation are included within **Section 4** below.

SEGL is required, under the terms of the Casino Operations Agreement between the Independent Liquor and Gaming Authority (acting on behalf of the NSW Government under section 143 of the *Casino Control Act 1992*) and SEGL, to ensure the casino and associated facilities of the integrated resort are conducted and managed at a *'first-class international standard for casinos and casino complexes in general having regard to best operating practices at them and will be conducted in an efficient and commercially fair and reasonable manner and to standards of the highest integrity.'*

The works proposed under Modification 14 and the condition and plan consolidation have been designed to enhance the attractiveness, ease of access, functionality of the complex and patron enjoyment through infill development and the expansion of the existing uses onsite. It is considered that this proposal assists The Star in maintaining its premises to a first-class international standard.

3. SITE AND SURROUNDS

3.1. SITE LOCATION AND DESCRIPTION

The land on which The Star is located is described as Lot 500 in Deposited Plan 1161507, Lots 301 and 302 DP873212, and Lot 211 DP870336, Nos 20-80 Pyrmont Road Pyrmont (the site). The site accommodates a light rail line (including the 'The Star' light rail station) in addition to The Star.

The 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 location and configuration of the site is shown on **Figure 1**.

The site is leased by a subsidiary of SEGL from the Independent Liquor and Gaming Authority (ILGA), and has a total area of 39,206m². SEGL is a leading operator of integrated resorts that appeal to both local and international visitors. SEGL is the operator of The Star Sydney (The Star), with a casino license to operate a casino through to the year 2093.

The site is occupied by the existing integrated resort which includes a multi-storey entertainment facility, gaming areas, retail spaces, multiple restaurants and bars, the Sydney Lyric Theatre, 480 hotel rooms/serviced apartments across three towers and basement parking for up to 2,845 cars.

Figure 1 – Aerial Image of the Subject Site (Source: Sixmaps)



3.2. EXISTING DEVELOPMENT

Key elements of the existing development within The Star include the following:

- A range of gaming spaces including the main gaming floor, private gaming spaces, international gaming spaces and outdoor gaming spaces;
- A range of retail spaces;
- A mix of restaurants and bars;
- Two theatres including the Sydney Lyric Theatre and The Star Event Centre;
- Hotel rooms / serviced apartments;
- The Star light rail station; and
- Basement car parking.

3.3. SURROUNDING DEVELOPMENT

The Pyrmont Peninsula (**Figure 2**), which provides the context of the integrated resort, 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 uses in the immediate vicinity of the site are diverse, including large commercial premises, restaurants, cafes, contemporary residential apartments, public parks, and pockets of remnant terrace housing.

North of the site is a mixed use area including a small row of terraced houses and residential apartments in buildings up to eight storeys in height.

East: North-east of the site is the commercial / retail and parkland precinct of Jones Bay Wharf, Darling Island and Darling Harbour Wharf 10. To the south-east is a street block of six to seven 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 site, supports a diverse range of building styles, heights and land uses ranging from six to eight storey commercial buildings to smaller scale heritage listed terrace houses.

Figure 2 – Surrounding Context



3.4. PUBLIC TRANSPORT AND ACCESS

Presently there are three locations of public vehicular access to The Star:

- Edward Street North/Pirrama Road intersection. Five control gates are available and tidal flow arrangements are envisaged if demanded by peak flows. This intersection, which is signal controlled, also allows for coach ingress to the coach drop-off, pick-up and parking area, and Showroom Theatre loading dock.
- Edward Street South from Pyrmont Bridge Road where two entry and two exit lanes are available to the car park.
- The porte cochere which is located on the Pyrmont Street frontage (entrance via Jones Bay Road) and includes direct dedicated circulation to and from the car park for valet parking.

The site enjoys a high level of accessibility by public transport, including:

- The Star light rail stop, which provides access to and from the CBD and inner western suburbs. Services operate 24 hours per day, every 10 to 30 minutes.
- Pyrmont Bay Ferry Wharf, which provides access to and from the CBD, Balmain, the Lower North Shore and Circular Quay, operating every 30 minutes.
- Local bus services, which connect Pyrmont to the CBD, operating between 6.00am and 1.00am, approximately every 10 minutes.

There are two major taxi pick up locations within the site. These are located:

- Within the porte cochere adjacent to the main casino entry; and
- Within the Pirrama Road forecourt, adjacent to the light rail station.

The Traffic Impact Assessment (**Appendix C**) identifies other means of access to the site including bicycle and pedestrian access.

4. THE PROPOSED MODIFICATION

4.1. SUMMARY OF THE PROPOSED DEVELOPMENT

The works proposed in Modification 14 contribute to enhancing the attractiveness and functioning of the complex, ensuring that the SEGL group of companies satisfy their ongoing commercial obligations to the NSW Government to maintain The Star to a first class international standard. The proposal is for general site improvements, which expand upon the existing land uses onsite. The works are contained internally to the site and result in minimal changes to existing building façades. The proposed works relate predominantly to infill of existing roof top spaces and terrace areas.

Modification 14 comprises the following development:

- **Infrastructure Upgrades** - Upgrades to existing infrastructure in the basement at Levels B2 and B4, including:
 - Upgrade of the existing harbour heat rejection system. This will involve replacement of the existing three pumps with six new pumps. This is a redundancy upgrade, two pumps will operate as standby pumps only;
 - Internal pipework modification to accommodate new pumping arrangements;
 - New stormwater filtration system and strainer system upgrade within the plant room at Level B4;
 - New modular diesel storage tanks within the existing plant room at Level B4; and
 - Replacement of the existing diesel generators with capstone microturbines in the existing plant room at Level B2.
- **Level 00 – Porte Cochere and Astral Lobby Upgrade** - Realignment of the Porte Cochere to accommodate a minor expansion of the upgraded Astral Lobby and Lobby Bar. Other improvements within the Porte Cochere include new glazing and revolving doors at the Main Casino Entry and improvements to the efficiency of the valet system as result of modifications to the layout and width of the porte cochere adjacent to the existing set-down and pick-up areas.
- **Level 00 Back of House Upgrades** - Internal upgrades and improvements to multiple aspects of the back of house space at Level 00.
- **Level 00 Astral Luxury Retail Zone** - New luxury retail zone connecting from Astral Hotel Lobby out to Jones Bay Road. Change of use from office / back of house to retail.
- **Level 00 - SELS Fit out** - Refurbish existing SELS Level 00 toilets at southern end of building to allow for adjacent lift lobby circulation areas. Upgrades and tenancy improvements to existing retail tenant at northern end of the SELS building along Jones Bay Road. No external changes to the SELS building are proposed, with internal alterations only.
- **Level 00 SELS Lighting** - External lighting of the SELS building along Pyrmont Street to celebrate the heritage elements of the building.
- **Level 00 Darling Café** - New café within the existing Darling Hotel Lobby at Level 00.
- **Level 00 to 01 - G-Star Raw Escalators** – Replacement of existing G-Star Raw retail shop at Level 00 with new escalators providing access from Level 00 to the Main Gaming Floor at Level 01. A portion of the existing retail space at Level 00 will be replaced with a new staff entry to the back of house area. These improvements also include a new central walk-up bar adjacent to escalators at Level 01.
- **Level 01 - Main Gaming Floor Slab Infill** - Slab expansion off the Main gaming Floor at Level 01 over the existing main entry foyer facing Pirrama Road. The expanded slab will be an extension of the existing unenclosed gaming area facing Pirrama Road. No facade works are proposed.
- **Level 02 – Oasis Gaming Area** – Addition of a new outdoor smoking terrace and stainless steel balustrade adjacent to the Oasis Unenclosed Gaming Area at Level 02 fronting onto Pyrmont Street. This smoking terrace will occupy space that is currently inaccessible roof area. No increase to GFA is proposed.

- **Level 03 - Sovereign Expansion** – Expansion to and refurbishment of the existing Sovereign Room at Level 03. The expansion will include additional indoor gaming, unenclosed gaming and food and beverage areas over the existing entertainment deck to the east and accessible roof area to the west. The proposed façade of the Sovereign Expansion will be set back from the existing Pirrama Road façade by a minimum of 1 metre and will be primarily composed of clear glazing. New plant space to support this expansion will be located within the ceiling void towards the Lyric Theatre.
- **Level 03 - Event Centre Pre-function Space** – Expansion of the existing pre-function space at Level 03 along the western and eastern sides of the Multi Use Entertainment Facility (MUEF). This additional pre-function space will allow for additional food and beverage support of the MUEF and for improved circulation within the whole of Level 03.
- **Vertical Transportation Drum** - New escalators as part of a vertical transport arrival strategy from Level 00 to Level 03.
- **Level 04 – Star Administrative Offices.** Fit out of existing administrative offices within Astral Residences tower. Internal improvements only.
- **Level 05 – VIP Lobby & Check-in** – Conversion of existing pool plant space and enclosed pool deck at Level 05 to a lobby for the VIP hotel guest lounge.
- **Level 05 – Astral Residences Reception** - Conversion of meeting room to Reception and check-in lobby. Includes minor expansion to existing enclosed space.
- **Level 02 – Porte Cochere Canopy** - Removal of a section of the current glazing (retaining the canopy structure) of the existing porte cochere canopy at Level 02. The improvements to this space also include the construction of a new ceiling at a lower height over a section of Northwest Gaming unenclosed gaming area.

The Star, following completion of the proposed works, will remain consistent with the lease requirements issued under the Casino Control Act 1992, for a Casino and Entertainment Complex delivered to an international first class standard.

4.2. GROSS FLOOR AREA

The existing total gross floor area (GFA) for the site is 133,365 sqm. The works proposed under Modification 14 will result in a net increase in GFA of 6,633 sqm, bringing the overall proposed GFA of The Star to 139,998 sqm. Existing and proposed GFA plans of The Star have been prepared by DWP Suters Architects and are located at **Appendix A. Table 3** below provides a breakdown of the existing GFA, proposed increase in GFA and the overall percentage increase of GFA for those levels of The Star that include works under the section 75W modification application.

Table 3 – Breakdown of GFA

Level	Existing Total GFA	Proposed Increase in GFA	% Increase in GFA
Level 00	25,483 sqm	542 sqm.	2.1%
Level 01	26,826sqm	214 sqm	0.8%
Level 02	13,112 sqm	96 sqm	0.7%
Level 03	11,504 sqm	6,005 sqm	52.2%
Level 04	3,796 sqm	-285sqm	-7.5%
Level 05	5,823 sqm	61 sqm	1.0%
Total Site GFA	133,365 sqm	6,633 sqm	5.0%

The increase in GFA under Modification 14 only represents a five per cent increase in total GFA for the site. This is considered a minor increase to the overall GFA having regard to the size of the site and the nature of the works proposed which are to be carried out predominantly as infill works where the dominant elements are located at level 03 or below. As demonstrated in **Section 8** of this EAR, the nature and location of the proposed works within the site boundaries, and the proximity of these works to the surrounding area will not result in adverse impacts on the adjoining locality as a result of the proposed GFA increases.

The increase in floor space of gaming and gaming related uses will result in an increase in additional patronage to Level 03. A large percentage of the proposed gaming related GFA at Level 03 (identified by the project team as the Sovereign Expansion) will occupy a space that is currently used as the Level 3 Entertainment Deck. While the Entertainment Deck does not contribute to the existing GFA of The Star, it accommodates up to 1,000 people and is used for functions and for general customer amenity and service. Membership to The Star Absolute Rewards Program is by invitation by The Star only to private gaming areas and requires compliance with a code of conduct for the area. This membership will be required for patrons to access the proposed gaming facilities at Level 03.

The proposed vertical transportation drum while not counting towards overall GFA will provide access from Level 00 up to Level 03. The Star Event Centre (also known as the Multi Use Entertainment Facility or MUEF) is located at Level 03. Part of the GFA increase on Level 03 is to accommodate an expanded enclosed pre-event space for The Star Event Centre. The location and orientation of this space together with the Vertical Drum help to improve circulation, functionality and overall experience and support the patronage of The Star Event Centre which presently has a maximum capacity of 4,200 people.

4.3. CONDITIONS TO BE MODIFIED

4.3.1. Consolidation of Plans

Major Project Approval MP08_0098 is an amalgamation of plans and conditions from the original determination in 2009 and the subsequent 12 modifications. An objective of Modification 14 is to achieve a rationalisation of plans which document the approved development on site. DWP Suters Architects have undertaken an audit of the approved development plans for The Star and have created a consolidated set of existing site plans which have been used as the basis of Modification 14. These plans will also form the platform for the future development within the site including Modification 13.

The “as built” or existing site drawings present a comprehensive consolidated set of as built architectural plans incorporating the works approved under Major Project Approval MP08_0098 taken from the approved plans presently listed in condition A2 of MP08 (which include the 12 modifications) and the works that were approved in the Council Consents. The works approved and constructed under the Council Consents is summarised as follows:

- Refurbishment and internal reconfiguration of hotel suites located on levels 15 and 16 within The Star; and conversion of an existing storage room on level 15 for use as a communications room.
- Fit out and use of approved restaurants, food premises, and retail court including outdoor seating associated with adjacent restaurant uses.
- Replacement of existing illuminated building identification signage on the north-eastern elevation of The Star lift shaft. Addition of 4 new lifts within the existing observation lift core within the ‘Astral Hotel’ serving levels 1, 3 and 5, and the erection of a temporary marquee over the ‘Sky Terrace’ on level 3 adjacent to Pirrama Road.
- Internal refurbishment of the existing licensed bar areas of the stalls, dress circle and grand circle levels of the ‘Sydney Lyric Theatre’ only. Internal alterations to the existing cage within the main gaming floor on Level 1, and expansion of the existing cage circulation space within the mezzanine level. Internal alterations and facade changes to the Oasis Gaming Area to accommodate an unenclosed gaming area adjacent to Pyrmont Street.
- Street frontage signage for Sokyo Restaurant and tenancy signage for the retail component of The Star building. Construction of freestanding signage within the Pirrama Road forecourt of The Star.
- External illumination of three vertical sides of the multiuse entertainment facility (MUEF) building façade (excluding the Jones Bay Road elevation); and alterations and refurbishment to the two external lift cars of the adjacent Astral hotel including the installation of associated internal and external lighting.

