

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
D/2011/708	Modify the approved uses of several tenancies of an approved food and retail court within the Star City Casino.	(2) Hours of Operation - Minor Development The retail, food and beverage uses approved by this consent located within the food court may operate on a 24 hour daily basis.	X		This reflects current operations and provides clarity.
D/2011/685	Fitout and use of F & B tenancy 13 within the Star City Casino as a Malaysian style restaurant	(2) Hours of Operation - Minor Development The hours of operation are restricted to between 11.00am and 12 mid-night daily.		X	The restaurant is located within the building, adjacent to the food court. The restaurant is capable of operating 24 hours in line with the existing operating hours for the casino consistent with the food beverage tenancies in the food court. The application is accompanied by a report prepared by WSP/PB who have conducted acoustic analysis for the site. This included acoustic measurements taken from external noise locators at surrounding sensitive uses. The report concludes that subject to compliance with the MP08_0098 conditions, the site is capable of operating on a 24 hour basis. There are no additional mitigation measures required.
		(3) Noise - General a) The LAeq 15minutes noise level emitted from the use must not exceed 5dB above the background (LA90) noise level in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected receiver. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055. b) The LAeq 15minutes noise level emitted from the use must not exceed the background (LA90) noise level in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00 am when assessed at the boundary of any affected receiver. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055. c) The use of the premise must be controlled so that any emitted noise is at a level so as not to create and "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E . Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.
		(4) Noise - Mechanical Plant and Equipment Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver. b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. The acoustic report concludes; that this condition reflects the criteria outlined in Condition F4 of MP08_0098. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F4.
		(5) ANNUAL FIRE SAFETY STATEMENT FORM An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier.		X	Condition E4 of the MP08_0098 Project Approval requires an annual fire safety statement. It is necessary to carry this condition across.
		(23) Shop Numbering Shops not having a direct street frontage, such as individual food businesses within a food court must have their shop number clearly displayed and visible at all times on the shop front.		X	This condition does not serve a functional purpose. The tenancies are known by their operator and are all located within the common food and beverage and retail arcade. The condition should not be carried forward to MP08_0098 Project Approval.

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		Schedule 1B - Prior to construction certificate/commencement of work/health and building		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C - During construction/Prior to Occupation/Completion		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2011/894	Refurbishment and internal reconfiguration of hotel suites located on levels 15 and 16 within the Star City Casino complex; and conversion of an existing storage room on level 15 for use as a communications room.	(9) Continued Performance of Mechanical Ventilation The required operation and performance of any mechanical ventilation, air pressurisation or other smoke control system must not be impaired by the proposed partitioning layout.	X		The intent of this condition is to regulate mechanical ventilation onsite. Condition B16 of MP08_0098 provides standards to be met by the operation of mechanical ventilation across the site. This condition should be added to Condition B16.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2011/1060	Construction of freestanding signage within the Pirrama Road forecourt of Star City Casino. The sign is to be of metal construction consisting of 7 individual letters varying in size between 1.1m and 1.96m in length, each having a width of 0.6m and a height of 2m. The signage zone is to have an area of 14.2m x 0.6m.	(2) Signage Dimensions The length of the artwork/signage is to be a maximum of 14.2m. The individual lettering of the artwork/signage is to be between 1.1m and 1.96m in length, and a maximum width and height of 0.6m and 2.0m respectively.	X		The signage has been installed and is shown on the plans submitted with Modification 14. This condition regulates the size of the approved signage.

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		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2011/862/A	Fitout and use of a tenancy fronting Pirrama Road as a restaurant with outdoor seating (Golden Century)	(2) Indoor Hours of Operation The hours of operation of the indoor area are regulated as follows: a) The hours of operation must be restricted to between 7:00am and 10:00pm Monday to Sunday. b) Notwithstanding (a) above, the use of the indoor area may operate between 10:00pm and 2:00am the following day, for a trial period of one year from the date of issue of the Occupation Certificate. Council's Planning Unit is to be informed in writing of the date of commencing the trial hours. c) A further application may be lodged to continue the trading hours outlined in (b) above before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.		X	The restaurant is located within the Star Entertainment Complex. The restaurant is capable of operating 24 hours in line with the existing operating hours for the Casino, and the approved food and beverage and retail arcade with minimal impact. Modification 14 is accompanied by a report prepared by WSP/PB who have conducted acoustic analysis for the site. This included acoustic measurements taken from external noise locators at surrounding sensitive uses. The report concludes that subject to compliance with the MP08_0098 conditions, the site is capable of operating on a 24 hour basis. There are no additional mitigation measures required. The Star is not aware of any complaints received by the City of Sydney in relation to the use of the restaurant.
		(3) Outdoor Hours of Operation The hours of operation of the outdoor seating area are regulated as follows: a) The hours of operation must be restricted to between 9:00am and 8:00pm Monday to Sunday. b) Notwithstanding (a) above, the use of the outdoor seating area may operate between 8:00pm and midnight for a trial period of one year from the date of issue of the Occupation Certificate. Council's Planning Unit is to be informed in writing of the date of commencing the trial hours. c) A further application may be lodged to continue the trading hours outlined in (b) above before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police. d) The tables and chairs are to be stored within the premises when not in use.		X	The area referred to by this condition is now used as a smoking area. We recommend that this area remains open until 12am in line with the other outdoor smoking areas within the complex. The application is accompanied by a report prepared by WSP/PB who have conducted acoustic analysis for the site. This included acoustic measurements taken from external noise locators at surrounding sensitive uses. The report concludes that subject to compliance with the MP08_0098 conditions, there would not be any additional impact on neighbouring receivers. The condition does not need to be carried forward and should be removed.

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		(4) Primary Use a) The primary purpose of the premises is to be that of a restaurant for seated dining. The kitchen is to be open and meals to be available to patrons at all times.		X	This condition is to be replaced by a general condition relating to all approved food and beverage premises as follows; <i>The areas nominated as food and beverage on drawing numbers MOD14-A92B2 - A9200, must be operated as a restaurant where the kitchen is to be open and meals to be available to patrons at all times.</i> The intent of the condition is addressed and it is not necessary to carry the condition across to MP08_0098.
		(5) Patron Capacity a) The patron capacity for the premises shall not exceed 216 patrons, including indoor and outdoor dining areas.	X		This condition nominates a statutory requirement and should be retained.
		(6) Maximum Capacity of Persons - Signage a) A sign must be displayed at the main entry point to the building in a prominent position stating the maximum number of persons that are permitted in the restaurant. b) The manager/licensee is responsible for ensuring the number of persons in the premises does not exceed that specified above. c) Note: Clause 98D of the Environmental Planning and Assessment Regulation 2000 requires a sign specifying maximum number of persons permitted in the building to be displayed in a prominent position for the following types of premises:	X		This condition nominates a statutory requirement and should be retained.
		(7) Design Modifications The design of the building must be modified as follows: a) The new glazing is to match the line of the existing 'Allcobond' panels. b) The glazing is to be designed with frameless glass. c) The floor plans are to be amended to reduce the number of seats shown on the plan to 216. The modifications are to be submitted to and approved by Council prior to a Construction Certificate being issued.		X	This condition relates to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.