- Alterations and additions to The Star including a modification to the pool and landscaping on the roof of level 3, modification to the entry ring located on the roof of level 3, extension to existing plant room at level 6 and erection of new external stairs to the plant room. External alterations including the enclosure of an existing balcony on level 1 for storage and a new plant room on the level 3 terrace.
- Removal of existing glazing and installation of new glazed partitioning, access doors and steel/glass louvered screening to re-configure the Oasis Gaming Room facing inward to the existing Porte-Cochere.
- Removal of existing awning and replace with new extended awning to Level 3 terrace above Jones Bay Road frontage.
- Removal of the existing Astral Towers observation lifts from Level 01 to level 17, and installation of works to seal openings. Installation of a new lift and associated lobbies and the construction of a terrace area adjacent to the approved Level 5 VIP guest lounge on the Pyrmont Street side of the Astral Hotel. Conversion of hotel suites on level 5 of the Astral Tower Hotel to be used as a new business centre and VIP check-in and guest lounge.
- Alterations and additions to level 01 including extension of gaming areas over the Porte Cochere adjacent to Jones Bay Road, alterations to a section of the Pyrmont Street facade, refurbishment of the adjacent gaming area, and conversion of an existing plant room to toilet facilities.

These existing site plans are submitted for information purposes and they delineate the structures and physical improvements on site, identify approved land uses and activities and nominate the overall site GFA as well as providing a breakdown of GFA by land use.

These plans provide an important reference in the identification and assessment of the proposed works as the plans identify the nature of the uses on site such as gaming (indoor, out door, administration and back of house), entertainment, hotel, motel and serviced apartments, food and beverage, back of house, storage, car parking, infrastructure and circulation spaces.

The consolidation of the plans results in the amendment to three conditions within the Major Project Approval MP_08-0098, conditions A2, A3 and A6.

Modification 14 proposes the deletion of condition A2 in its entirety and its replacement with a consolidated set of drawings that detail the existing development, proposed demolition works and the proposed works as detailed in section 4.1 of this EAR. Condition A2 in its current form is cumbersome with many overlays and exceptions. Establishing precedence of plans is a difficult task.

Condition A3 references historic Architectural plans nominated in condition A2. With the deletion of condition A2 and the plans referenced, for consistency and to avoid confusion, it is necessary to delete reference to the architectural plans in condition A3. The technical reports and statements as otherwise referenced in condition A3 remain relevant to the ongoing operation of The Star and provide context to the development as constructed today.

Condition A6 relates to the installation of external signage, replacement of existing lift overruns and associated works, and LED Lighting Scheme. The condition nominates that such works are to be the subject of separate application lodged with the City of Sydney.

Development consents were issued for signage and replacement of the lifts and associated works. These works have been undertaken and are shown on the drawings referenced in condition A2. The LED lighting scheme has also been the subject of separate applications to the Council and applications relating to the Vivid Festival. External illumination of three vertical sides of the MUEF building facade (excluding the Jones Bay Road elevation); and alterations and refurbishment to the two external lift cars of the adjacent Astral hotel including the installation of associated internal and external lighting, at "The Star" Casino Entertainment Complex has been approved and are operational. It is proposed that condition A6 is proposed to be deleted in its entirety. The Statement of Proponent Commitments also includes a commitment to update the external lighting management plans previously submitted to and approved by the Department for Project Star.

4.3.2. Acoustic Environment and Conditions under MP08_0098

WSP | Parsons Brinckerhoff (WSP/PB) undertook a review of the various noise/acoustic related conditions contained within MP08_0098 and the Council Consents. The Noise Impact Assessment (NIA) accompanies this EAR at **Appendix E**.

The NIA identifies a number of trial period conditions relating to the use of certain elements of The Star operation, these have been imposed under both MP08_0098 and the Council Consents and they seek to regulate the use of spaces including the Level 3 Entertainment Deck and Level 1 Unenclosed Outdoor Gaming Area (UGA) fronting Pirrama Road.

The NIA reports on noise assessments undertaken for the purpose of demonstrating that the elements of The Star the subject of the trial periods were complying with the terms of the conditions and were able to operate for the extended hours without resulting in adverse impact on residents in the locality.

The measurements undertaken and assessment presented indicate that there is currently no objective issues which preclude the trial hours of operation being extend permanently and that the noise mitigation measures are effectively implemented to achieve compliance with relevant noise conditions. The proposed amendments to the conditions as a result of the investigations undertaken and presented in the NIA are discussed in the following sections.

4.3.2.1 Trial Periods under Condition F1A

Condition F1A permits the trial use of speakers and playing of music on the Level 3 Entertainment Deck and the Level 1 Pirrama Road outdoor gaming area as granted under Modification 12 between the hours of 7am and 12 midnight. The operation of those spaces during these hours is controlled by conditions F1C and F1D respectively which set restrictions on the noise emission from the installed sound systems and the hours in which the sound systems can operate. Condition F1A requires the proponent to seek a further modification of the Major Project Approval to seek ongoing use of these spaces for the nominated extended hours.

Modification 14 is seeking the continuation of the trial hours on a permanent basis.

The assessment undertaken by WSP Parsons Brinckerhoff identifies that the operation of the Level 3 Entertainment Deck and the Level 1 Outdoor Gaming Area fronting Pirrama Road can operate within the approved extended hours of operation, with the use of speakers and music, in accordance with the limitations imposed by conditions F1C and F1D of the Major Project Approval without an adverse impact on the amenity of sensitive receivers in the locality.

To demonstrate compliance of the sound system noise emission on the Level 3 Entertainment Deck, attended noise measurements were undertaken on the evening of Tuesday 12 July 2016 between 10pm and midnight. The representative worst case scenario was replicated. The impact was measured from the nearest noise sensitive residential receiver which demonstrated that:

- Typical event sound system setup and noise emission on Level 3 Entertainment Deck currently complies with noise criteria and requirements in the Trial Condition F1A and F1C.
- Test measurements demonstrate that there is sufficient allowance in the noise criteria to potentially increase the maximum sound system output levels to a range of 85 to 90 dB LAeq,15mins when measured 2 metres from the loudspeaker.

To demonstrate compliance of the level 1 UGA operational noise emission controls, attended noise measurements were undertaken on the evening of Friday 29 July 2016 between 9pm and midnight. The monitoring revealed that:

- Typical operational noise level within the Level 1 UGA was measured internally at the Pirrama Road façade. Noise from poker machines was the main ambient noise with intermittent loud conversations between patrons. Operable façade of the level 1 unenclosed gaming area was fully opened during the measurement period.
- Based on the assessment, WSP | Parsons Brinckerhoff advises that the operations of the Level 1 unenclosed gaming area comply with applicable noise emission criteria and that permanency of Condition F1D should be granted.

It is proposed to delete condition F1A in its entirety as the Level 3 Entertainment Deck and Level 1UGA have been operating at the extended hours for more than two years and SEGL are unaware of any complaint to the Department in relation to the operation of these spaces. Consequently the purpose of the trial periods has now passed. The deletion of condition F1A will necessitate administrative amendments to conditions F1C and F1D as they refer to Condition F1A. No change to the operational controls within these two conditions is proposed.

The consequential amendments to conditions F1C and F1D would be as follows:

F1C Level 3 Pirrama Road Entertainment Deck

~~During the trial period (Condition F1A),~~ *Speakers and amplification equipment must be constructed and operated at the Level 3 Pirrama Road Entertainment Deck in accordance with all recommendations and performance parameters contained in the report entitled The Star – Pirrama Road External Entertainment Deck – Amplified Music Acoustic Assessment, prepared by Renzo Tonin and Associates and dated 8 May 2014. The use of the equipment must comply with the following:*

1. *The use of the Level 1 Pirrama Road Entertainment Deck must comply with maximum allowable noise levels outlined in Section 4.2 (Table 6) of abovementioned report;*
2. *Sound speaker noise levels from each speaker must comply with Section 5 (Table 7) of the report entitled The Star – Pirrama Road External Entertainment Deck – Amplified Music Acoustic Assessment, prepared by Renzo Tonin and Associates and dated 8 May 2014.*
3. *The use of speakers for the playing of live or recorded music is limited to between 7 am and 12 am.*
4. *There shall be no playing of amplified music or the use of speakers between 12 am and 7 am;*
5. *Music noise limits shall be controlled using a sound-pressure measurement/limiter device (e.g. CESVA LRF-04 and LRF-05 or APEX Argos and HERA) so that music noise levels will be controlled dependent on the overall noise generated by patron and music combined. Where an alternative sound system is proposed, it is recommended that the noise level be controlled by an electronic frequency dependant RMS limiting device (e.g. a Rane HAL, BSS Blu-16, Symetrix Jupiter 8 or MediaMatrix X-Frame 88); and*
6. *Management/administrative measures to assist in reducing operational noise impacts are to comply with the Operational Noise Management Plan entitled The Use of Speakers and Delivery of Music on the Pirrama Road External Entertainment Deck, The Star, prepared by Pure Projects and dated 8 May 2014.*

F1D Level 1 Pirrama Road Outdoor Gaming Areas

~~During the trial period (Condition F1A),~~ *Speakers and amplification equipment must be constructed and operated at the Level 1 Pirrama Road Outdoor Gaming Areas in accordance with all recommendations and performance parameters contained in the report entitled The Star – Pirrama Road Level 1 Unenclosed Gaming Areas Speakers and Music Assessment, prepared by Renzo Tonin and Associates and dated 8 May 2014. The use of the equipment must comply with the following:*

1. *The use of the Level 1 Pirrama Road Outdoor Gaming Areas must comply with maximum allowable noise levels outlined in Section 4.2 (Table 6) of the abovementioned report;*
2. *No PA (public address) announcements are permitted between 12 am and 7 am;*
3. *Only low level background music that is below existing ambient noise levels in the Level 1 Pirrama Road Outdoor Gaming Areas is permitted to be played between 12 am and 7 am;*
4. *The noise levels of the speakers and amplification equipment shall be controlled by an electronic dependant RMS limiting device (e.g. a Rane HAL, BSS Blu-16, Symetrix Jupiter 8 or MediaMatrix X-Frame 88) so that all noise emissions comply with the requirements of Condition F5; and*

5. *Management/administrative measures to assist in reducing operational noise impacts are to comply with the Operational Noise Management Plan entitled The Installation and Use of Speakers to Deliver Background Music and Announcements to the Level 1 Unenclosed Gaming Areas, The Star, prepared by Pure Projects and dated 8 May 2014.*

4.3.2.2 Conditions F3 Union Street Outdoor Gaming Area

Condition F3 relates to the use and operation of the approved outdoor gaming area within the Darling Hotel complex fronting Union Street. The Hotel complex was constructed and completed and is operational. While the approved outdoor gaming space was constructed it was never occupied for outdoor gaming purposes.

Council Consent was issued for the enclosure of the outdoor gaming spaces to create five new internal private gaming rooms, two smaller outdoor balconies and associated mechanical ventilation and services. These works have been completed and are shown on the consolidated architectural drawings included in proposed condition A2.

Condition F3 is now redundant and inconsistent with the approved development. It is proposed that Condition F3 be deleted in its entirety.

F3 Hours of Operation Outdoor Casino Areas/Outdoor Terraces

~~1. The hours of operation of the Level 1 outdoor casino area / unenclosed gaming area fronting Union Street are regulated as follows:~~

- ~~a) The hours of operation must be restricted to between 7am and 10pm.~~
- ~~b) Notwithstanding (1)(a) above, the use of the Union Street outdoor casino area may operate between 10pm and 12 midnight for a trial period of 12 months from the date of the Occupation Certificate for this area.~~
- ~~c) A further application may be lodged to continue the trading hours outlined in (1)(b) above before the end of the trial period. The Department's consideration of a proposed continuation and / or extension of the hours permitted by the trial will include the performance of the operator in relation to the compliance with these conditions of approval, acoustic monitoring at nearby sensitive receptors, compliance with condition F5, any substantiated complaints received and views expressed by the NSW Police.~~

~~2. The hours of operation of the Level 1 outdoor casino areas/outdoor gaming areas fronting Pirrama Road are regulated as follows:~~

- ~~a) The hours of operation must be restricted to between 7 am and 12 midnight;~~
- ~~b) notwithstanding 2(a) above, the use of these outdoor casino areas/outdoor gaming areas may operate for 24 hours a day for a trial period of two years from the date of approval of MP08_0098 MOD 12.~~

~~3. The trial period for extended hours of operation set out in this Condition should only proceed if the Director General is satisfied that implementation of the noise management plan will achieve compliance with the limits set for those extended hours.~~

4.3.2.3 Hours of Construction

Condition D11 of the Major Project Approval MP08_0098 controls the hours of construction on site and delivery of material to the site. The Star operates on a 24 hours per day seven day per week basis.

In undertaking the construction work proposed under Modification 14 SEGL will undertake the work in a manner that limits impact on the adjoining locality as well as patrons and visitors to The Star itself. To reduce the overall construction time period SEGL is seeking the opportunity to undertake minor internal works on a 24 hour per day basis. This work would comprise work internal to the existing building, and to protect the internal environment during the night and evening periods the works would consist of minor works that were not noise intrusive. Recent Council Consents have included conditions permitted works internal to the building on a 24 hour per day basis.

All work on site would be controlled by the existing conditions within the Major Project Approval.

It is proposed that condition D11 be amended as follows:

D11 Hours of Work

1. *The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:*
 - a) *between 7:00 am and 5.30 pm, Mondays to Fridays inclusive;*
 - b) *between 8:00 am and 3.00 pm, Saturdays;*
 - c) *between 9:00 am and 3.30 pm, Mondays to Fridays for mechanical rock blasting; and*
 - d) *no work on Sundays and public holidays.*
2. *Works may be undertaken outside these hours where:*
 - a) *the delivery of materials is required outside these hours by the Police or other authorities;*
 - b) *it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and*
 - c) *residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works; and*
 - d) *the work is approved by the Director-General or his nominee.*
3. *All works internal to the existing building, including building and demolition work, in connection with the proposed development can be carried out on a 24 hour basis, 7 days per week, with safety inspections being permitted at 7.00am on work days.*

4.4. MINOR WORKS

Modification 14 seeks the insertion of proposed condition A3A into the Major Project Approval. The intent of the condition is to insert enable minor works to be carried out without the necessity to seek a further modification of the Major Project Approval. The amendment to the condition seeks to provide clarity as to the available planning pathways to undertake minor works on site.

The condition as proposed to be modified will enable certain categories of exempt and complying development identified under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to be undertaken without modification of the Major Project Approval. It also incorporates an element of flexibility provided by the Model Conditions developed by the Department of Planning and Environment for Urban Development. This condition will facilitate the orderly and economic development of The Star in the future. Significant work or work that is inconsistent with the Major Project Approval will require a planning approval through section 75W or its replacement.

The works permitted under this condition would be limited to those that would not have any external environmental impact. The condition has been proposed in response to the size and variability of the operations within The Star, and would provide flexibility to undertake minor internal variations to gaming and tenancy layouts that do not affect the approved GFA.

It is proposed that the following condition be inserted into Major Project Approval MP08_0098:

A3A Minor Works;

1. *Works that are consistent with the types of:*
 - a. *Exempt Development under Part 2 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; or*
 - b. *Complying Development under Part 5, Part 5A and Part 7 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008,**may be undertaken pursuant to this approval without the need for any further modification or approval.*

2. *For the avoidance of doubt, this condition applies to all parts of the development including any parts which may constitute a 'restricted premises' for the purposes of Clause 5.1 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*
3. *Amendments to the plans approved in condition A2 may occur pursuant to this approval without the requirement for any further modification or approval:*
 - a. *where those amendments relate only to the relocation of gaming, food and beverage, and entertainment floor space within The Star where there is no change in overall land use GFA portions; or*
 - b. *if the Secretary considers the amendments to be minor.*

4.5. OTHER CONDITION AMENDMENTS

The works will result in increased floor space, patronage and staff attending the site. The Star anticipate that the City of Sydney Section 94 Contributions Plan 2015 and its Contributions Plan for Affordable Housing will apply to the proposed works in the same way that contributions were imposed through conditions B12 and B13 and other historical planning approvals.

All required contributions levied to date have been paid.

As discussed in sections 6.6.2 and 6.6.3 of this EAR it is anticipated that contributions for the new works will be required. Conditions B12A and B13A have been drafted and are proposed under Modification 14 to address the current contributions framework adopted by the City of Sydney.

4.6. INCORPORATION OF COUNCIL CONSENT CONDITIONS

One of the objectives of Modification 14 is to consolidate the relevant operative provisions of the Council Consents into the Major Project Approval. Urbis has undertaken an audit of the Council Consents issued after 27th January 2009, and has identified those consents that remain valid, and conditions within these consents that relate to the ongoing operation of The Star. These consents and conditions are identified in Appendices P1 and P2.

Appendix P3 is the consolidated form of Major Project Approval MP08_0098 with the incorporation of the identified conditions extracted from the Council Consents. The justification for incorporation of specific conditions is provided in these appendices and is not repeated here.

4.7. TRIAL PERIODS UNDER COUNCIL CONSENTS

The Council Consents which contain operational conditions relating to the ongoing use of The Star have been reviewed and a discussion is included in Appendix P2. A number of these consents also contain trial conditions relating to the use of specific spaces such as restaurants, unenclosed gaming areas and outdoor balconies used as smoking areas.

The ongoing use of these spaces and the permanency of the hours of operation is discussed in **Section 8.3** below.

5. COMMUNITY AND STAKEHOLDER CONSULTATION

This section describes the consultation that has been undertaken by the project team during the preparation of this EAR. Consultation has been carried out with Government agencies, including the Department, the City of Sydney and ILGA as well as the relevant service providers, as required by the SEARs.

5.1. COMMUNITY CONSULTATION

There are prescribed statutory requirements for the public exhibition of a section 75W modification application prior to a final determination being made. In addition, SEGL is committed to ensuring that the neighbouring community and stakeholders are kept informed with respect to the project. SEGL provided information to neighbours, local community groups, local residents, workers, business owners, staff and stakeholders about the proposal presented in Modification 14 in August 2016. SEGL also sought feedback from the community via a dedicated email address and 1800 phone line.

The engagement activities conducted include:

- Distribution of a Community Update about the proposed upgrades through a letter box drop to neighbours (attached at **Appendix O**);
- Information for local community groups and key stakeholders via email;
- Manning of a contact phone number: 1800 798 646 between 9am and 5pm Monday to Friday (AEST) to take queries about the proposal;
- Establishment of a project email address: development@star.com.au for enquiries about The Star's development plans; and
- All requests for information and issues raised were logged and responded to. Since the distribution of the brochure there has been one call to the 1800 number and one email relating to Modification 14.

Post public exhibition of Modification 14, SEGL will be required to consider relevant submissions received and provide a submissions report which will respond to submissions and identify and modifications to the proposal to address issues raised.

5.2. STAKEHOLDER CONSULTATION

Table 4 describes the stakeholder consultation undertaken for Modification 14. The relevant stakeholders are those nominated in the SEARs and separately identified by the technical consultants.

Table 4 – Stakeholder Consultation

Stakeholders	Actions
Department of Planning and Environment (Department)	<p>Engagement with the Department has occurred, as outlined below:</p> <ul style="list-style-type: none">• Initial meeting with the Department on 9 May 2016 to discuss Modification 14;• Site visit on 20 May 2016;• Letter of Intent with indicative concept plans addressed to Mr Ben Lusher, Director – Key Sites Assessment outlined the proposed components of Modification 14 and requested that Modification 14 be lodged without the requirement for further Environmental Assessment Requirements dated 31 May 2016;

Stakeholders	Actions
	<ul style="list-style-type: none"> • Letter from the Department to confirm Modification 14 is generally consistent with the SEARs issued for Modification 13 dated 7 June 2016. • Site visit with Jeff Parnell from the Department, Urbis and Acoustic Engineers from WSP / Parsons Brinckerhoff on 31 August 2016 to discuss potential acoustic implications of Modification 14; and • Meeting between the Department and Urbis on 2 September 2016 to discuss the consolidation of the Council Consents into MP08_0098.
Commonwealth Department of Infrastructure and Regional Development	The application will be referred to the Commonwealth Department of Infrastructure and Regional Development for comment during the public notification period.
City of Sydney Council	<p>Engagement with the City of Sydney has occurred, as outlined below:</p> <ul style="list-style-type: none"> • Initial meeting with the City of Sydney in August 2016 to discuss the works included in Modification 14 and the larger master plan for the site. • Email and telephone correspondence between SEGL and City of Sydney Council regarding and ongoing program of consultation between the parties. • Site visit to the SELS building with John Poulton, Heritage Officer with the City of Sydney, and Urbis on 24 August 2016. • E-mail correspondence with John Poulton to discuss proposed works to the SELS building and proposed works within the vicinity of the SELS building.
Roads and Maritime Services (RMS)	The application will be referred to RMS for comment during the public notification period.
Transport for NSW	The application will be referred to Transport for NSW for comment during the public notification period.
Sydney Light Rail	The application will be referred to Sydney Light Rail for comment during the public notification period.
Sydney Trains	The application will be referred to Sydney Trains for comment during the notification public period.

Stakeholders	Actions
Office of Liquor, Gaming and Racing;	Regular consultation occurs between The Star and the Office of Liquor, Gaming and Racing.
Heritage Council	Engagement with the Heritage Council is not required as the SELS Building is a locally listed item under the <i>Sydney Local Environmental Plan 2012</i> and the proposed alterations to the heritage listed building are minor in nature and will overall have a positive contribution to the heritage building.
Sydney Water	An application has been made to Sydney Water for increased water supply and sewer discharge capacity. Sydney Water has responded noting that the existing infrastructure appears adequate for the proposed development. Correspondence is attached at Appendix O of this report.
Ausgrid	<p>Ausgrid have advised that their existing high voltage network has capacity to support 14.4MW.</p> <p>Modification 14 includes the upgrade of existing on site infrastructure designed to reduce power demand and to generate electricity to service the new spaces to be created. It is proposed to install on site gas powered electrical generation to avoid increasing the load on the Ausgrid network. The proposed additional generation will run in parallel with the Ausgrid network and replace some of the existing on site diesel generators (see basement plan Level 2 in Appendix A).</p> <p>Correspondence with Ausgrid is attached in Appendix O of this report.</p>
Local heritage group/s and Local Aboriginal Land Council and relevant stakeholders	<p>As part of the ongoing consultation process, a Notice of Aboriginal Archaeological Consultation was published in Koori Mail, which is available throughout Australia, on 29 June 2016. This is included at Appendix O.</p> <p>Letters were also sent to relevant organisations as identified in the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, on 22 June 2016. Their responses are documented below:</p> <ul style="list-style-type: none"> • Office to the Registrar, Aboriginal Land Right Act 1983 have searched the Register of Aboriginal Owners and the site does not appear to have Registered Aboriginal Owners pursuant to Division 3 of the Aboriginal Land Rights Act 1983 (NSW).

Stakeholders	Actions
	<ul style="list-style-type: none"> The National Native Title Tribunal search of Schedule of Application, Register of Native Title Claims, National Native Title register, Register of Indigenous Land Use Agreement and Notified Indigenous Land Use Agreements reveals that at the time of the search there were no relevant entries.
Independent Liquor and Gaming Authority (ILGA)	SEGL presented the works associated with Modification 14 and the larger master plan works for the site to ILGA on 6 July 2016.
Environmental Protection Agency (EPA)	The proposal does not constitute a Scheduled Activity under Schedule 1 of the <i>Protection of the Environmental Operations Act 1997</i> . Consultation with the EPA was conducted in relation to the proposed upgrades to the existing Harbour Heat Rejection System. The EPA advised that the proposal will not require an Environmental Protection Licence (EPL) under the Act. The EPA will comment on the proposal on receipt of referral from the Department. This is discussed in Section 5 of the report prepared by WSP at Appendix L .
Department of Primary Industries - Water	WSP / Parsons Brinckerhoff engaged in e-mail correspondence with the Department of Primary Industries - Water on 25 July 2016. This correspondence is attached at Appendix O and confirms that the DPI water does not see any particular role or interest for their agency in the harbour exchange process generally.
Water NSW	WSP / Parsons Brinckerhoff engaged in e-mail correspondence with Water NSW on 25 July 2016. This correspondence is attached at Appendix O and confirms that the advice received from DPI Water is correct.
Fire and Rescue NSW	Site visit with Fire and Rescue NSW and WSP / Parsons Brinckerhoff occurred on 21 April 2016. The intent of this meeting is summarized in an e-mail attached at Appendix O .

5.3. OWNER'S CONSENT

The Star is operated by SEGL under a lease issued by the Independent Liquor and Gaming Authority (ILGA), the owner of the site. SEGL has been briefing ILGA in its capacity as owner of the site and land owner's consent has been requested.

In correspondence with the Department, Urbis has been advised that Modification 14 will be accepted without owner's consent from UILGA to enable assessment of the application to commence.

Owner's consent was requested from ILGA in a submission dated 14 July 2016. It is expected that owner's consent will be provided by ILGA, at or shortly after the ILGA board meeting scheduled for Wednesday 28 September 2016.

6. STATUTORY CONTEXT

As per the requirements of the SEARs, the following policies and plans have been reviewed as if they applied to the proposed modification:

- *Environmental Planning and Assessment Act 1979*;
- *State Environmental Planning Policy (State & Regional Development) 2011*;
- *State Environmental Planning Policy No 55 – Remediation of Land*;
- *State Environmental Planning Policy (Infrastructure) 2007*;
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment)*; and
- *Sydney Local Environmental Plan 2012*.

The proposal also considers the following Development Control Plan:

- *Sydney Development Control Plan 2012*.

6.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

6.1.1. Part 3A of the Environmental Planning and Assessment Act 1979

As part of the repeal of Part 3A of the EP&A Act, Schedule 6A of the EP&A Act was enacted to allow the application of the repealed Part 3A provisions to certain projects that had been approved or were in the process of environmental assessment under Part 3A. These projects are known as “Transitional Part 3A projects” and such approved projects may be modified under the modification framework set out in the repealed section 75W of the EP&A Act, as if it were still in effect.

Major Project No. 08_0098 was approved on 7 January 2009 by the Minister for Planning and is a transitional Part 3A project.

Modification of MP08_0098 is sought under section 75W of the EP&A Act in accordance with the proposed modifications set out in this EAR.

The following sections assess the proposed modifications against the relevant legislation, instruments, strategies, plans and guidelines listed in the Mod 13 SEARS and relevant to the proposal.

6.1.2. Section 75W Modification of Project Approval

Section 75W of the EP&A Act provides a mechanism by which the proponent of a Part 3A project may request the modification of, and the Minister may modify, that project.

Section 75W(2) of the EP&A Act sets out the right of a proponent to request a modification:

“The Proponent may request the Minister to modify the Minister’s approval for a project. The Minister’s approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part.”

Section 75W(4) of the EP&A Act then provides the Minister with the power to “*modify the approval (with or without conditions) or disapprove of the modification.*”

It is submitted that the Minister has the power under section 75W(4) of the EP&A Act to make the proposed modifications, particularly as those modifications are of limited environmental impact. This is demonstrated by the following considerations:

- The approved uses on site remain unchanged;
- The nature of the works proposed under Modification 14 are minor and will result in minimal impacts external to the site and minimal alteration to the approved building envelope, they involve:
 - Infrastructure upgrades to existing equipment located within the existing basement levels.
 - Works internal to the site within the Porte Cochere and within the adjacent Astral Hotel Lobby.

- Back of house upgrades internal to the existing building to improve functionality.
- Change of use and refurbishment of circulation spaces, tenancies and administration areas to improve functionality at Level 00, Level 04 and Level 05.
- Changes to internal access and circulation from Level 00 to Level 03.
- External heritage-style lighting of the SELS building along Pyrmont Street.
- Internal slab infill off the Main Gaming Floor at Level 01 over the existing main entry foyer facing Pirrama Road.
- Minor external alteration to the Oasis unenclosed gaming area at Level 02 fronting Pyrmont Street to allow for an accessible smoking terrace.
- Expansion to and refurbishment of the existing Sovereign Room at Level 03. Both internal refurbishment works and an expansion over the existing Level 03 Entertainment Deck and adjoining roof deck are proposed. The proposed works will not cast shadow external to the site or be visible from adjoining roadways.
- Expansion of existing pre-function space adjacent to the MUEF at Level 03.
- The proposed modifications will result in minimal changes to the existing building envelope and built form. The changes predominantly relate to infill works including existing terrace spaces and roof spaces. A large portion of the proposed works onsite relate to the upgrade of the existing circulation spaces and mechanical and electrical services. The expansion in gaming space includes additions to the existing gaming rooms and will be seamlessly incorporated into the existing built form;
- The modification seeks to improve internal efficiency and amenity;
- The proposed works relate predominantly to infill of existing roof space, terrace and void areas, resulting in a built form that is consistent with that approved; and
- The proposal does not introduce any new adverse amenity impact upon the surrounding area and public domain.