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		(8) PLAN OF MANAGEMENT TO BE SUBMITTED AND APPROVED (a) The Plan of Management accompanying this Development Application has not been approved by this consent. (b) A Plan of Management must be prepared to address all operational and management procedures to be employed, to ensure that the premises can operate without disturbance to the surrounding locality. (c) The plan must include but not restricted to; compliance with all other operational conditions of this consent; hours of operation; noise; security management; and handling complaints. (d) Access to the Incident Register and register of complaints must be made available for viewing on the request of Council officers and/or the Police. (e) The licensee shall sign the management plan and shall ensure compliance with all operational strategies identified in the plan at all times. (f) The plan must be submitted to and approved by Council prior to a Construction Certificate being issued.		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 project approval.
		(9) Copies of Consents and Management Plans A full and current copy of all current development consents for the operation of the licensed premises and the security management plan must be kept on-site and made available to Police or Council Officers, or Special Investigator upon request.		X	SEGL operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. The Statement of Commitments identifies that the proponent will prepare a consolidated Operational Management Plan for the site. This condition is not to be carried forward to MP08_0098. The site wide Operational Management Plan will cater for the ongoing management of the site. We suggest that a new condition be included in Part F of MP08_0098 as follows; <i>A full and current copy of the Major Project Approval MP08_0098 and a current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies upon request.</i>
		(10) Closed Circuit Television CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises.		X	SEGL operates CCTV and security of the premises, including recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992. Accordingly, the requirements of this condition has been addressed through SEGLs existing management and lease arrangements.
		(11) Care of Building Surrounds In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the building must ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.		X	SEGL operates the premises in accordance with their lease obligations and requirements under the Casino Control Act 1992. In includes maintenance and management of the property. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy and it is not necessary to be incorporated into MP08_0098.

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		(12) Neighbourhood Amenity a) Signs must be placed in clearly visible positions within the restaurant requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. b) The management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management is to employ private security staff to ensure that this condition is complied with.		X	SEGL has security operating on the premises 24/7 and issues of patron behaviour are covered under the Operational Management Plan.
		(4) Noise - Licensed Premises a) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. c) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am. d) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. e) The use of the premise must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		(14) Noise - Mechanical Plant and Equipment Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver. b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. The acoustic report concludes; that this condition reflects the criteria outlined in Condition F4 of MP08_0098. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F4.
		(16) No Spruiking/Amplified Noise No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking or amplified noise generated within privately owned land must not be audible on Council's footpath adjoining the subject property.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.

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		(15) Amplified Sound and No Speakers or Music Outside a) Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Any amplified sound speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises. b) Any amplified sound or music provided on the premises must be soft, low in volume and background in nature only.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		(17) Noise from Glass Removal Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred within the premises and removed in containers.		X	This will be covered under the parameters of the Operational Management Plan
		(18) Removal of Glass Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises (except from any approved bottle shop area).		X	The intent of this condition is captured within the overall security plan and Operational Management Plan for the site. SEGL operates the site in line with obligations under the Casino Control Act 1992. The intent of this condition has been addressed and it should not carry forward to MP08_0098.
		(19) Removal of Graffiti The owner/manager of the site must be responsible for the removal of all graffiti from the building within 48 hours of its application.		X	The intent of this condition is captured within the overall security plan and Operational Management Plan for the site. SEGL operates the site in line with obligations under the Casino Control Act 1992. The intent of this condition has been addressed and it should not carry forward to MP08_0098.
		(20) Glazing All glazing must be clear and untinted and must not be obscured by blinds, curtains or the like.		X	The works subject to this consent have been completed and this condition has been addressed in full.
		(21) Delivery Vehicles Deliveries associated with the site that involve the movement of vehicles, must only occur during the trading hours of that business, or in accordance with the waste collection times set out by Council for that site, whichever is more onerous.		X	The delivery and waste operations onsite are ongoing for all elements of site operations. Activities within the loading dock are governed by the Loading Dock Management Plan.
		(22) Waste and Recycling Collection a) The collection of waste and recycling must only occur between 7.00am and 8.00pm weekdays and 9.00am and 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area. b) Garbage and recycling must not be placed on the street for collection more than half an hour before the scheduled collection time. Bins and containers are to be removed from the street within half an hour of collection.		X	These issues will be addressed in the consolidated Operational Management Plan.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.

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		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2012/287	Internal refurbishment of the existing licensed bar areas of the stalls, dress circle and grand circle levels of the 'Sydney Lyric Theatre' only.	2) Noise - Licensed Premises a) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. c) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am. d) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. e) The use of the premise must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that this condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		(3) Noise - Mechanical Plant and Equipment Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver. b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. The acoustic report concludes; that this condition reflects the criteria outlined in Condition F4 of MP08_0098. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F4.
		(4) No Speakers or Music Outside Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.

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		(5) No Spruiking/Amplified Noise No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking or amplified noise generated within privately owned land must not be audible on Council's.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2012/431	Proposed street frontage signage for Sokyo Restaurant in the Darling building and tenancy signage for the retail component of The Star building.	(3) Sign Illumination At no time is the intensity, period of intermittency and hours of illumination of the signs to cause objectionable glare or injury to the amenity of the neighbourhood and as such, must be designed, installed, and used in accordance with AS4282-1997 Control of Obtrusive Effects of Outdoor Lighting and the sign illumination must not flash.	X		This condition controls the illumination of the sign and is to be carried across to MP08_0098.
D/2012/802	External illumination of three vertical sides of the multi-use entertainment facility (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.	(2) Jones Bay Road Building Illumination Approval is not granted for the illumination of the north western (Jones Bay Road) facade of the MUEF building.	X		These conditions relate to the ongoing operation of the MUEF building approved under MP08_0098. The controls are appropriate and should be reiterated in MP08_0098 and the updated site wide lighting strategy which is the subject of the proponent's Statement of Commitments.
		3) Hours of Operation – MUEF Building And Lift Cars (Astral Hotel) a) The hours of building illumination are restricted to between 5.00pm and 7.00am, Monday to Sunday and between 6.00pm and 6.00am, Monday to Sunday during daylight saving. b) The following dimming schedule is to be implemented: Monday to Thursday Dimming Levels 5:00pm – 11:00pm (6:00pm – 11:00pm during daylight saving): Vertical Walls 100% Sloping Ceilings 50% 11:00pm – 12:30am: Vertical Walls 50% Sloping Ceilings 35% 12:30am – 7:00am (12:30am – 6:00am during daylight saving hours): Vertical Walls 50% Sloping Ceilings 25% Friday to Sunday and Public Holidays Dimming Levels 5:00pm – 11:00pm (6:00pm – 11:00pm during daylight saving): Vertical Walls 100% Sloping Ceilings 25% 11:00pm – 12:30am: Vertical Walls 80% Sloping Ceilings 40% 12:30am – 7:00am (12:30am – 6:00am during daylight saving hours): Vertical Walls 65% Sloping Ceilings 33%	X		