6.2. STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies various types of development and particular sites upon which certain development is defined as State significant development (SSD). Clause 13(1) of Schedule 1 of the SRD SEPP lists development that has a capital investment value (CIV) of more than \$30 million, and which relates to cultural, recreation and tourist facilities, as SSD. Those specific type of cultural, recreation and tourist facilities listed as SSD are:

- (a) film production;
- (b) convention centres and exhibition centres;
- (c) entertainment facilities;
- (d) information and education facilities, including museums and art galleries;
- (e) recreation facilities (major); and
- (f) zoos, including animal enclosures, administration and maintenance buildings, and associated facilities.

(combined, Cultural, Recreation and Tourist Facilities)

As the proposal has a CIV of \$275,037,400 including GST, and is development for Cultural, Recreation and Tourist Facilities, it would otherwise be assessed as SSD under the environmental assessment provisions of Part 4.1 of the EP&A Act, were it not a modification made under section 75W of the EP&A Act.

6.3. STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

State Environmental Planning Policy No. 55 – Remediation of Land is the primary environmental planning instrument guiding the remediation of contaminated land in NSW. 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 site has been fully remediated. A Phase 1 Contamination Assessment and a Contamination Revocation Notice were provided for the site with MP 08_0098 (see **Appendix R**).

The proposed modifications do not involve the disturbance of any ground. Works that will occur in order to upgrade and improve the existing infrastructure onsite, including plant rooms and generators are located within the basement levels and on rooftops. We note that a Construction Management Plan will be prepared for all works in Modification 14 and will include a waste management strategy for the construction phase of the development including details of the appropriate removal of materials from the site including any asbestos uncovered during demolition and construction phase. No construction works will be commenced until this Construction Management Plan has been submitted to the satisfaction of the Department of Planning and Environment.

Accordingly, for the purposes of clause 7(1) of SEPP 55, it is submitted that the site:

- (a) is not contaminated;
- (b) is suitable for the proposed use; and
- (c) does not require remediation before the proposed modifications may be carried out.

6.4. STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State. The ISEPP identifies matters for consideration in the assessment of development adjacent to particular types of infrastructure development, including all new development that generates large amounts of traffic in a local area.

The currently approved development on the site is “traffic generating development” pursuant to Schedule 3 of the ISEPP.

The traffic generation of the existing and proposed development has been assessed in the Traffic and Transport Impact Assessment prepared by Mott MacDonald included at **Appendix C** and in **Section 8.4** of this report.

6.5. SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

The *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (Harbour SREP) provides planning principles for development within the Sydney Harbour Catchment area. The Star falls within this area. This planning instrument is supplemented by the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005, which provides detailed design guidelines for development to which it applies.

The aims of the Harbour SREP are:

- (a) *to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained:*
 - (i) *As an outstanding natural asset, and*
 - (ii) *as a public asset of national and heritage significance, for existing and future generations,*
- (b) *to ensure a healthy, sustainable environment on land and water,*
- (c) *to achieve a high quality and ecologically sustainable urban environment,*
- (d) *to ensure a prosperous working harbour and an effective transport corridor,*
- (e) *to encourage a culturally rich and vibrant place for people,*
- (f) *to ensure accessibility to and along Sydney Harbour and its foreshores,*
- (g) *to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity,*
- (h) *to provide a consolidated, simplified and updated legislative framework for future planning.*

6.5.1. Visual Assessment

The objectives of the Harbour SREP are noted and it is considered that the proposal is consistent with these objectives. The works proposed are internal to the site and have been deliberately designed to integrate with the existing architectural style. The proposal predominantly involves infill of existing spaces onsite and is consistent with the existing scale of development. While the site is within the visual catchment of Sydney Harbour, the proposal will not visually detract from the catchment, waterways, foreshores or islands of Sydney Harbour. The design principles developed and implemented for the proposal mean that it will be difficult to discern the new work from the existing when viewed from any area of public domain.

The proposal will serve to enhance the harbour as a prime tourist destination. The proposed modifications will also support the rich culture of the harbour area and enrich the vibrancy of Darling Harbour.

6.5.2. Harbour Heat Rejection System

The existing harbour heat rejection (HHR) system onsite comprises an inlet situated in Jones Bay and an outlet situated in Pyrmont Bay. The current system has been operating continuously since 1998 and is now approaching the end of its serviceable life.

A harbour heat rejection system is a commonly used sustainability initiative within Sydney Harbour. Barangaroo, Sydney Opera House, AMP Building, Circular Quay, the Power House Museum and the Museum of Contemporary Art are examples of buildings that utilise a harbour heat rejection system to provide space cooling.

A Marine Impact Assessment (MIA) (**Appendix L**) and Hydrodynamic modelling (contained within the MIA) have been completed by WSP/PB in order to review any potential impacts which may arise as a result of the system upgrades.

The proposed system will have the capacity to reject more heat with a 50% increase in the volume of seawater to be pumped via the existing pipework at Jones Bay. This would be circulated to the heat exchanger and used to cool condenser water. The maximum flow would also increase from 850L/s to approx. 1,300L/s. This will result in an increase in the existing plume area. While an increase in the velocity of the water exiting the pipe and in the size the plume will occur, as cooling will occur over a larger area, there will be an negligible impact in terms of the overall temperature increase from the proposed upgrade.

Modelling

The hydrodynamic modelling was used to identify any predicted impacts which may arise from the upgrades of the system. The modelling included:

- Development of a three dimensional nearfield model to predict plume dispersion characteristics;
- Assessment of the discharge and nearfield mixing that would take place in the receiving environment; and
- Analysis of the sensitivity of the dilution rate to seasonal fluctuation in ambient water temperature and salinity.

Marine Assessment

A site walkover and an underwater survey were undertaken on 3 August 2016. The survey reviewed existing marine life and species, and the existing environment in proximity to the outlets. The species data collected from the survey was reviewed by an ecologist. The impact assessment aimed to assess whether the change in ambient temperature and plume size and velocity would impact on marine life in the vicinity of the outlet pipe. Impact significance was assessed against;

- Threatened Species Assessment Guidelines: The Assessment of Significance (DECCW, 2007); and
- Significant Impact Guidelines 1.1: Matters of National Environmental Significance (Commonwealth Department of Environment, 2013).

No threatened or protected marine species, populations or ecological communities listed under the EPBC Act, TSC Act and FM Act were observed within the spatial extent of the proposed discharge, and their occurrence in Pyrmont Bay or Jones Bay is either unlikely or transient in duration (seabirds).

The report reached the following conclusions from the assessment;

- A variety of marine biota was observed in Pyrmont Bay on wharf structures within the existing region of elevated temperature due to the existing discharge plume. Existing species are well adapted to the existing temperature and the report concludes that they are likely to easily tolerate the effects of the predicted increase in plume footprint due to the proposal.
- The existing species diversity and abundance of the observed assemblage is considered typical of those in urbanised estuarine environments dominated by built structures and vertical surfaces. Sydney rock oysters form bands around the wharf piles at mid-tide level in Pyrmont Bay. Research on this common estuarine species indicates that the temperature increase associated with the existing and proposed discharge plumes are well within its temperature tolerance over the range of salinities likely to occur in the study area.

The fouling management plan currently in place for the existing system entails the use of Mexel 432, an amine based dispersant. Mexel 432 has been approved for use in seawater cooling systems by the Australian Pesticides and Veterinary Medicines Authority (APVMA) to prevent corrosion, biofilm formation and retard the attachment of seawater organisms. The report notes the following in relation to the impacts of ongoing fouling management;

- The current low concentration of discharged biocide is rapidly and thoroughly diluted with no evidence of deleterious impacts on marine biota on wharves within the existing discharge plume. It is therefore unlikely that the same rate of dosing would have a discernible impact on marine biota due to rapid mixing in the water column.

The report concludes;

The operation of the upgraded HHR system is unlikely to have any material impact on the physical or ecological environment of Jones Bay or Pyrmont Bay. This has been demonstrated through modelling predictions and a review of relevant data.

We therefore conclude that the proposed upgrades will not have a detrimental impact on the Sydney Harbour Catchment.

6.5.3. Matters for Consideration

Division 2 of Part 3 of the Harbour SREP outlines particular matters to be taken into consideration by consent authorities when assessing development under Part 4 of the EP&A Act, or by public authorities before carrying out activities under Part 5 of the EP&A Act. **Table 5** below sets out the relevant consideration of these matters.

Table 5 – Sydney REP Compliance

Clause	Comment/Compliance
Clause 20 General	This clause requires a consent authority for Part 4 development, or public authority for Part 5 development, to consider the matters set out in clauses 21 to 27 below.
Clause 21 Biodiversity, ecology and environment protection	The proposed modifications include an upgrade of the existing harbour heat rejection system. As part of the upgrade WSP/PB have undertaken a Marine Impact Assessment (as discussed in Section 6.5.2 above). The marine impact assessment concludes that there will be no material impact on the marine ecology as a result of the proposed upgrades.
Clause 22 Public access to, and use of foreshores and waterways	The proposed modification will not restrict access to and from the foreshores and waterways as the proposed works are contained within the site. There are no works proposed within the public domain.
Clause 23 Maintenance of a working harbour	The proposed modification will not impact on the operation of the Harbour. There are no works proposed within the public domain.
Clause 24 Interrelationship of waterways scenic quality	The proposed modification will not impact on the waterways scenic quality. The proposed works will be consistent with the existing architectural style and will be visually consistent with the existing built form.
Clause 25 Foreshore and waterway scenic quality	The proposed modification will not impact on the foreshore and waterways scenic quality as discussed under the visual assessment above.
Clause 26 Maintenance, protection and enhancement of view	The proposal will not limit views to and from Sydney Harbour or impact the views and vistas to and from public places.
Clause 27 Boat storage facilities	N/A

6.6. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

6.6.1. Zoning

Section 75R(3) of the EP&A Act states that *Environmental planning instruments (other than State environmental planning policies) do not apply to or in respect of an approved project*. Consequently, the provisions of *Sydney Local Environmental Plan 2012* (SLEP 2012) do not apply to Modification 14. Notwithstanding this, this EAR considers the provisions of SLEP 2012 as it would otherwise apply to The Star and Modification 14.

Under the provisions of SLEP 2012, the site is zoned B3 Commercial Core. *Commercial premises, Entertainment facilities, hotels or motel accommodation, and restricted premises* are permissible land uses within the B3 Commercial Core zone. Each of the uses and activities currently undertaken at the site, excluding serviced apartments, would be permissible with consent within the B3 Commercial Core zone, falling under *either commercial premises, entertainment facilities, hotels or motel accommodation or restricted premises* or works ancillary or incidental to those uses such as car parking, back of house, services and infrastructure. There are no changes proposed to the approved serviced apartments under Modification 14.

The objectives of the B3 Commercial Core zone are:

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community,
- To encourage appropriate employment opportunities in accessible locations,
- To maximise public transport patronage and encourage walking and cycling, and
- To promote uses with active street frontages.

The Star is consistent with the zone objectives in that:

- A wide range of retail, food and beverage, and entertainment offerings are available within The Star Sydney Complex. Subject to compliance with licencing rules the facilities are available to service the needs of the local and wider Sydney community,
- The Star on the whole acts as a destination for many local, interstate and overseas visitors,
- The range of operations functioning within The Star provides for a range of employment opportunities on a 24 hour per day, seven day per week basis,
- The Star is accessible by private transport (car, bike and walking) but also by public transport with both bus, ferry and light rail facilities available adjacent to or on site, and the site is a short walk from the Pyrmont Ferry Wharf, and
- There are several food and beverage offerings fronting the streets surrounding The Star which provide the site with an architecturally attractive and visually active street frontage.

The modifications sought as part of Modification 14 enhance, and do not derogate from, any of these objectives.

6.6.2. Contributions for Purpose of Affordable Housing

For development falling under the SLEP 2012, clause 7.13 of the SLEP 2012 requires a monetary contribution for development within Ultimo-Pyrmont, which is to be used for the purpose of affordable housing. The *Revised City West Affordable Housing Program* published by the NSW Government in June 2010 outlines the requirements for such a contribution. Condition No. B13 of MP08_0098 relates to affordable housing.

We propose the condition be updated and modified based on the following calculations. This has also been included in the proposed conditions document at **Appendix P3**.

Table 6 – Affordable Housing Contributions

Level	Use	Contribution Use	Additional GFA	Payables – Based on \$42.24 Contribution Rate
Level 00	Astral Luxury Retail Zone & Astral Hotel Lobby	Commercial	542 sqm	\$22,894.08
Level 01	Area of Slab infill	Commercial	214 sqm	\$9,039.36
Level 03	Sovereign Gaming, Restaurant & Pre-function Space	Commercial	6,005 sqm	\$253,651.20
Level 05	Astral Residences Lobby & Astral VIP Lounge Lobby	Commercial	61	\$2,576.64
Total				\$288,161.28

6.6.3. Section 94 Contributions

The original approval for The Star in 1994 and the Major Projects Approval MP08_0098 both imposed conditions requiring the payment of Section 94 Contributions. In 2008, the Section 94 Contributions were paid for the total floor space included in the Major Project Application. Condition B12 of MP08_0098 relates to the payment of the contributions. We propose the condition be updated and modified based on the following calculations. This condition has been updated accordingly at **Appendix P3**.