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		(4) Building Illumination a) At no time is the intensity, period of intermittency and hours of illumination of the lighting to cause disruptive glare or injury to the amenity of the neighbourhood and as such must be designed, installed and used in accordance with AS4282-1997 control of obtrusive effects of outdoor lighting. b) The colour scheme is to omit colours having a blue wavelength. c) The building illumination must not flash. The change in colour scheme must be of a gradual transition. d) All luminaries are to be provided with a pre-programmed automatic dimming cycle with a capability of achieving a minimum dimming to 25%. If it is substantiated that the lighting is disruptive to residents in the vicinity of the site, the identified disruptive luminaries are to be further dimmed down to 25% during hours of operation.	X		
		(5) Plan of Management The use must always be operated/managed in accordance with the External Lighting Management Plan Revision 2 dated 9 August 2011 prepared by Meinhardt.			This plan of management as approved by the Department as part of Modification 7 and operates onsite. This report has been included in Condition A3 of MP08_0098 Project Approval.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2012/1006	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 plantroom at level 6 and erection of	(2) APPROVED DEVELOPMENT (a) This consent does not alter the operation or use of the site or building. The operation and use shall continue to comply with the relevant consents including MP08_0098. (b) Approval is granted for only for only those amendments identified in red or blue on the approved drawings. (c) No approval is granted for any development that has not been identified in red or blue on the approved drawings.		X	The approved works as nominated have been incorporated into the existing as built plan set submitted with Modification 14. The works have been completed onsite.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
	new external stairs to the plantroom.	(3) Noise - Mechanical Plant and Equipment Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: a) Transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any affected receiver. b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. The acoustic report concludes; that this condition reflects the criteria outlined in Condition F4 of MP08_0098. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F4.
		(4) Noise - General a) The emission of noise associated with the use, the operation of any mechanical plant and equipment shall comply with the following criteria: i. The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence. ii. The LAeq, 15minute noise level shall be adjusted for modifying factors in accordance with Appendix 2 of the Noise Guide For Local Government published by DECCW. iii. The background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise. iv. The use of the premises shall be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected residence.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
D/2013/843	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.	(2) Noise a) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am. c) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. d) The use of the premise must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been undertaken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.
		(3) Compliance With Acoustic Report All recommendations contained in the Noise Assessment Report prepared by Renzo Tonin & Associates, Acoustic Consultants, dated 21 June 2013 must be implemented during construction and use of the premises.			This condition is specific to the Oasis gaming room and represents completed works. The NIA prepared by WSP/PB included monitoring at eight different locations surrounding the site. The date recorded at each location was compliant with the requirements. Therefore this condition is no longer relevant and operation of the site will occur in line with the recommendations of the WSP/PB report dated September 2016.
		(4) Noise - Mechanical Plant and Equipment Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver. b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been undertaken by WSP/PB and is included at Appendix E. The acoustic report concludes; that this condition reflects the criteria outlined in Condition F4 of MP08_0098. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
D/2013/1975	Minor alterations and additions to level 3 gaming area.	(2) Noise - General a) The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria: i. The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence. ii. The LAeq, 15minute noise level shall be adjusted for modifying factors in accordance with Part 4 of the Environmental Protection Authority (EPA) NSW Industrial Noise Policy. iii. The background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise. b) An LAeq, 15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any commercial premises provided that; i. The LAeq, 15minute noise level and the LA90, 15minute noise level shall both be measured with all external doors and windows of the commercial premises closed; ii. The LA90, 15minute noise level shall be measured in the absence of noise emitted from the use but with the ventilation equipment (including air-conditioning equipment) normally servicing the commercial premises operating. iii. In this clause, the term “noise level emitted from the use” means the contributing noise level from the use in isolation to any other ambient noise and account must therefore be taken of the LAeq, 15minute when the use is not in operation. iv. In circumstances where this development application refers to a modification or addition to an existing use, the background noise level referred to in this clause pertains to the LA90, 15minute noise level measured in the absence of all noise from the site		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
D/2014/355	Change of use to part of Level 1 of The Star to a new licensed restaurant (505 patrons) called 'The Star Buffet'. External alterations including the enclosure of an existing balcony on Level 1 for storage and a new plant room on the Level 3 terrace.	(2) DESIGN MODIFICATIONS The design of the building must be modified as follows: (a) Alternative cladding designs are required for the plant room to replace the proposed 'Luxalon' cladding e.g. horizontally orientated zinc cladding. The modifications are to be submitted to and approved by Council's Urban Design and Heritage Manager prior to a Construction Certificate being issued.		X	The approved works as nominated have been incorporated into the existing as built plan set submitted with Modification 14. The works have been completed onsite.
		(3) DESIGN DETAILS (MINOR DEVELOPMENT) A materials sample board detailing all proposed finishes must be submitted to and approved by Council prior to a Construction Certificate being issued.		X	The approved works as nominated have been incorporated into the existing as built plan set submitted with Modification 14. The works have been completed onsite.
		(4) Primary Use/Purpose The primary use of the premises must be that of a restaurant with seated dining and substantial food service available at all times of operation and not as a bar only. In this regard the number and location of tables and chairs provided for seated dining must be in accordance with the approved floor plans numbered AID210.101/C dated 14.03.14		X	This condition is to be replaced by a general condition relating to all approved food and beverage premises as follows; <i>The areas nominated as food and beverage on drawing numbers MOD14-A92B2 - A9200, must be operated as a restaurant where the kitchen is to be open and meals to be available to patrons at all times.</i> The intent of the condition is addressed and it is not necessary to carry the condition across to MP08_0098.
		(5) Occupant Capacity In accordance with Clause 98(D) of the Environmental Planning and Assessment Regulation 2000 the following sign, in letters not less than 25mm in height must be fixed alongside the Licensee's name at the main entrance to the premises:- Maximum Number of Persons Permitted Lower Ground Floor Level Restaurant (incl staff) - 505 persons	X		This condition nominates a statutory requirement and should be retained.
		(6) Hours of Operation - Minor Development The hours of operation for the restaurant are 24 hours a day, 7 days a week.		X	We propose that a condition be inserted into the Major Project Approval to address 24 hour operation of all internal food and beverage premises.
		(7) PLAN OF MANAGEMENT TO BE SUBMITTED AND APPROVED A Plan of Management must be submitted to, and approved by Council prior to commencement of the extended hours of trading approved under this development consent/a Construction Certificate being issued. The Plan of Management is to address the criteria specified in Schedule 3 of the Sydney Development Control Plan 2012 including the following:		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 project approval.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(8) Plan of Management and Incident Register The use must always be operated / managed in accordance with the Plan of Management submitted to satisfy Condition 7. Where changes will, in the Council's opinion, result in demonstrable improvement in amenity to the locality or to the management of the premises the plan of management may be amended as agreed to in writing by Council. A copy of the approved Plan of Management and this development consent must be kept on site and made available to any Council or Police officer upon request. Access to the Incident Register and register of complaints must be made available for viewing on the request of Council officers and/or the Police. The licensee/manager shall sign a declaration stating that they have read and understood the Plan of Management. This declaration shall accompany the Plan of Management.		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 project approval. We suggest that a new condition be included in Part F of MP08_0098 as follows; <i>A full and current copy of the Major Project Approval MP08_0098 and a current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies upon request.</i>
		9) Incidents – Recording and Notification The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. This condition is not to be carried forward to MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(10) Noise - General a) The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria: i. The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence. ii. The LAeq, 15minute noise level shall be adjusted for modifying factors in accordance with Part 4 of the Environmental Protection Authority (EPA) NSW Industrial Noise Policy. iii. The background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise. b) An LAeq, 15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any commercial premises provided that; i. Where the LA90, 15minute noise level is below the threshold of hearing Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 - Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. ii. The LAeq, 15minute noise level and the LA90, 15minute noise level shall both be measured with all external doors and windows of the affected residence closed; iii. The LA90, 15 minute noise level shall be measured in the absence of noise emitted from the use but with the ventilation equipment (excluding air-conditioning equipment) normally servicing the affected residence operating. c) An LAeq, 15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any commercial premises provided that; i. The LAeq, 15minute noise level and the LA90, 15minute noise level shall both be measured with all external doors and windows of the commercial premises closed; ii. The LA90, 15 minute noise level shall be measured in the absence of noise emitted from the use but with the ventilation equipment (including air-conditioning equipment) normally servicing the commercial premises operating. iii. In this clause, the term "noise level emitted from the use" means the contributing noise level from the use in isolation to any other ambient noise and account must therefore be taken of the LAeq, 15 minute when the use is not in operation. iv. In circumstances where this development application refers to a modification or addition to an existing use, the background noise level referred to in this clause pertains to the LA90, 15minute noise level measured in the absence of all noise from the site.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(11) NOISE - LICENCED PREMISES (a) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. (b) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. (c) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am. (d) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		(12) Acoustic Assessment Prior to Occupation Certificate A statement is required to be submitted to the Certifying Authority prior to Occupation Certificate being issued that certifies the development or proposed use is capable of, complying with the design criteria and operating without causing a nuisance.		X	This condition relates to design works required prior to the issue of an occupation certificate. The works have been completed onsite and are included in the as built plan set. This condition is not to be carried forward to MP08_0098.
		(13) Complaints - Noise Should noise complaint be received by Council from a place of different occupancy (including commercial premises) and the complaint being substantiated by a Council Officer, the use of area concerned must cease operation until "attenuation works" are carried out so as that the premises complies with the relevant Noise conditions.		X	This condition is a duplication of Condition F1G contained within MP08_0098 which reads: <i>F1G Complaints Handling</i> <i>The Proponent shall operate a noise complaint handling procedure for the use of all outdoor speaker and amplification systems in accordance with the relevant Operational Environmental Management Plan (OEMP) including:</i> <i>1. The OEMP prepared by AECOM and dated 6 June 2012;</i> <i>2. The OEMP 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; and</i> <i>3. The OEMP 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.</i> <i>Should a noise complaint be received by Council and/or the Department that is substantiated, the speakers are to be decommissioned and music must cease until the noise emissions from the use of all outdoor speaker and amplification systems can comply with the noise criteria of Condition F5.</i> This condition should not be incorporated in MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
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		(14) Compliance with Acoustic Report All recommendations contained in the acoustic report prepared by AECOM Pty Ltd dated 10 March 2014, must be implemented during construction and use of the premises, including the following. The Principal Certifying Authority (PCA) shall obtain a statement from appropriately qualified acoustic consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied prior to issue of Occupational Certificate.		X	This report has been succeeded by the Noise Impact Assessment prepared by WSP/PB. The report has accounted for the recommendations within the Aecom report and conducted noise monitoring onsite to demonstrate that there is no impact on adjoining sensitive land uses. The condition does not require transition to MP08_0098. Condition A3 is to be amended to include reference to the WSP/PB Noise Impact Assessment.
		(15) CARE OF BUILDING SURROUNDS In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the building must ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.		X	SEGL operates the premises in accordance with their lease obligations and requirements under the Casino Control Act 1992. This includes maintenance and management of the property. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy and it is necessary to incorporate this condition into MP08_0098
		(16) Neighbourhood Amenity a) Signs must be placed in clearly visible positions within the licensed premises requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. b) The management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management is to employ private security staff to ensure that this condition is complied with		X	SEGL operates security on the premises 24 hours seven days a week. Any issue of patron behaviour is covered under the Operational Management Plan.
		(17) NO SPEAKERS OR MUSIC OUTSIDE Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		(18) Noise from Glass Removal Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred within the premises and removed in containers.		X	This will be covered under the parameters of the Operational Management Plan
		(19) REMOVAL OF GLASS Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises (except from any approved bottle shop area) or approved outdoor dining area included in the boundaries of the licenced premises.		X	The intent of this condition is captured within SEGLs overall security and operation Management Plan for the site. SEGL operates the site in line with obligations under the Casino Control Act 1992. This condition is not to be carried forward to MP08_0098.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2011/19/B	Section 96(2) modification to amend the approved trading hours of the licensed restaurant "Balla Restaurant, The Star". Current approved hours are 7:00am and 2:00am to enable hours of operation from 7am to 2am Monday to Sunday inclusive.	(2) Hours of Operation - Sensitive Uses The hours of operation are regulated as follows: a) The hours of operation must be restricted to between 7.00am and 10.00pm daily. b) Notwithstanding (a) above, the use may operate between 10.00pm and 2.00am the following day for a trial period of 5 years from the date of the S96 (2) amendment. (Section 96 (2) amended 19 November 2014) c) A further application may be lodged to continue the trading hours outlined in (b) above before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.		X	This restaurant is located internal to The Star at Level 1 overlooking Pirrama Road. The restaurant is capable of operating in line with the existing 24 hours per day operating hours for the casino with minimal impact. The Modification 14 application is accompanied by a report prepared by WSP/PB who have conducted acoustic analysis for the site. This included acoustic measurements taken from external noise locators at surrounding sensitive uses. The report concludes that subject to compliance with the MP08_0098 conditions, the restaurant can operate from 7am to 2am the following day on a permanent basis. There are no additional mitigation measures required. The trial period has been in operation for over five years. SEGL is not aware of any complaints received by the City of Sydney in relation to the use of the subject premises.
		(4) Noise - Licensed Premises a) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am. c) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. d) The use of the premise must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.		X	All activities associated with this restaurant are internal to the casino and entertainment complex. Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		(5) Noise - Mechanical Plant and Equipment Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver. b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. The acoustic report concludes; that this condition reflects the criteria outlined in Condition F4 of MP08_0098. It is not necessary to include this condition in MP08_0098 as it duplicates the function of Condition F4.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(6) Complaints Should noise complaint be received by Council from a place of different occupancy (including commercial premises) and the complaint being substantiated by a Council Officer, the use of area concerned must cease operation until “attenuation works” are carried out so as that the premises complies with the relevant Noise conditions.		X	This condition is a duplication of Condition F1G contained within MP08_0098 which reads: F1G Complaints Handling <i>The Proponent shall operate a noise complaint handling procedure for the use of all outdoor speaker and amplification systems in accordance with the relevant Operational Environmental Management Plan (OEMP) including:</i> 1. The OEMP prepared by AECOM and dated 6 June 2012; 2. The OEMP 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; and 3. The OEMP 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. Should a noise complaint be received by Council and/or the Department that is substantiated, the speakers are to be decommissioned and music must cease until the noise emissions from the use of all outdoor speaker and amplification systems can comply with the noise criteria of Condition F5. This condition is not to carried across to MP08_0098.
		(7) Signs/Goods in the Public Way No signs or goods are to be placed on the footway or roadway adjacent to the property.	X		This condition is duplicated throughout the majority of the City of Sydney development consents. We suggest that this condition be included as a general condition in Part F of MP08_0098. This would then apply to the entire site.
		(8) Signs - Separate DA Required A separate development application for any proposed signs (other than exempt or complying signs under Council’s exempt and complying DCPs) must be submitted to and approved by Council prior to the erection or display of any such signs.		X	This is an advisory note and it is not necessary to carry this condition forward to the MP08_0098 consent. Sydney LEP 2012 and SEPP Exempt and Complying Development Codes Establishes approval pathways for signs.
		(9) No Speakers or Music Outside Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises. The outdoor gaming area is to be isolated off from the main gaming area via automatic door closers.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		(10) Emissions a) The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health. b) Gaseous emissions from the development must comply with the requirements of the Protection of Environment Operations Act, 1997 and Regulations. Uses that produce airborne particulate matter must incorporate a dust collection system.	X		This is a general requirement that reflects statutory framework. This is relevant for all food and beverage premises onsite.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2011/18/B	S96 (2) modification for extension of trial period for licensed restaurant known as "Black Restaurant, The Star" to operate between the hours of 7.00 am and 2.00 am the following day, Monday to Sunday inclusive	(2) Hours of Operation - Sensitive Uses The hours of operation are regulated as follows: a) The hours of operation must be restricted to between 7.00am and 10.00pm daily. b) Notwithstanding (a) above, the use may operate between 10.00pm and 2.00am the following day for a trial period of 5 years from the date of the S96 (2) amendment. (Section 96 (2) amended 19 November 2014) c) A further application may be lodged to continue the trading hours outlined in (b) above before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.		X	This restaurant is located internal to The Star at Level 1 overlooking Pirrama Road. The restaurant is capable of operating in line with the existing 24 hours per day operating hours for the casino with minimal impact. The Modification 14 application is accompanied by a report prepared by WSP/PB who have conducted acoustic analysis for the site. This included acoustic measurements taken from external noise locators at surrounding sensitive uses. The report concludes that subject to compliance with the MP08_0098 conditions, the restaurant can operate from 7am to 2am the following day on a permanent basis. There are no additional mitigation measures required. The trial period has been in operation for over five years. SEGL is not aware of any complaints received by the City of Sydney in relation to the use of the subject premises.
		(4) Noise - Licensed Premises a) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am. c) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. d) The use of the premise must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		(4) No Speakers or Music Outside Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(5) Noise - Mechanical Plant and Equipment Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following: a) Transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any affected receiver. b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055. Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. The acoustic report concludes; that this condition reflects the criteria outlined in Condition F4 of MP08_0098. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F4.
		(6) Complaints Should noise complaint be received by Council from a place of different occupancy (including commercial premises) and the complaint being substantiated by a Council Officer, the use of area concerned must cease operation until “attenuation works” are carried out so as that the premises complies with the relevant Noise conditions.		X	This condition is a duplication of Condition F1G contained within MP08_0098 which reads: F1G Complaints Handling <i>The Proponent shall operate a noise complaint handling procedure for the use of all outdoor speaker and amplification systems in accordance with the relevant Operational Environmental Management Plan (OEMP) including:</i> 1. The OEMP prepared by AECOM and dated 6 June 2012; 2. The OEMP 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; and 3. The OEMP 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. Should a noise complaint be received by Council and/or the Department that is substantiated, the speakers are to be decommissioned and music must cease until the noise emissions from the use of all outdoor speaker and amplification systems can comply with the noise criteria of Condition F5. It is not necessary to carry this condition forward.
		(7) Signs/Goods In The Public Way No signs or goods are to be placed on the footway or roadway adjacent to the property.	X		This condition is duplicated throughout the majority of the City of Sydney development consents. We suggest that this condition be included as a general condition in Part F of MP08_0098. This would then apply to the entire site.
		(8) Signs - Separate DA Required A separate development application for any proposed signs (other than exempt or complying signs under Council's exempt and complying DCPs) must be submitted to and approved by Council prior to the erection or display of any such signs.		X	This is an advisory note and it is not necessary to carry this condition forward to the MP08_0098 consent. Sydney LEP 2012 and SEPP Exempt and Complying Development Codes Establishes approval pathways for signs.
		(9) No Speakers or Music Outside Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises. The outdoor gaming area is to be isolated off from the main gaming area via automatic door closers.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(9b) Plan of Management The use must always be operated/managed in accordance with the Plan of Management, prepared by star city signature Restaurants dated 2 February 2011 that has been approved by Council. (Section 96(2) - Added 01 December 2014)		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 project approval. The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. A new condition is to be included in Part F of MP08_0098 as follows; <i>A full and current copy of the Major Project Approval MP08_0098 and a current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies upon request.</i>
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2015/233	Alterations and additions to approved first floor outdoor gaming area adjacent to Union Street in the Darling Hotel at The Star Casino. Proposed works include 5 new internal private gaming rooms, 2 outdoor balconies and associated mechanical ventilation and services.	2) Compliance with Submitted Materials and Samples Board The design details of the proposed building façade including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications prepared by The Buchan Group, dated 13 February 2015.		X	This condition relates to the design and construction of the external façade of the building where the works were proposed (The Darling Hotel). The works have been completed and are shown on the existing plans set. In this regard, the intent of the condition has been met and it is no longer relevant to on ongoing operation of the site.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		3) Hours of Operation The hours of operation are regulated as follows: a) The internal private gaming rooms adjacent to Union Street are permitted to operate 24 hours, Mondays to Sundays (inclusive). b) The hours of operation of the balconies serving the private gaming rooms are restricted to between 10.00am and 10.00pm, Mondays to Sundays (inclusive). c) Notwithstanding (b) above, the balconies may operate for 24 hours for a trial period of 12 months from the date of issue of the Occupation Certificate. Council's Health and Building Unit is to be informed in writing of the date of commencement of the trial hours. Email notification is to be sent to liquor@cityofsydney.nsw.gov.au. d) A further application may be lodged to continue the operating hours outlined in (c) above not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the ours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the police.		X	The internal operations of the site are able to operate 24 hours a day under MP08_0098. The condition has been reviewed by WSP/PB as part of their acoustic assessment of the site. The following is noted in the Noise Impact Assessment; <i>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. Hours of operations for the balconies serving private gaming rooms at two ends of the Darling VIP are currently permitted for between 10am and 10pm, with a trial period for 24 hour operation of the two balconies.</i> <i>Due to the size of the balconies, and access limited to Darling VIP guests only, the maximum number of patrons using each balcony is expected to be four at any one time. The nature of the balconies' use as smoking terraces means that the only noise source from the balconies is patron conversations.</i> The report further states that the nearest receiver 13 (BG5) is 50 m from the eastern end balcony and it can be assumed that two of the four patrons on the balcony are speaking at conversational level. The data discussed in the report indicates that the patron noise emission as a result of the 24 hour operations of the Darling VIP balconies can be assessed to comply with and is well below the patron noise criteria at the nearby sensitive receivers. SEGL is not aware of any complaints received by the City of Sydney in relation to the use of the subject premises. Permanent 24 hour operation of the balconies in association with the adjacent gaming area is proposed.
		(5) Incidents – Recording and Notification The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. It is not necessary for this condition is not carried forward to MP08_0098.
		(6) No Speakers or Music Outside Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the approved private gaming rooms adjacent to Union Street. Speakers located within the private gaming rooms must not be placed so as to direct the playing of music towards the outdoor areas.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(7) Plan of Management The use must always be operated/managed in accordance with the Operational Plan of Management that has been approved for the Star Casino. In the event of any inconsistency, the conditions of this consent will prevail over the Operational Plan of Management.		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 project approval.
		(12) Noise - Entertainment Venues a) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. c) Notwithstanding compliance with (a) and (b) above, noise from the use when assessed as an LA10, 15 minute enters any residential use through an internal to internal transmission path is not to exceed the existing internal LA90, 15 minute (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7am and 12midnight. Where the LA10, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. d) Notwithstanding compliance with (a), (b) and (c) above, the noise from the use must not be audible within any habitable room in any residential use between the hours of 12.00 midnight and 7.00am. e) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. Note: The LA10, 15 minute noise level emitted from the use is as per the definition in the Australian Standard AS1055-1997 Acoustics – Description and measurement of environmental noise. The background noise level LA90, 15 minute is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver. It is to be determined from the assessment LA90 / rating LA90 methodology in complete accordance with the process listed in the NSW EPA Industrial Noise Policy and relevant requirements of AS1055.1997.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2015/479	Installation of free standing steel signage and associated lighting to existing garden bed (THE STAR letters).	(2) Sign Illumination a) At no time is the intensity, period of intermittency and hours of illumination of the sign to cause objectionable glare or injury to the amenity of the neighbourhood and as such must be designed, installed and used in accordance with AS4282-1997 control of obtrusive effects of outdoor lighting. b) The signage must not flash.	X		This condition regulates ongoing operation of the sign.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2015/1072	Alterations and additions to the Star Casino entertainment complex, including internal alterations and facade	(2) Hours of Operation The hours of operation are regulated as follows: a) The hours of operation must be restricted to between 7.00am and 12.00am (midnight)	X		The operation of the unenclosed gaming area was reviewed by WSP/PB through their acoustic assessment of the site. In relation to the ongoing use of the unenclosed gaming terraces, the report notes that subject to compliance with management measures the use may operate permanently. The following condition relating to the use of the space is to

Application No.	Description	Condition	Recommendation		Justification
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	changes to the Oasis Gaming Area to accommodate an unenclosed gaming area adjacent to Pyrmont Street. The unenclosed gaming area is proposed to operate 24 hours, Mondays to Sundays.	Mondays to Sundays. b) Notwithstanding (a) above, the use may operate for 24 hours for a trial period of 12 months from the date of issue of the Occupation Certificate. Council's Health and Building Unit is to be informed in writing of the date of commencement of the trial hours. Email notification is to be sent to liquor@cityofsydney.nsw.gov.au. c) A further application may be lodged to continue the operating hours outlined in (b) above before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.			be included in MP08_0098: <i>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.</i> <i>No music (apart from that associated with gaming machines) is to be played within the UGA.</i> <i>The UGA is to be isolated off from the main gaming area via automatic door closers.</i> <i>All facade elements, other than those that provide access to the UGA, are to be fixed closed.</i> SEGL is not aware of any complaints received by the City of Sydney in relation to the use of the outdoor gaming area. Subject to ongoing compliance with these management measures, the area can operate on a 24 hour basis without adverse impacts on surrounding neighbouring developments. Therefore, permanent use of the unenclosed gaming areas is proposed.
		(4) Maximum Capacity of Persons a) The maximum number of persons (including staff, patrons and performers) permitted on the unenclosed gaming area at any one time is 91 persons. b) The capacity for the unenclosed gaming area shall not exceed the maximum numbers at any given time. c) The manager/licensee is responsible for ensuring the number of persons does not exceed that specified above. d) A sign in letters not less than 25mm in height must be fixed at the main entry point to the premises alongside the Licensee's name stating the maximum number of persons, as specified in the development consent, that are permitted in the building. Details of the sign are to be submitted to Council's Health and Building Unit for approval prior to issue of a Construction Certificate. Note: Clause 98D of the Environmental Planning and Assessment Regulation 2000 requires a sign specifying maximum number of persons permitted in the building to be displayed in a prominent position for the following types of premises: a) entertainment venue, b) function centre, c) pub, d) registered club, e) restaurant.	X		This condition nominates a statutory requirement and should be retained.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(5) Plan of Management The use must always be operated / managed in accordance with the Operational Management Plan, prepared by The Star, dated 15 September 2015 that has been approved by Council.		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 Project Approval.
		(6) Copies of Consents and Management Plans A full and current copy of all current development consents for the operation of the licensed premises, and (where applicable) the Operational Management Plan and the Security Management Plan must be kept on-site and made available to Police or Council Officers, or Special Investigator upon request.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. The Statement of Commitments identifies that the proponent will prepare a consolidated Operational Management Plan for the site. This condition is not to be carried forward to MP08_0098. The site wide Operational Management Plan will cater for the ongoing management of the site. We suggest that a new condition be included in Part F of MP08_0098 as follows; <i>A full and current copy of the Major Project Approval MP08_0098 and a current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies upon request.</i>
		(7) Incidents – Recording and Notification The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. This condition is not carried forward to MP08_0098.