Level	Use	Contribution Use	Additional GFA	Gross Floor Area (sqm) per worker	Payable – based on \$1,777
Level 00	Astral Luxury Retail Zone	Shops – including neighbourhood shops, excluding supermarkets	284 sqm	57	\$8,853.82
Level 00	Change of use – Hotel to Retail	Shops – including neighbourhood shops, excluding supermarkets	145sqm	57	\$4,520.44
Level 00	Change of use – Hotel to F&B	Food & Drink Premises – restaurants, cafes & take away premises	128sqm	21	\$10,831.24
Level 01	Area of slab infill	Entertainment facility	214 sqm	130	\$2,925.22
Level 03	Area of additional Sovereign Gaming	Entertainment facility	4266 sqm	130	\$58,312.94

Level	Use	Contribution Use	Additional GFA	Gross Floor Area (sqm) per worker	Payable – based on \$1,777
Level 03	Event Centre Pre-Function	Function Centre	765 sqm	119	\$11,423.57
Level 03	Restaurant	Food & Drink Premises – restaurants, cafes & take away premises	974 sqm	21	\$82,418.95
Total					\$179,286.18

6.7. SYDNEY DEVELOPMENT CONTROL PLAN 2012

The Sydney Development Control Plan 2012 (SDCP 2012) came into effect in December 2012. Given the nature of the proposed works and the operation of section 75R(3) of the EP&A Act 1979 it is understood that SDCP 2012 is not applicable to Modification 14; however, consideration has been given to relevant development controls as required by the Modification 13 SEARs.

6.7.1. Pyrmont Point Locality Statement

SDCP 2012 incorporates locality statements and design objectives. The site is located within the Pyrmont Point locality under SDCP 2012. The locality statement in Section 2.12 of SDCP 2012 identifies that the precinct includes the foreshore areas of the peninsula and is bounded by Union Street, Pyrmont Street, John Street, Jones Street, Miller Street and the harbour foreshore.

The locality statement identifies that:

Pyrmont's mixed use character is to be maintained. The area is to function as a combined living and working precinct while protecting historic buildings and topography. The striking cliff faces are important to remain as exposed landmarks visible from within the area and from the Harbour. Views of Central Sydney and surrounding suburbs from the public domain are to be maintained. Active ground floor uses such as shops and cafés and restaurants are encouraged.

The principles of the Pyrmont Point Locality Statement are:

- (a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.*
- (b) Retain the dramatic topography created by excavated sandstone cliffs visible from the public domain.*
- (c) Conserve views and vistas within and beyond the neighbourhood, particularly from the public domain.*
- (d) Maintain the distinctive character created by the built form on the central ridge and the water front edges.*
- (e) Provide active ground floor uses in locations and maintain the high quality and amenity of the public domain.*
- (f) Historical buildings are to be retained and adaptively reused.*
- (g) Continue the mix of small scale retail and café uses with large scale commercial uses in certain areas.*
- (h) Encourage café and restaurants to offer street dining where footpath width permits.*

The proposal is considered to be consistent with these objectives as the proposed works predominantly relate to infill of existing roof, terrace and void spaces of The Star. The proposal relates to an expansion of the existing land uses onsite.

There are no specific controls relating to the operation and development of The Star.

6.7.2. External Lighting

Section 3.2.8 of SDCP 2012 includes provisions relating to external lighting. External lighting is proposed along Pymont Street on the SELS façade in accordance with the External lighting Design Compliance Letter and lighting plans located at **Appendix N**. The lighting associated with the proposal is envisaged to have only a minor increase in light spill to Pymont Street and should not negatively impact any of the adjacent buildings in the area. Overall, the external lighting along Pymont Street will improve safety and celebrate the heritage elements of the SELS Building.

Proposed lighting will be operated in accordance with The Star's adopted lighting management plan. All outdoor lighting shall comply with, where relevant, *AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting* and *AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate as required by Condition B18 Outdoor Lighting.

The Proponents Statement of Commitments, located at **Appendix Q**, identifies a commitment for the preparation of a Lighting Management Plan for the SELS building. An existing lighting management plan has been prepared for the site as part of Project Star and approved by the Department. On site lighting is managed under this management plan.

7. STRATEGIC CONTEXT

A range of strategic planning policies and design guidelines are also identified in the SEARs, the following have been assessed:

- NSW State Priorities;
- A Plan for Growing Sydney;
- NSW Long Term Transport Master Plan;
- Sydney City Centre Access Strategy 2013;
- Sydney's Cycling Future 2013;
- Sydney's Walking Future 2013; and
- Sydney's Light Rail Future 2013.

7.1. NSW STATE PRIORITIES

NSW 'Making it Happen' is the State Government's plan, in conjunction with the NSW Budget, which guides policy and budget decisions for delivering community priorities. The plan contains nine key areas of focus including: transport, health, education, environment, police and justice, infrastructure, family and community services, economy and accountability.

The proposed development will contribute to achieving the objectives of the State Plan. The site is already well served by public transport, including buses and ferries. The proposal will contribute to overall functioning of The Star, contributing to the growth of the NSW economy and enhancing international appeal.

7.2. A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney (the Plan) provides guidance for land use planning over the next 20 years and a clear strategy for accommodating and supporting Sydney's future population, as well as framework to strengthen its global competitiveness and delivery of investment and job growth.

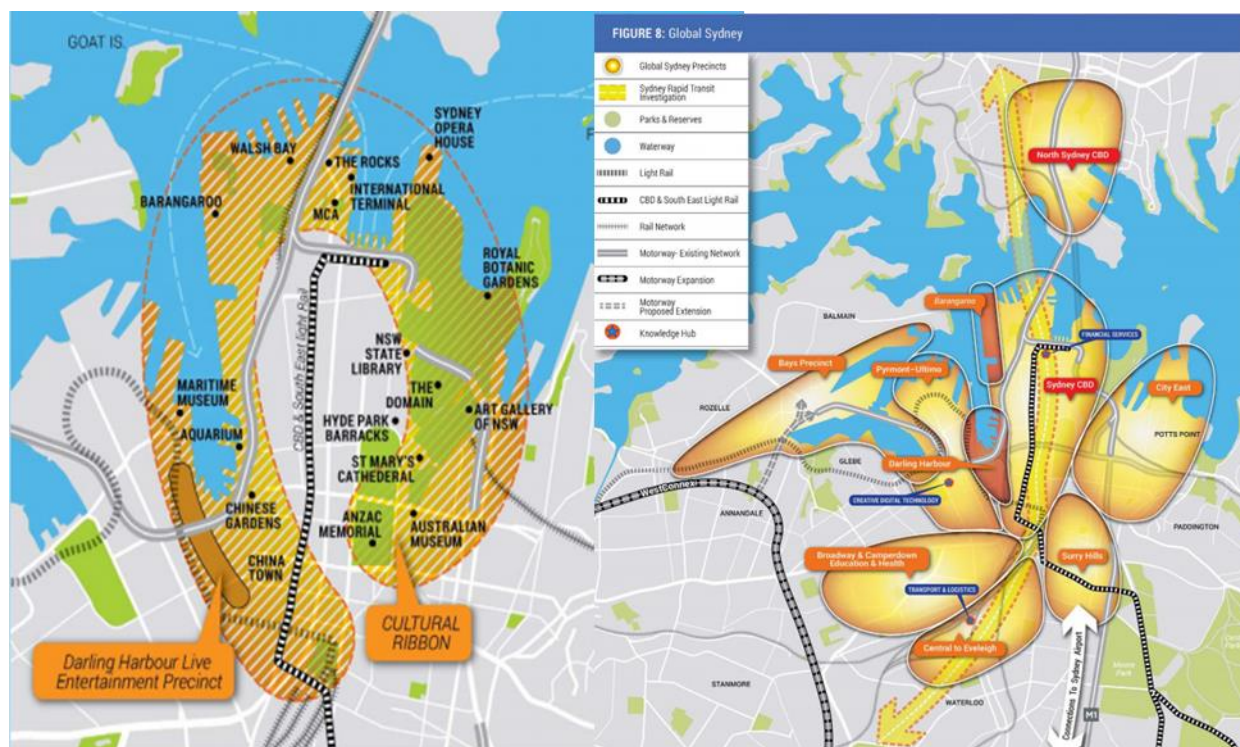
The subject site is located within the 'Global Sydney' strategic centre (**Figure 3** below). The proposed development will support the realisation of the plan as it will achieve the following plan priorities:

- Recognise Global Sydney as a transformational place;
- Promote Sydney's arts and culture, tourism and entertainment industries;
- Plan Sydney's CBD as Australia's premier location for employment, supported by a vibrant mixture of land uses and cultural activity and iconic places and buildings; and
- Improve walking and cycling connections between Global Sydney precincts and to the surrounding area.

The site is also identified within the cultural ribbon which aims to connect new and revitalised precincts within Central Sydney. The proposed modification will enhance the attractiveness and functioning of the complex and continue to provide support to Sydney by delivering a vibrant mix of land uses, entertainment, tourist accommodation and events.

In conjunction to the above, the site is located on the perimeter of the Darling Harbour Live Precinct and will support the upgrades and revitalisation of the area proposed by the plan. The precinct Master Plan aims to provide for an integrated and world class convention, exhibition and entertainment precinct. The Star is ideally located to support this ideal and contribute to the attraction of increased tourist numbers and revenue to the Darling Harbour area.

Figure 3 – A Plan for Growing Sydney: Cultural Ribbon and Global Sydney



Further to the above, Ultimo-Pyrmont has been specifically identified in The Plan as a strategic centre and is part of the Central Subregion. The stated priority for the Ultimo-Pyrmont region is to work with the City of Sydney to “retain a commercial core in Pyrmont for long-term employment growth; and support the land use requirements of the creative digital technology hub in Ultimo-Pyrmont”.

The development proposal is consistent with *A Plan for Growing Sydney*, particularly in relation to developing “a competitive economy”. The proposal addresses the NSW Government’s vision to be a “premier location for global commerce, business and investment”

7.3. NSW LONG TERM TRANSPORT MASTER PLAN

The NSW Government’s *Long Term Transport Master Plan 2012* (LTTMP 2012) sets out the framework for the delivery of an integrated, modern transport system. The LTTMP 2012 is underpinned by a range of short to long terms actions to guide the transformation of the NSW transport system.

A long term plan is to increase the capacity of Sydney’s rail network and update existing infrastructure facilities. These plans will enhance public transport accessibility and contribute towards increased visitation to the site by public transport. This is a positive approach towards accessibility to The Star.

The proposal will not impact upon the functioning of the light rail nor impact the safety, accessibility and efficiency of operation. The Star encourages public transport utilisation for workers and visitors.

Overall, the proposal does not include any works in any public roads and as such will not impact on the accessibility to and from the site or surrounding the site.

7.4. SYDNEY CITY CENTRE ACCESS STRATEGY

The strategy aims to deliver a fully integrated transport network in Sydney City Centre. The Access Strategy clearly prioritises and allocates street space for public transport, general traffic, pedestrians, cyclists, taxis and service vehicles, helping to unlock Sydney's transport capacity.

Overall, the proposal does not include any works in any public roads and as such will not impact on the accessibility to and from the site or surrounding the site.

The proposal complements the key outcomes of the Access Strategy, with suitable car parking and a commitment to provide additional bicycle parking. Electric car charging points and end-of-trip facilities are existing onsite. Furthermore, the site has optimal access to existing public transport links including the Light Rail network. The proposal is not expected to have any adverse impacts on the surrounding pedestrian and cycling networks.

7.5. SYDNEY'S CYCLING FUTURE 2013

The *Sydney's Cycling Future 2013* (SCF 2013) was released by NSW Government in December 2013 to facilitate improved bicycle networks as an integrated component when planning for new transport and infrastructure projects. As stated above the cycle network surrounding the subject site has a good connectivity to on/off bike routes. The Star encourages cycling with the provision of bicycle parking and end-of-trip facilities for staff to change and shower after cycling to work. It is noted that there are opportunities to improve cycle parking at The Star. During site visits bikes were observed chained to the fences on Pirrama Road, demonstrating that cycle parking conveniently located near the key pedestrian access points would improve accessibility and safety for cyclists. There are currently no formal parking provisions for guests visiting the site.

In this regard, The Star is committed to Green Travel initiatives and delivering Sydney's Cycling Strategy. The preparation of a Green Transport Plan has been detailed in the Proponents Statement of Commitments at **Appendix Q**.

7.6. SYDNEY'S WALKING FUTURE 2013

Sydney's Walking Future 2013 (SWF 2013) was released by NSW Government in December 2013 and seeks to create a culture of walking for transport by promoting walking as a viable and attractive transport choice. The Strategy aims to link walking to urban growth and to prioritise the needs of pedestrians in the planning, design and construction of new transport and urban development projects. The Star encourages a 'Walking Future' with the provision of end-of-trip facilities for staff onsite.

7.7. SYDNEY'S LIGHT RAIL FUTURE 2013

Sydney's Light Rail Future is focused on expanding light rail services for the CBD and inner Sydney. The subject site is directly serviced by the light rail with a stop onsite. The proposed development will continue to encourage use of the light rail system making it easily accessible to the public. This will remain a key focus for The Star in the ongoing operation of the site.

The supporting Traffic Impact Statement prepared by Mott Macdonald (**Appendix C**) indicates that light rail services are currently highly utilised in the AM and PM peak periods, with up to 95% of total capacity occupied. A major portion of this is associated with commercial land uses in the surrounding areas unrelated to The Star. Light rail services have increased in frequency since previously indicated in the Part 3A Project Approval (MP08_0098).

Future light rail access to The Star is likely to be enhanced with the completion of the new CBD and South Light Rail line, connecting to the Inner West at Railway Square.

8. ENVIRONMENTAL ASSESSMENT

This section of the report assesses and responds to any environmental impacts which arise as a result of the proposed modifications. Mitigation measures have been recommended where necessary.

8.1. TRAFFIC, CAR PARKING AND TRANSPORT

The Star presently is serviced by an extensive basement car park and excellent public transport, including bus, light rail and ferry. The site is also accessible by other modes of transport including taxi, hire car, walking and cycling.

It is not deemed necessary to provide additional car parking on site to service the proposed building works as the site is well serviced by existing basement parking and public transport.

A Traffic Impact Statement (TIS) for the proposed works was prepared by Mott MacDonald and is located at **Appendix C**.