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		(8) Surveillance Cameras a) CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to: i. principal entrance/s and exits; ii. all areas within the premise occupied by the public (excluding toilets); iii. staircases in multilevel premises; and iv. the area within a 10m radius external to the public entrance(s) to the premise. b) Suitable and clearly visible signage shall be displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises". c) All CCTV recording equipment and cameras shall be of high grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras. In this respect each surveillance camera shall be capable of recording a minimum rate of 10 frames per second and at high resolution. d) CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required. e) All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Licensee shall record this daily checking activity in the security/incident register book that meets the standards required by the Licensing Police and Council. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police. f) All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour prior to opening and closing times of the premises. g) The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage. When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce copies. h) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.		X	The Star operates CCTV and security of the premises, including recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy.
		(9) No Speakers or Music Outside Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises. The outdoor gaming area is to be isolated off from the main gaming area via automatic door closers.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		(10) No Spruiking Noise No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking generated within privately owned land must not be audible on any adjacent property with a shared boundary.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(11) Neighbourhood Amenity a) Signs must be placed in clearly visible positions within the licensed premises requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. b) The management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management is to employ private security staff to ensure that this condition is complied with.		X	SEGL operates security on the premises 24 hours seven days a week. Any issue of patron behaviour is covered under the Operational Management Plan.
		(12) Noise - Entertainment Venues a) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. c) Notwithstanding compliance with (a) and (b) above, noise from the use when assessed as an LA10, 15 minute enters any residential use through an internal to internal transmission path is not to exceed the existing internal LA90, 15 minute (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7am and 12midnight. Where the LA10, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. d) Notwithstanding compliance with (a), (b) and (c) above, the noise from the use must not be audible within any habitable room in any residential use between the hours of 12.00 midnight and 7.00am. e) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. Note: The LA10, 15 minute noise level emitted from the use is as per the definition in the Australian Standard AS1055-1997 Acoustics – Description and measurement of environmental noise. The background noise level LA90, 15 minute is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver. It is to be determined from the assessment LA90 / rating LA90 methodology in complete accordance with the process listed in the NSW EPA Industrial Noise Policy and relevant requirements of AS1055.1997.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(13) Noise - General 1. The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria: a) The LAeq, 15 minute noise level emitted from the use must not exceed the project specific noise level for that receiver as determined in accordance with the NSW EPA Industrial Noise Policy. Noise must be measured in accordance with the Industrial Noise Policy and relevant requirements of Australian Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise. b) Project specific noise levels shall be determined by establishing the existing environmental noise levels, in complete accordance with the assessment LA90, 15 minute / rating LA90, 15 minute process to be in accordance with the requirements for noise monitoring listed in the NSW EPA Industrial Noise Policy and relevant requirements of Australian Standard AS1055-1997 Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise. c) Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable. An LAeq, 15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any habitable room of any affected residence or noise sensitive commercial premises provided that; a) Where the LA90, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. b) The LAeq, 15 minute noise level and the LA90, 15 minute noise level shall both be measured with all external doors and windows of the affected residence closed; c) The relevant background noise level (LA90, 15 minute) is taken to mean the day, evening or night rating background noise level determined in complete accordance with the methodology outlined in the NSW EPA Industrial Noise Policy and Australian Standard AS1055.1997 Acoustics – Description and measurement of environmental noise. d) Background noise shall be established in the absence of all noise emitted from the use but with the ventilation equipment normally servicing the affected residence operating. Background noise measurements are to be representative of the environmental noise levels at the affected location. e) Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable. Internal Noise measurements are not to be corrected for duration.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been undertaken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.