8.1.1. Porte Cochere

Modification 14 includes the following changes to the Porte Cochere:

- Modification to the Astral Hotel façade within the Port Cochere adjoining Pyrmont Street and Jones Bay Road. This will relocate all north-south pedestrian movements along the Port Cochere roadway within the safety of the widened building foyer (as discussed below); and
- Modifications to the layout and width of the porte cochere adjacent to the existing set-down and pick-up areas.

The report notes that:

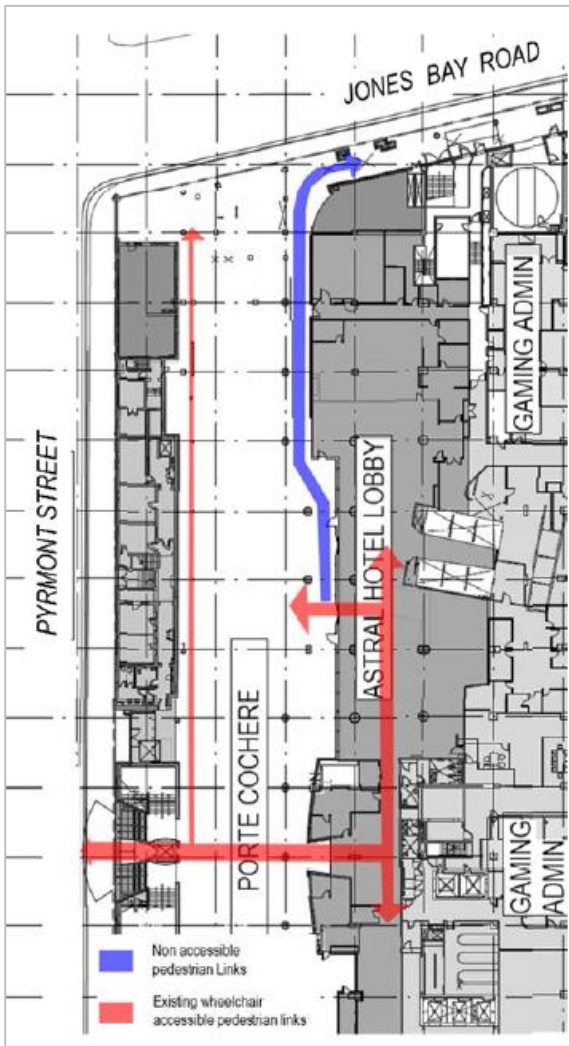
- The valet service pick-up peak demand is after 11am in the morning (Hotel check-out). The set-downs peak occurs after 3pm (Hotel check-in). Hotel guests are the main users of valet parking during peak periods. The Casino arrivals are more random in nature,
- Under resourcing of the valet service has been identified as an operational issue. During peak periods, anywhere up to 10 cars can be stacked waiting to be taken to the car-park. This results in double parking behaviour. It can take up to 5-minutes for a valet to take a vehicle to the car-park and return, and
- The current bay outside the hotel is used for stacking valet vehicles. However, this double parking practice is considered undesirable and will be addressed with the Modification proposal for the Port Cochere.

The modification will ensure the efficient operation of the porte cochere for future patrons, improving the traffic.

8.1.2. Impacts on Pedestrian Access

No changes are proposed to the existing external pedestrian access points to the site with the exception of the Jones Bay Road access to the Astral Hotel lobby. The existing pedestrian pathway from the Astral Hotel lobby entrance up the side of the Porte Cochere ramp to Jones Bay Road will be replaced with an internal pedestrian pathway leading through the new Astral Hotel lobby retail zone to Jones Bay Road (**Figure 4** below).

Figure 4 – Changes to Pedestrian Access within the Site



Picture 1 – Existing pedestrian access to Astral Hotel Lobby

Source: Mott MacDonald



Picture 2 – Proposed Pedestrian Access to Astral Hotel Lobby upon completion of Modification 14

Source: Mott MacDonald

8.1.3. Construction Traffic

The TIS notes the following in relation to construction traffic;

It is envisaged that construction delivery access to the site will be predominantly via:

- Pirrama Road, in the first instance, with loading and unloading in the service road loading facilities under the site at Level B2;
- Jones Bay Road, with loading and unloading in the Port Cochere; and
- Edward Street, with loading unloading in the existing loading dock.

The main construction access routes are Bank Street (Route A4), Pyrmont Bridge Road, Edward Street, Pirrama Road and Jones Bay Road. Construction traffic exceeding 3 tonnes will not be permitted to use Pyrmont Street. This will be further detailed in the Construction Management Plan which will be provided to the Department of Planning and Environment prior to the issue of the first construction certificate.

The TIS notes the following in relation to mode share for construction worker travel;

- Journey to Work Data for TZ 151 indicates that almost 45% of workers travel to Pyrmont by public transport. A further 9% walked to work. Less than 42% travelled to the site by car as a driver (38%) or passenger (4%). Less than 41% travelled to the site by car as a driver or passenger.
- Based on current worker travel patterns to the site, most construction worker travel impacts will occur on exiting public transport and active transport facilities.

8.1.4. Trip Generation and Network Performance

Mott MacDonald assumes that existing mode share travel patterns to and from The Star will remain constant. They also state that the proposed 5% increase in GFA will only increase traffic movements in/out of The Star pro-rata.

Estimates provided by Mott MacDonald in the Traffic Impact Assessment demonstrate that only a negligible increase (less than a 2% increase) in traffic at adjacent intersections and on the adjacent roadways should occur as a result of Modification 14. Most of these impacts occur outside times of peak congestion. An analysis in the report suggests that most of the critical intersections around the site are operating at LOS 'C' or better in peak periods and have capacity to accommodate the negligible increases likely to be generated by Modification 14.

8.1.5. Parking

The current on-site car parking capacity is 2,845 spaces, with all spaces provided in the basement car park. Assuming an LEP 2012 rate of 1 space per 150sqm of GFA, for a 'Category E' site with an FSR greater than of 2.5:1, the minor increase in GFA proposed in Modification 14 would require 44 additional parking spaces ($6633/150=44$).

Mott MacDonald conducted a review of The Star car-park utilisation for the 9-month period ending September 2015. This review revealed an average maximum occupancy rate of 92%, on Saturdays, which leaves an average of 230 spare spaces. The additional parking demand of 44 spaces generated by the modification can therefore be easily accommodated by the existing car park capacity. Demand beyond the existing capacity, in unusually busy periods, can be accommodated through on-street parking or private car parks within walking distance to the site.

Given that the additional parking demand can be accommodated within the existing car park, no increase is proposed to the existing parking provisions on site as part of Modification 14.

The TIS concludes with the following operational recommendations for the Porte Cochere:

- That The Star address the operational problems associated with the long-term limousine parking practices in the Porte Cochere; and
- That The Star review the resourcing of the valet service to eliminate the need for double parking in the Porte Cochere outside the Astral Hotel entry.

Other recommendations detailed by Mott MacDonald have been included in the Proponents Statement of Commitments located at **Appendix Q**.

8.2. HERITAGE AND ABORIGINAL HERITAGE

8.2.1. Heritage Items

The Star as a whole is not a locally listed item under the SLEP 2012. However, the former Pyrmont Power Station Administrative building (SELS building) located in the northwest corner of the site is identified as a locally listed item, including interiors. The Star is also located in the vicinity of a number of other heritage listed items. The Heritage Impact Statement at **Appendix D** assesses the potential heritage impact of the proposed works on the SELS building and on the other heritage listed items adjacent to the site and provides minor recommendations on the construction of the improvements to the SELS building.

The SELS Building has historic and aesthetic significance on a local level, with heritage inventory indicating that the building was constructed in 1904. The most significant fabric comprised in the subject site is concentrated on the western, northern and southern façades of the SELS Building which are visible from the public realm.

The proposed modification seeks the following improvements to the SELS building:

- Refurbishment of the existing Level 00 toilets at southern end of building to allow for adjacent lift lobby circulation areas;
- Upgrades and tenancy improvements to existing retail tenant at northern end of SELS building, including replacement of existing canopies along Jones Bay Road; and
- Installation of external lighting on the SELS building along Pyrmont Street to celebrate the heritage elements of the building.

The improvements are predominantly internal to the SELS building, aside from the proposed lighting strategy. The proposed improvements will not have any impact on the heritage significance of the SELS Building.

The proposed modification also seeks the following improvements within the vicinity of the SELS building:

- Realignment of the Porte Cochere to accommodate a minor expansion of the upgraded Astral Lobby;
- New sculpture and fountain feature adjacent to the east elevation of the SELS building at the entry to the Porte Cochere;
- Removal of a section of the current glazing in the existing porte cochere canopy at Level 02 adjacent to the main gaming floor; and construction of a new ceiling over a section of Northwest Gaming unenclosed gaming area at Level 01; and
- Expansion of the Sovereign Room and Event Centre Pre-Function space at Level 03 adjacent to the SELS building.

It is considered that neither the SELS building nor any other heritage listed items adjacent to the site will suffer adverse heritage impacts as a result of the works proposed under this modification.

The Heritage Impact Statement at **Appendix D** provides the following recommendations:

- If any original timber flooring is found under the carpet in the corridor of the SELS Building during the construction of the arrival lounge, this should be retained either below the new floor finishes or incorporated into the new finishes for the space;
- The existing tiles on the southern façade of the ground floor bathroom should be incorporated into the finishes schedule for the arrival lounge or retained behind the proposed finishes;
- All works for the new Butler's Pantry will be through lightweight reversible partitions and a low ceiling so that the existing hallway cornice can be viewed and the works can be removed in the future with minimal damage to the fabric;
- An appropriate methodology should be established for the lighting of the primary façade, which does not require significant penetrations or chasing into original fabric. Where possible, penetrations for electricity supply to the lights, or for fixing the replacement awnings on the northern façade, should be made through mortar joints rather than through the original bricks; and
- Fixings to the masonry for the new lighting or for the replacement awnings on the northern façade should allow for future removal of these features with minimal impact on the heritage fabric.

8.2.2. Aboriginal Heritage

Urbis has been commissioned to initiate consultation with the Aboriginal community in regards to an Aboriginal Archaeological Assessment for the site. A search of the Native Title Tribunal databases has confirmed that there are currently no relevant entries. At the time of writing, the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010) had been instigated for the project, with Stage 1 of the requirements to be completed by 29th July 2016. The purpose of this consultation is to identify local Aboriginal people who may be interested in being consulted on this project and who hold knowledge relevant to understanding the cultural significance of Aboriginal objects. The advertisement is included at **Appendix O**. It is intended that this consultation will be continued in parallel with Modification 14 and in accordance with the *Requirements* (DECCW 2010).

8.3. ACOUSTICS

A Noise Impact Assessment has been prepared by WSP Parsons Brinkerhoff and is included at **Appendix E**. A summary of the assessment, proposed mitigation measures and recommended conditions are provided below.

This NIA addresses the following acoustic matters:

- Removal of trial period restrictions within conditions under Major Project Approval MP08_0098 on the Level 3 Entertainment Deck and the Level 1 UGA this has been discussed in detail in **Section 4.3.2** of this report;
- Removal of trial period restrictions imposed under Council Consents for the following areas are also sought:
 - Pizzaperta restaurant fronting Pirrama Road;
 - Darling VIP balconies fronting Union Street;
 - Balla and Black restaurants contained internally to The Star; and
 - Oasis Gaming UGA fronting Pyrmont Street.
- Noise emissions generally from the operation of The Star as a result of the proposed modifications; and
- Management of construction noise and vibration.

To assess the noise environment at nearby noise sensitive receivers to the proposed works, recent noise logging data collected in the proximity of The Star site was analysed.

8.3.1.1. Patron Noise

The NIA considers the cumulative impact of patron noise on adjacent developments within Pirrama Road and Pyrmont Street. A review of the potential impact on the identified noise receivers (R3 and R4) confirm that The Star following the proposed modifications can operate within the parameters of the existing conditions of Major Project Approval MP08_0098 (Conditions F1 to F5) without any additional impact arising from the proposed works.

8.3.1.2. Oasis Unenclosed Gaming Area

The report also reviews the acoustic impact of the proposed modifications to the Oasis unenclosed gaming area and Level 3 unenclosed gaming area.

The proposed works to the Oasis unenclosed gaming area involves creating access to a small outdoor area. The outdoor space will be used as a smokers terrace and no noise generating equipment such as gaming machines or amplified music will be located in the area. The report concludes that:

'Maintaining the current management conditions applicable to the Oasis unenclosed gaming area will therefore be sufficient to control noise emission from the area to the nearest sensitive receivers on Pyrmont Street.'

8.3.1.3. Level 3 Unenclosed Gaming Area

A new unenclosed gaming area is proposed on Level 3 towards the western side of the site (Pyrmont Street). To achieve compliance with the existing conditions pertaining to the site, the following mitigation measures are proposed for the new unenclosed gaming area:

- Balustrade along the façade of the Level 3 unenclosed gaming area is to be constructed with a solid material to a minimum height of 1.2m above the UGA floor level;
- Limit the noise output of gaming machines to half of normal level during night time period between midnight to 7am;
- No amplified music is to be played within the UGA area with exception of music from gaming machines; and

- Patrons' behaviour within the UGA are to be strictly managed to make sure "rowdy" patrons are restricted from the area.

Subject to the implementation of the above recommendations, the proposed gaming area will comply with the conditions of consent.

8.3.1.4. Permanency of Restaurant Spaces and Unenclosed Gaming Areas

As discussed in Section 4 of this report the application involves consolidation of operational conditions for current City of Sydney development consents.

Pizzaperta

The Pizzaperta Restaurant is permitted under the Council Consent to operate between 7.00am and 10.00pm, with a trial period for operation between 10pm and 12am midnight. The consent also nominates maximum patronage of 250 people during these hours. The location of the Pizzaperta Restaurant is shown on drawing number MOD14-A92B2 **Appendix P4**.