Application No.	Description	Condition	Recommendation		Justification
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D/2015/1187	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.	(2) Plan of Management The use must always be operated / managed in accordance with the Plan of Management, prepared by Urbis, dated 18 August 2015, that has been approved by Council. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 project approval.
		(3) Noise - Entertainment Venues a) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. c) Notwithstanding compliance with (a) and (b) above, noise from the use when assessed as an LA10, 15 minute enters any residential use through an internal to internal transmission path is not to exceed the existing internal LA90, 15 minute (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7am and 12midnight. Where the LA10, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. d) Notwithstanding compliance with (a), (b) and (c) above, the noise from the use must not be audible within any habitable room in any residential use between the hours of 12.00 midnight and 7.00am. e) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. Note: The LA10, 15 minute noise level emitted from the use is as per the definition in the Australian Standard AS1055-1997 Acoustics – Description and measurement of environmental noise. The background noise level LA90, 15 minute is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver. It is to be determined from the assessment LA90 / rating LA90 methodology in complete accordance with the process listed in the NSW EPA Industrial Noise Policy and relevant requirements of AS1055.1997.		X	The acoustic report concludes; that this condition reflects the criteria outlined in Condition F5. This condition is not to be incorporated into MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(4) Noise - General a) The emission of noise associated with the use of the premises including the cumulative operation of any mechanical plant and equipment, and air conditioning shall comply with the following: i. The LAeq, 15 minute noise level emitted from the use must not exceed the project specific noise level for that receiver as determined in accordance with the NSW EPA Industrial Noise Policy. Noise must be measured in accordance with the Industrial Noise Policy and relevant requirements of Australian Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise. ii. Project specific noise levels shall be determined by establishing the existing environmental noise levels, in complete accordance with the assessment LA90, 15 minute / rating LA90, 15 minute process to be in accordance with the requirements for noise monitoring listed in the NSW EPA Industrial Noise Policy and relevant requirements of Australian Standard AS1055-1997 Standard AS 1055-1997 Acoustics –Description and measurement of environmental noise. iii. Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable. b) An LAeq,15 minute noise level emitted from the use must not exceed the LA90, 15 minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any habitable room of any affected residence or noise sensitive commercial premises provided that; i. Where the LA90, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226: 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. ii. The LAeq,15 minute noise level and the LA90,15 minute noise level shall both be measured with all external doors and windows of the affected residence closed; iii. The relevant background noise level (LA90, 15 minute) is taken to mean the day, evening or night rating background noise level determined in complete accordance with the methodology outlined in the NSW EPA Industrial Noise Policy and Australian Standard AS1055.1997 Acoustics – Description and measurement of environmental noise. iv. Background noise shall be established in the absence of all noise emitted from the use but with the ventilation equipment normally servicing the affected residence operating. Background noise measurements are to be representative of the environmental noise levels at the affected location. v. Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable. Internal Noise measurements are not to be corrected for duration.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.
		(5) Copies of Consents and Management Plans A full and current copy of all current development consents for the operation of the licensed premises, and the Plan of Management and the Security Management Plan must be kept on-site and made available to Police or Council Officers, or Special Investigator upon request.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. The Statement of Commitments identifies that the proponent will prepare a consolidated Operational Management Plan for the site. This condition is not to be carried forward to MP08_0098. The site wide Operational Management Plan will cater for the ongoing management of the site. We suggest that a new condition be included in Part F of MP08_0098 as follows; <i>A full and current copy of the Major Project Approval MP08_0098 and a current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies upon request.</i>

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(6) Security - Restaurants, Large Hotels, Theatres, Conference Rooms and Exhibition Halls Management shall ensure an appropriate number of security staff (in accordance with the premises Security Management Plan or, if no such plan is required, approved industry standards) are employed to regulate and control patrons whenever the premise is used for specific public functions or group events.		X	The Star operates CCTV and security of the premises, including recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992. Security and general operations on site are addressed in the Operational Management Plan for The Star. The Proponents Commitments identified that a consolidated OMP is to be prepared for site wide operations. The intent of this condition has been addressed through SEGLs existing management policy and practices and will be included in the OMP.
		(7) Incidents – Recording and Notification The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. This condition is not to be carried forward to MP08_0098.
		(8) Surveillance Cameras a) CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to: i. principal entrance/s and exits; ii. all areas within the premise occupied by the public (excluding toilets); iii. staircases in multilevel premises; and iv. the area within a 10m radius external to the public entrance(s) to the premise. b) Suitable and clearly visible signage shall be displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words “Closed Circuit Television in use on these premises”. c) All CCTV recording equipment and cameras shall be of high grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras. In this respect each surveillance camera shall be capable of recording a minimum rate of 10 frames per second and at high resolution. d) CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required. e) All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Licensee shall record this daily checking activity in the security/incident register book that meets the standards required by the Licensing Police and Council. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police. f) All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour prior to opening and closing times of the premises. g) The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage. When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce		X	The Star operates CCTV and security of the premises, including recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy.

Application No.	Description	Condition	Recommendation		Justification
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		copies. h) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.			
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2015/1515	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 Pymont Street facade, refurbishment of the adjacent gaming area, and conversion of an existing plant room to toilet facilities.	(3) Noise - Entertainment Venues a) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. c) Notwithstanding compliance with (a) and (b) above, noise from the use when assessed as an LA10, 15 minute enters any residential use through an internal to internal transmission path is not to exceed the existing internal LA90, 15 minute (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7am and 12midnight. Where the LA10, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. d) Notwithstanding compliance with (a), (b) and (c) above, the noise from the use must not be audible within any habitable room in any residential use between the hours of 12.00 midnight and 7.00am. e) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.

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		(6) Plan of Management The use must always be operated / managed in accordance with the Operational Plan of Management, prepared by that has been approved for the Star Casino. In the event of any inconsistency, the conditions of this consent will prevail over the Operational Plan of Management.			Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		(7) Copies of Consents and Management Plans A full and current copy of all current development consents for the operation of the licensed premises, and the Plan of Management and the Security Management Plan must be kept on-site and made available to Police or Council Officers, or Special Investigator upon request.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. The Statement of Commitments identifies that the proponent will prepare a consolidated Operational Management Plan for the site. This condition is not to be carried forward to MP08_0098. The site wide Operational Management Plan will cater for the ongoing management of the site. We suggest that a new condition be included in Part F of MP08_0098 as follows; <i>A full and current copy of the Major Project Approval MP08_0098 and a current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies upon request.</i>
		(8) Security - Restaurants, Large Hotels, Theatres, Conference Rooms and Exhibition Halls Management shall ensure an appropriate number of security staff (in accordance with the premises Security Management Plan or, if no such plan is required, approved industry standards) are employed to regulate and control patrons whenever the premise is used for specific public functions or group events.		X	The Star operates CCTV and security of the premises, including recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992 security and general operations on site are addressed in the Operational Management Plan for The Star. The proponents Commitments identified that a consolidated OMP is to be prepared for site wide operations. The intent of this condition has been addressed through SEGLs existing management policy and practices and will be included in the OMP.
		(9) Incidents – Recording and Notification The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. This condition is not to be carried forward to MP08_0098.
		(10) Surveillance Cameras		X	The Star operates CCTV and security of the premises, including

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		a) CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to: i. principal entrance/s and exits; ii. all areas within the premise occupied by the public (excluding toilets); iii. staircases in multilevel premises; and iv. the area within a 10m radius external to the public entrance(s) to the premise. b) Suitable and clearly visible signage shall be displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises". c) All CCTV recording equipment and cameras shall be of high grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras. In this respect each surveillance camera shall be capable of recording a minimum rate of 10 frames per second and at high resolution. d) CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required. e) All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Licensee shall record this daily checking activity in the security/incident register book that meets the standards required by the Licensing Police and Council. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police. f) All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour prior to opening and closing times of the premises. g) The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage. When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce copies. h) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.			recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy.
		(11) No Speakers or Music Outside Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises. The outdoor gaming area is to be isolated off from the main gaming area via automatic door closers.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		(12) Hours of Operation a) The hours of operation of the new balcony area within the porte cochere approved under this consent are to be in accordance with any restrictions imposed upon the existing adjoining main gaming floor that is to be augmented. b) The hours of operation of the refurbished gaming area adjacent to Pyrmont Street approved under this consent are to be in accordance with any restrictions imposed upon the existing gaming area that is to be refurbished.		X	As the adjacent gaming area is able to operate 24 hours per day seven days per week the balcony area is able to operate on this basis. MP08_0098 permits 24/7 operation unless otherwise stated. It is not necessary to incorporate his condition into MP08_0098
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.