The existing use on site is operating in line with the terms of the consent condition and the management requirements identified below. SEGL is not aware of any complaints in relation to the use of this food and beverage space during normal or extended trading hours. The following condition is proposed to be included in Major Project Approval MP08_0098 to enable the extended trading hours and patronage to continue on a permanent basis. The condition is structured to require the use to operate within the parameters of the existing Major Project acoustic conditions and the following requirement;

F20 Ongoing Operation

("Pizzaperta" as shown on drawing number MOD14 – A92B2 Issue B)

The playing of music to Pizzaperta is to include background levels only set to a maximum SPL within the internal restaurant space of 70 dB(A) with speakers facing away from the external dining area as required by the existing conditions of consent. Implemented

The operation of Pizzaperta regarding all deliveries and waste removal is to operate within the existing controls and conditions of The Star. Implemented WSP | Parsons Brinckerhoff advises that based upon the above control measures being implemented, permanency of the Pizzaperta restaurant's operation between 10pm and 12am midnight should be granted.

Subject to compliance with the above measures, the NIA concludes that the restaurant can operate for the extended hours on a permanent basis.

Oasis Unenclosed Gaming Area

The approved Oasis gaming lounge includes a UGA which is permitted to operate between 7am to 12 midnight with a trial period permitting 24 hour operation of the UGA. SEGL is not aware of any complaints made in relation to the use of the UGA. The NIA examined the potential for the trial period to be removed and the UGA to operate on a 24 hour per day basis.

The NIA found that if the UGA was to operate in compliance with the management measures set out below that the UGA can operate permanently on a 24hour per day basis.

It is proposed that the UGA be regulated through the Major Project Approval and that an additional condition be included in MP08_0098 as follows:

F19 Ongoing Operation

(Oasis Unenclosed Gaming Area as shown on MOD14-9202 Issue B)

All gaming machines in the UGA are to be turned to half volume to ensure compliance with the criteria for 12am to 6am. The sound pressure level in the UGA should not exceed 60dB(A) L10 in the absence of the noise associated with patrons.

No music (apart from that associated with gaming machines) is to be played within the UGA.

The UGA is to be isolated off from the main gaming area via automatic door closers.

All facade elements, other than those that provide access to the UGA, are to be fixed closed.

Balla and Black Restaurants

Balla and Black are two licensed restaurants currently permitted to operate between 7am and 10pm daily with a trial period to operate between the hours of 10pm and 2am the following day.

The restaurants are located at Level 00 internal to the entertainment complex building. Both restaurants are fully enclosed with no external spaces. The nearest noise sensitive receiver, Receiver 10, is 200m away on the opposite side of Pirrama Road. The NIA concludes that due to the nature of the uses (contained internally to the building) and the distance from any surrounding sensitive use, the use of the restaurants can operate on a permanent basis from 7am to 2am the following day.

F10 Hours of Operation

1. The site operates on a 24hour 7 day per week basis, including the retail, food and beverage uses located within the food court subject to the following restrictions;

a) The hours of operation are restricted to between 7am and 2am the following day. (Balla and Black Restaurants).

Darling VIP Balconies

The Darling VIP private gaming lounge on Union Street has two small balconies, one on each end of the building, serving the private gaming rooms. The balconies are currently permitted to operate between 10am and 10pm, with a trial period for 24 hour operation.

The balconies are used as smoking terraces for the VIP guests of the Darling VIP area and do not include external music or sound systems. The report concludes that the balconies can operate in accordance with the existing permitted 24 hour use.

The approved and constructed works form the VIP Balconies is shown on the existing site drawings in **Appendix A**. It is not necessary to place any restriction of the use of these spaces into Major Project Approval MP-9_0098 as the use will be control by the suite of existing acoustic conditions

8.3.1.5. Mechanical Noise

Modification 14 includes upgrades to the generator plant room including locating three C100 capstone units in the existing plant room and one C1000 capstone located in the existing cooling tower enclosure.

The generator plant room will continue to accommodate the existing 1400kW and 2000kW diesel generator, with the removal of two existing 1400kW diesel generators. The exhaust from the generators will remain at the current exhaust stacks location at the northern end of the site. The report recommends that the exhaust stack emission must be controlled to a maximum sound pressure level of 75 dBA when measured 1m on axis from the end of each stack. In order for this to occur, the following mitigation measures are proposed (but are not limited to);

- Attenuators;
- Noise barriers;
- Acoustic louvres; and
- Acoustic absorption to plant rooms.

With the inclusion of an appropriate attenuation measure, the proposal will comply with Condition E1 of the MP08_0098.

The acoustic assessment conducted onsite, ensures that the proposed modifications do not result in any additional environmental impact. Mitigation measures have been recommended where appropriate to ensure that the modification achieves the measures and intent set out in the existing acoustic conditions.

8.4. ECONOMIC IMPACT ASSESSMENT

The Economic Impact Assessment (EIA) has been prepared by PricewaterhouseCoopers (PWC) which is included at **Appendix F**. The report demonstrates the clear economic benefits of the proposal for the local, New South Wales and the wider Australian economy. The report also provides a clear representation of the current positive impact that The Star has on the economy.

The EIA identifies the benefits that currently exist onsite;

- Over 5,000 full-time employees;
- Exports in NSW of \$536 million (FY2016) in present term value;
- Direct contributions to taxes, licence fees and other NSW government charges of \$227 million which can be reinvested into the community in the form of social and physical infrastructure; and
- \$229 million in direct nominal tax revenue for the Commonwealth Government from FY2016 to FY2030.

The proposed works involve the expansion of gaming floor space, upgrade of food and beverage offerings, and upgrade of the circulation space and pre-entertainment spaces and will therefore enhance the patrons experience at The Star. This will result in increased patronage directly increasing the economic benefits that will be generated onsite. This will then translate to a material increase in the above economic output.

The upgraded integrated resort will also attract additional international tourists and extend the opportunity to grow the tourist industry within Sydney.

The Star, located in close proximity to Darling Harbour and within the cultural ribbon identified within a Plan for Growing Sydney, will also serve to strengthen the role of Darling Harbour as a tourist destination. The modifications will also aid in the broader revitalisation of Darling Harbour. The gaming facility components will also provide a significant boost to local employment creating a huge number of additional ongoing jobs on the western fringe of the CBD.

The proposed modifications and resultant increase in GFA are therefore expected to result in substantial economic benefits to Sydney and the wider region.

8.5. SOCIAL IMPACT ASSESSMENT

A Social Impact Assessment (SIA) has been prepared by Urbis in relation to the proposed modification and is included at **Appendix G**.

The report carries out a review of the local demography, key socio-economic indicators and key values and cultures in determining the net social impact of the proposal in terms of the proposed expansion of the existing integrated resort.

The aim of the SIA is to identify and analyse key social impacts associated with the proposed modifications. It is focussed on the identification and reporting of impacts associated with the proposal. Social impact assessment involves a detailed and independent study to outline potential positive and negative impacts, identify appropriate mitigation measures, and make recommendations in accordance with professional standards and statutory obligations.

8.5.1. Relevant Policies

The report also considers a number of government policies, strategies and action plans which apply to The Star and the important role it plays as a major tourist attraction and event and entertainment centre in central Sydney:

- *The Visitor Economy Industry Action Plan (2012)* – The Plan focuses on enhancing and promoting existing cultural and entertainment precincts (like the Darling Harbour and Pyrmont precinct) to enhance visitor experiences,
- *China Tourism Strategy 2012-2020 (2012)* – The Strategy has identified eight strategic directions including improving the quality and range of visitor experiences in the city through the promotion of gambling, theatre, local entertainment, dining, global brands and experiencing iconic sites. The Star is an integrated tourist resort and its associated entertainment facilities play a key role in catering to increasing international tourism demands.

- *Open Sydney Strategy (2013)* – The City of Sydney’s Open Sydney Strategy outlines future directions to enhance Sydney’s night-time economy without negatively impacting on local communities. Of relevance to The Star is the Council’s aim to “promote Sydney as the Asia-Pacific region’s premiere dining and live music and entertainment destination”, as well as “connecting businesses with events, opportunities and each other to create a more connected experience for city workers, residents and visitors”. The Star and its associated conferencing/hotel facilities currently play a key role in delivering this objective.

The Star plays an integral role in the achievement of the policy objectives established for the future City of Sydney incoming years. The proposed modifications to the complex will enhance the role of The Star and aid in the continued delivery of the identified strategies and plans.

8.5.2. Demographics

The report notes that the population of Pyrmont is predominantly young adults. Residents in Pyrmont aged between 25 and 39 make up just over 47% of the population. The report also notes that:

- 85% of all Australian casino visitors are considered local (from within the same city or state).
- 10% of Australian casino visitors are from interstate.
- 5% of Australian casino visitors are from overseas countries.

8.5.3. Community Benefit

The Star contributes to a significant number of community and sporting events and initiatives within Sydney and across New South Wales.

- Principal Partner and host of the Sydney Festival.
- An Official Supporter and host of the Sydney Gay and Lesbian Mardi Gras.
- An Official Partner and host of the NSW Rugby League and the Official Home of the NSW Blues.
- Premier Partner and host of the Sydney Swans.
- Principal Partner with Barnardos over the next three years (\$1.5 million).

8.5.4. Social Impacts

Negative social impacts that may arise as a result of the proposed modifications include:

- Anti-social behaviour arising from additional patrons onsite as a late night venue;
- Antisocial behaviour due to increased numbers of patrons consuming alcohol;
- Increased spending on gambling due to the additional gaming floor space; and
- Increased traffic surrounding.

Positive social impacts as a result of the modifications include;

- Increased government spending on social infrastructure as a result of taxes, licences and fees arising directly from the operation of The Star and its further expansion as an integrated entertainment facility;
- Increased employment opportunities as a result of the additional floor space onsite;
- Increased employment opportunities during the construction phase of the development;
- An opportunity to ensure CPTED principles are incorporated into all new design elements of the modification, further enhancing the safety and security of the premises; and

Amalgamation of the existing operational management plans into one overarching document that addresses the site as a whole.

8.5.5. Mitigations Measures

The proposed modifications will deliver an additional of 6,633sqm (approximately 5%) of additional floor space. The report concludes that there are minor impacts associated with the proposed modifications subject to the following mitigation measures:

- Patron behaviours (including antisocial behaviour and increased gambling risk) are managed through existing RSA and safety and security measures. These measures will continue to be implemented and monitored closely with police and other relevant authorities. Accordingly, additional negative impacts in relation to crime are not anticipated.
- Ongoing implementation of existing RSA procedures is considered sufficient to manage a 7.5% increase in patron numbers and a 5% increase in GFA associated with Modification 14.
- Ongoing implementation of existing responsible gaming procedures (Gaming Signage and Brochure Standards) is considered sufficient to manage a 7.5% increase in patron numbers and a 5% increase in GFA associated with Modification 14.
- As discussed in Section 5 of this report, community engagement has commenced and will continue to occur to ensure that members of the public have the opportunity to discuss and voice any issues which they may have. All concerns raised will be addressed.
- Further details of all existing management plans are included in the report attached at **Appendix G**. The overall operation of the site will be governed by the proposed Operational Management Plan going forward which will be prepared prior to the issue of construction certificate as per the proponent's commitments. This will incorporate all mitigation measures required.

Having considered:

- The existing role The Star plays as a prime tourist destination;
- The level of ongoing community engagement that is occurring;
- The management plans in place to ensure safety and security onsite at all times; and
- The management plans to ensure gambling responsibility and appropriate service of alcohol,

on balance, with continued implementation of the Operational Management Plans and best practice guidelines (RSA procedures etc.), the social benefits to be delivered will outweigh the potential impacts of the proposed modifications. We consider that the proposed modifications will not result in an adverse social impact.

8.6. BCA AND ACCESSIBILITY

McKenzie Group has reviewed the proposed modifications and has provided a letter (**Appendix H**) confirming that the site is capable of complying with BCA requirements.

McKenzie Group has also provided a letter (**Appendix I**) in relation to accessibility compliance with the Building Code of Australia (BCA) and the intent of the Disability Discrimination Act (DDA), within the project scope. The proposal will be capable of meeting the requirements.

Both letters conclude that a further assessment of the proposed works will occur on completion of the detailed plan set.

8.7. FIRE LIFE SAFETY PRINCIPLES & FIRE PROTECTION

A Fire Life Safety Principles Report has been prepared by WSP/PB and is included at **Appendix J**. The existing AECOM Fire Engineering Reports (FER) which is currently applicable to the site will be superseded once the WSP/PB fire engineering strategy and final FER is completed. The full assessment will be completed upon the completion of detailed construction plans. The Star is committed to ensuring the safety of patrons onsite and accordingly, the preparation and submission of the full report, encompassing the entire site area is included within the Statement of Commitments at **Appendix Q**.

Table 7 – Fire Engineering Process Status

Stage	Approximate Programme Schedule
Phase 1 – Concept design development	Week 1 - 2
Phase 2 – Draft Fire Engineering Brief Questionnaire (FEBQ) issued to the team for comment	Week 3- 4
Phase 2 – FEBQ revised and issued to FRNSW	Week 5
Phase 3 – Computational Fluid Dynamics (CFS) modelling undertaken (where applicable)	Week 6- 10
Phase 3 – Evacuation modelling undertaken (where applicable)	Week 6-10
Phase 3 – Draft FER issued to team for comment	Week 11
Phase 3 – FER revised and submitted as part of Construction Certificate (CC) application	Week 12
Phase 3 – FRNSW comments received back on FEBQ	Week 17
Phase 3 – FER revised to suit FEBQ review comments	Week 18 (subject to FRNSW workload)
Phase 4 – Mid works inspection	Week 24
Phase 4 – Final Section 153a inspection and sign-off Section	Week 30

Alternative Solutions are proposed based on potential variations from the Deemed to-Satisfy Provisions of the Building Code of Australia 2013 (BCA). The Deemed to Satisfy Provisions will be based upon the BCA Compliance Report by the Private Certifying Authority, McKenzie Group. The proposed Alternative Solutions will be formulated to comply with the relevant BCA Performance Requirements for the Construction Certificate (CC) Stage.

Furthermore, the following services form part of the fire protection scope of works for Modification 14:

- Automatic Fire Sprinkler System;
- Automatic Smoke Detention System;
- Sound System Intercom System for Emergency Purposes/ Emergency Warning and Intercommunication System;
- Gaseous Suppression System;

- Kitchen Suppression System;
- Fire Hydrant and Fire Hose Reel Services;
- Portable fire extinguishers; and
- Water Mist System.

All building works will comply with the prescriptive requirements of the BCA unless specifically varied through performance based fire engineering assessment by WSP/PB and approved by the Principle Certifying Authority (PCA).

8.8. OPERATIONAL MANAGEMENT PLAN

SEGL will provide a consolidated Operational Management Plan (OMP) for the site addressing operational aspects of the approved development as is outlined in the Proponents Statement of Commitments at **Appendix Q**. This consolidated OMP will take into consideration all previously approved OMP's relating to the original 1994 approval, MP08_0098, all Modifications of MP08_0098 and the Council Consents.

The consolidated OMP is to be submitted to the Department prior to the release of the Construction Certificate for works under Modification 14.

This consolidated OMP will discuss security, surveillance, Responsible Service of Alcohol (RSA), training of staff, complaints handling, management strategies and traffic management, as well as all other relevant operational matters for the site.

This consolidated OMP and its recommendations will be implemented by SEGL, its employees and agents in conjunction with The Star's manuals specific to each department of the business.

8.9. CONSTRUCTION MANAGEMENT PLAN

The appointed contractor will prepare a comprehensive Construction Management Plan to ensure limited impact on the surrounding properties as is detailed in the Proponents Statement of Commitments at **Appendix Q**. Staging will be developed in consultation with SEGL and a construction programme prepared by the Contractor, to mitigate any impact on operational facilities. The Construction Management Plan will incorporate the control measures of the Noise and Vibration Management Plan and will include:

- A waste management strategy for the construction phase of the development, including removal of demolition material from the site,
- Details of appropriate hoarding required in relation to construction works, and
- Pedestrian access and site safety measures.

No construction works will be commenced until a comprehensive Construction Management Plan for all works included in Modification 14 has been submitted to the satisfaction of the Department of Planning and Environment.

8.10. SERVICES

An Electrical and Hydraulic Services Infrastructure Report has been prepared by Umow Lai and is located at **Appendix M**. The report addresses the existing infrastructure onsite in terms of services existing and required to support the proposed modifications.

8.10.1. Electrical Services

The projected maximum demand for the proposed development without the contribution of cogeneration is 7.4MVA. Ausgrid have advised that their existing high voltage network has capacity to support 14.4MW.

On site gas powered electrical generation is proposed in order to ensure that there is no further load increase on the Ausgrid network. The proposed additional generation will run in parallel with the Ausgrid network and replace some of the existing on site diesel generators. The onsite generation will cater for the additional load created by the works proposed under Modification 14. Diesel generators will only operate in the event of a power failure.

8.10.2. Hydraulic Services

An application has been made to Sydney Water for increased water supply and sewer discharge capacity. Sydney Water has responded noting that the existing infrastructure appears adequate for the proposed development. Modification 14 will not require upgrades to the existing water and sewage infrastructure.

8.10.3. Stormwater

The Star site currently discharges to the two existing seawater cooling conduits that formed part of the former Pyrmont Power Station. These cooling conduits are now being utilised as stormwater culverts and are under the control of Sydney Water Corporation. The catchment area for the site will not change with the proposed development; therefore the total site discharge will not change.

There will be no increased pressure on the existing public service providers as a result of the modifications to the development. The proposed service upgrades will result in a positive outcome for the site in terms of efficiency and environmental impacts.

8.11. ECOLOGICAL SUSTAINABLE DEVELOPMENT (ESD)

The proposal has been designed in accordance with current ESD principles and SEGL's *Sustainable Design Guidelines* as has been benchmarked against the following reduction targets:

- 5% portable water reduction;
- 5% reduction in energy consumption;
- 5% greenhouse gas (GHG) emissions savings; and
- 10% increase in recycling rates.

An ESD report has been prepared by WSP/PB which outlines a number of initiatives which will be implemented through infrastructure upgrades and layout changes proposed under Modification 14. These initiatives include:

- **Significant water efficiency benefits through the upgrade of the Harbour Heat Rejection system.** Up to 50% of a building's water consumption can come from cooling tower make-up water. As a 24 hour, 7 day a week operation, this water saving is a significant amount and is estimated to be in the order of 160ML per annum.
- **Implementation of a low carbon on site generation system** – A low carbon on site generation system is proposed. A by-product of this system is a significant amount of heat generated to operate the microturbine. The project can capture this energy firstly through the use of heat exchanges to produce hot water heating for the site, and secondly to fuel absorption chillers to provide air conditioning cooling to the site.
- **Variable Speed Drive Upgrades** – It is proposed to install high efficiency circulating pumps and ventilation fans with integrated Variable Speed Drives. The high efficiency pumps and fans will allow energy and greenhouse gas emission savings during operating hours. As these units will typically operate 24 hours a day 7 days a week. This will result in a significant saving in energy use.
- **LED lighting upgrades** – SEGL is proposing to upgrade the lighting system across The Star to high efficiency LED lighting systems. This will result in an energy saving of over 1,000MWh and over 900 tonnes of greenhouse gas emissions per annum.

This in turn will lead to a further reduction in the amount of heat retained onsite which will in turn reduce cooling requirements. The ESD report indicates that this can result in a gas emission saving of 114 tonnes per annum.

- **Vertical Transportation Upgrades** – SEGL is upgrading lifts and escalators as part of Modification 14. The upgrades will result in energy savings up between 50% and 60% compared to existing technology and pedestrian movement facilities.

SEGL proposes to implement the above measures as part of the proposed Modification 14 works. This will have a significant positive impact on the energy efficiency capabilities of The Star.

8.12. SAFETY AND SECURITY

As detailed earlier, Modification 14 works relate primarily to upgrades to infrastructure, improvements to staff areas and offices, the hotel lobby and other guest amenities and infrastructure affecting traffic flow, as well as the Sovereign expansion. It is not anticipated that these enhancements will have any material effect on The Star's security operation. Likewise, the safety and security of casino guests and the general public will not be materially impacted.

8.12.1. Regulatory Oversight

The Star operates in one of the most highly regulated environments in NSW. The operations of The Star are governed primarily by the *Casino Control Act 1992* (NSW), *Casino Control Regulations 2009* (NSW), *Liquor and Gaming Administration Act 2007* (NSW) and various provisions of the *Liquor Act 2007* (NSW) are applied to operations at the casino precinct in Schedules 5 and 6 of the Casino Control Regulations.

Pursuant to the *Casino Control Act and Gaming and Liquor Administration Act 2007* (NSW) an independent statutory authority (the NSW Independent Liquor & Gaming Authority or ILGA) and Liquor and Gaming NSW (from the Department of Justice), are responsible for regulation of the operations of The Star.

ILGA and Liquor and Gaming NSW are responsible for the regulation of gaming and liquor matters at The Star, encompassing both licencing and enforcement functions (including enforcing responsible service of alcohol requirements). As part of its regulatory oversight of The Star, ILGA and Liquor and Gaming NSW:

- Supervise and regulate the operations in the casino;
- monitors responsible service of alcohol (RSA) by The Star and retail liquor licenses;
- has the power to enter The Star's premises, investigate any security incidents, complaints or RSA registers and records;
- monitors responsible gaming practices;
- receives and independently investigates complaints from casino patrons relating to the conduct of gaming in the casino; and
- in addition to receiving daily reports in relation to the operations at The Star, has the power to require The Star and its employees to answer questions, furnish information and records;

ILGA and Liquor and Gaming NSW may take disciplinary action against The Star, including cancelling or suspending its casino licence, imposing pecuniary penalties of up to \$1million, and may amend the terms and conditions of the casino licence or give a direction to The Star which becomes a condition of The Star's casino licence.

8.12.2. The Star's Approach to Security and Safety

The Star has a zero tolerance approach to illegal, undesirable and anti-social behaviour. The Star owns and operates the largest private CCTV system in NSW. There are more than 2,800 CCTV cameras as part of the surveillance network at The Star, which actively record 24 hours a day, 7 days a week.

In addition, The Star has some of the most highly trained security and surveillance officers in NSW. The Star has comprehensive training, processes and procedures in place in order to vet identification presented at the entry points to the casino, support crowd control in and around the premises and to prevent minors from entering the casino.

The Star also engages the services of paramedics to promote a safe environment. No less than one paramedic is on site, 24 hours a day, 7 days a week. Additional paramedics are used in peak times (such as Friday and Saturday night, during summer) and for special events.

Additional security and surveillance measures have been implementing since the introduction of the lockouts in the CBD and King Cross in 2014. Additional security and duty managers have been introduced to assist with identification and prevention of RSA issues. Furthermore, additional security officers have been allocated to the taxi rank or Pirrama Road and the porte cochere to control noise, promote safety and facilitate guest movements in and around The Star's complex. It has been reported that these security and surveillance measures have achieved a downward trend and decrease in the number of alleged assaults at and in the vicinity of The Star.

8.12.3. Sovereign Expansion

Expansion of private gaming areas for high-net-worth guests, particularly from interstate and abroad, has increasingly become an important feature of integrated resorts in Australia in recent times. Given the introduction of a second Sydney casino from November 2019, The Star's ability to compete for VIP casino guests will be largely determined by the quality of the expanded private gaming area known as 'Sovereign'.

Operation of private gaming areas are heavily scrutinised and closely monitored by the casino regulator. For instance, The Star's Internal Controls relating to the operation of the expanded Sovereign area, including access controls to these private gaming areas, for members and invited guests, are subject to approval by the casino regulator. Compliance by The Star with those controls is a condition of The Star's casino licence.

8.12.4. Pyrmont and Surrounding Areas

Crime data available from the NSW Bureau of Crime Statistics and Research (BOCSAR) for the past 5 years suggests a generally stable crime pattern in Pyrmont and the City of Sydney, with only small changes being recorded. This has occurred during a period when The Star's attendance figures have increased, suggesting that the incidence of crime per guest attending The Star has in fact decreased. Particularly given the nature of the proposal, it is not believed that Modification 14 will have any material impact on incidents of crime in the areas in and around The Star's complex or, more broadly, in Pyrmont.

The Star works with NSW Police and the casino regulator to minimise all forms of anti-social behaviour and ensure that it remains a safe venue for all local, interstate and international guests, as well as residents and members of the general public in and around the casino precinct.

8.12.5. Conclusion

Given the level of regulatory oversight and The Star's experience in dealing with in the order of between 25,000 and 50,000 casino guests every night of the week, the proposal in Modification 14 will have limited social impact on safety and security within The Star and Pyrmont.

8.13. STRUCTURAL

TTW have undertaken a site inspection and reviewed the structural documentation for the existing structure and confirm the proposed works will have no significant impact on the existing structure. The works will be capable of complying with the requirements of relevant structural clauses of the BCA and Australian Standards.

8.14. ENVIRONMENTAL IMPACT

The Modification 13 SEARs requires the proposal to demonstrate that the proposed modifications will have limited environmental impacts beyond those already assessed for project approval MP08_0098 and any subsequent modifications to that approval.

It is submitted that the development proposed in Modification 14 will result in limited environmental impacts, because:

- The proposed modifications are consistent with the existing consent conditions relating to the ongoing operation of the site. This has been demonstrated through a review of all existing conditions applying to the site and referenced in this report. The assessment has revealed that the site is capable of operating within the parameters of the existing conditions. Where necessary, mitigation measures have been recommended to ensure full compliance with the consent.
- General compliance with all relevant standards is achieved and the development is consistent with the relevant strategic policies and statutory planning instruments.
- The Traffic Report prepared by Mott MacDonald (**Appendix C**) demonstrates that the existing road network and public transport system are capable of providing for the intensification of The Star.
- The proposed works are generally contained within the existing building envelope. Where the building protrudes above the façade, there are no visual, acoustic or amenity impacts.
- The attached Social Impact Statement prepared by Urbis (**Appendix G**) has demonstrated that subject to compliance with the existing operational management plans onsite, there will be minimal impact as a result of the proposed additional gaming space.

- The Acoustic Report prepared by WSP/Parsons Brinckerhoff (**Appendix E**) has demonstrated that the proposed modifications will not result in additional acoustic impact and can operate within the parameters of the existing MP08_0098 conditions of consent.
- The Economic Report prepared by PWC (**Appendix F**) has demonstrated that Modification 14 will result in a significant positive economic impact on the local, state and Australian economy.
- The Heritage Impact Report prepared by Urbis (**Appendix D**) considers that neither the SELS building nor any other heritage listed items adjacent to the site will suffer adverse heritage impacts as a result of the works proposed under this modification.
- In order to ensure efficient ongoing operation of the site, an amended Proponents Statement of Commitments is included at **Appendix Q**.

The potential impacts are considered acceptable and considered to be of minimal environmental impact beyond those impacts assessed.

9. CONCLUSION

This EAR has effectively and comprehensively addressed the Modification 13 SEARs that are relevant and relate to Modification 14.

The proposed modifications are contained internally to the site, result in minimal change to the existing building façade and will serve to enhance the existing recreation facilities provided within The Star.

The Star has been existing onsite since 1994 and contributed to the growth and development of the Pyrmont area. The Star will continue to contribute through taxes, licenses and other contributions. The expansion in floor space will accommodate additional gaming area and restaurant space enhancing local employment opportunities. The proposed modifications will improve and enhance the operations of The Star. The proposed modifications include positive economic benefits for the Pyrmont area, and the wider Sydney and international population. Mitigation measures have been recommended where required and will be implemented through efficient and effective onsite management.

Given the merits of the proposal, we consider the proposal to be in the public interest and warrants the approval of the Minister for Planning.

DISCLAIMER

This report is dated 16 September 2016 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of (**Star Entertainment Group Limited**) for the purpose of a (development application) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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EPA CONTAMINATION REVOCATION NOTICE



BRISBANE

Level 7, 123 Albert Street
Brisbane QLD 4000
Australia
T +61 7 3007 3800

GOLD COAST

45 Nerang Street,
Southport QLD 4215
Australia
T +61 7 5600 4900

MELBOURNE

Level 12, 120 Collins Street
Melbourne VIC 3000
Australia
T +61 3 8663 4888

PERTH

Level 14, The Quadrant
1 William Street
Perth WA 6000
Australia
T +61 8 9346 0500

SYDNEY

Tower 2, Level 23, Darling Park
201 Sussex Street
Sydney NSW 2000
Australia
T +61 2 8233 9900

CISTRI – SINGAPORE

An Urbis Australia company
#12 Marina View
21 Asia Square, Tower 2
Singapore 018961
T +65 6653 3424
W cistri.com