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		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.
D/2013/1259/A	Section 96(2) modification of consent to extend the permanent internal hours of operation from 7.00am - 10.00pm to 7.00am - 12.00am (midnight) Mondays to Sundays; extend the external hours of operation from 7.00am - 10.00pm to 7.00am - 12.00am (midnight) Mondays to Sundays for a trial period of 1 year; increase the maximum number of patrons from 150 to 250; and provide additional fixed tables and bench seats in the external dining area adjacent to Pirrama Road. (Pizzaperta)	(3) Hours of Operation - Sensitive Uses The hours of operation are regulated as follows: (a) The hours of operation must be restricted to between 7am and 10pm Monday to Sunday. (b) Notwithstanding (a) above, the use may operate between 10pm and 12am (midnight) seven days per week for a trial period of one year from the date of issue of this modified consent. Council's Planning Unit is to be informed in writing of the date of commencing the trial hours. (c) A further application may be lodged to continue the trading hours outlined in (b) above before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police. (Amended 11 January 2016)	X		There are existing management measures relating to the use of this area. The following condition is to be included in MP08_0098 to control the ongoing operation of the space; <i>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.</i> <i>The operation of Pizzaperta regarding all deliveries and waste removal is to operate within the existing controls and conditions of the Star.</i> SEGL is not aware of any complaints received by the City of Sydney in relation to the use of the subject premises. WSP Parsons Brinckerhoff advises that permanency of the Pizzaperta restaurant's operation between 10pm and 12am midnight should be granted subject to the implementation of the above acoustic measures.
		(4) Fixed Tables Security guards of the complex are to ensure that the fixed tables and bench seats are not used by the public for the consumption of alcohol outside of the approved operating hours specified in Condition 3 above. (Amended 11 January 2016)		X	The intent of this condition is to ensure that the space is operated as a restaurant. This condition is to be replaced by a general condition relating to all approved food and beverage premises as follows; <i>The areas nominated as food and beverage on drawing numbers MOD14-A92B2 - A9200, must be operated as a restaurant where the kitchen is to be open and meals to be available to patrons at all times.</i> The intent of the condition is addressed and it is not necessary to carry the condition across to MP08_0098.

Application No.	Description	Condition	Recommendation		Justification
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		(5) Primary Use/Purpose a) The primary use of the premises must be that of a cafe/restaurant with seated dining and substantial food service available at all times of operation and not as a bar only. b) In this regard the number and location of tables and chairs provided for seated dining must be in accordance with the approved floor plans numbered S96-06 rev 03 prepared by Sissons Architects and dated 25 September 2015. The updated floor plans prepared by DWP Suters dated 18 July 2016. c) The service of alcohol is only to be provided to seated patrons with a meal. d) The restaurant must remain open and trading for as long as the bar is trading liquor may only be sold and/or supplied while the kitchen is open and its facilities fully operational and staffed. The sale and supply of liquor shall cease when the kitchen ceases to operate. (Amended 11 January 2016)		X	This condition is to be replaced by a general condition relating to all approved food and beverage premises as follows; <i>The areas nominated as food and beverage on drawing numbers MOD14-A92B2 - A9200, must be operated as a restaurant where the kitchen is to be open and meals to be available to patrons at all times.</i> The intent of the condition is addressed and it is not necessary to carry the condition across to MP08_0098.
		(6) Occupant Capacity In accordance with Clause 98(D) of the Environmental Planning and Assessment Regulation 2000 the following sign, in letters not less than 25mm in height must be fixed alongside the Licensee's name at the main entrance to the premises:- Maximum Number of Persons Permitted Lower Ground Floor Level Restaurant 250 patrons (Amended 11 January 2016)	X		This condition nominates a statutory requirement and continued compliance is recommended.
		(7) Cessation of Service The premises may be open for business only between the operating hours in condition 3 above. The operator must ensure that steps are taken to ensure patrons leave the premises no later than 12am (midnight) in accordance with the measures outlined in the Plan of Management, dated 2 October 2015. (Amended 11 January 2016)		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. We also note that as part of the Statement of Commitments, the proponent proposes to prepare an overall Operational Management Plan for the site. This condition is not to be carried forward to MP08_0098. The site wide Operational Management Plan will cater for the ongoing management of the site. The premises will be operated in accordance with the operational management plan which will ensure that patrons leave the premises as required at 12am midnight.
		(8) Plan of Management and Incident Register		X	As part of the Statement of Commitments the proponent proposes to

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		a) The use must always be operated / managed in accordance with the Plan of Management approved with this consent titled 'Retail 22 – The Star Operational Plan of Management Plan (OPM) for Low Impact Premises', dated 2 October 2015. Where changes will, in the Council's opinion, result in demonstrable improvement in amenity to the locality or to the management of the premises the plan of management may be amended as agreed to in writing by Council. b) A copy of the approved Plan of Management and this development consent must be kept on site and made available to any Council or Police officer upon request. c) Access to the Incident Register and register of complaints must be made available for viewing on the request of Council officers and/or the Police. d) The licensee/manager shall sign a declaration stating that they have read and understood the Plan of Management. This declaration shall accompany the POM. (Amended 11 January 2016)			prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 project approval We suggest that a new condition be included in Part F of MP08_0098 as follows; A full and current copy of the Major Project Approval MP08_0098 and a current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies upon request.
		(8a) Compliance with the Acoustic Report All performance parameters, requirements and recommendations contained in the Acoustic Report, prepared by Acoustic Logic, dated 2 September 2015, Ref: 20150935.2/0209A/R3/BW and Acoustic Logic Letter dated 04 December and referenced 20150935.2/0412A/R1/BW must be implemented as part of the detailed design assessment and implemented into the design drawings prior to the commencement of the use of the premises. (Inserted 11 January 2016)		X	This condition refers to works completed at design phase and the works have been completed. There is no further work required under this condition.
		(9) Incidents – Recording and Notification The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. This condition is not to be carried forward to MP08_0098.
		(10) Queuing No persons are to be permitted to queue, drink or loiter outside the premises at any time. Security officers are to ensure that there is no queue for the premises and take all reasonable steps to ensure compliance with this condition.		X	This is to be addressed under the operational management plan.
		(11) No Speakers or Music Outside Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		(12) Removal Of Glass Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises (except from any approved bottle shop area). Patrons must be prevented from removing glasses, open cans bottles or alcohol from the premise (as defined by the Liquor Licence boundaries).		X	The intent of this condition is captured within SEGLs overall security and Operational Management Plan for the site. SEGL operates the site in line with obligations under the Casino Control Act 1992. This condition is not to be carried forward to MP08_0098.

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		(13) Noise from Glass Removal Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred within the premises and removed in containers.		X	This matter is to be addressed under the Operational Management Plan.
		(14) Neighbourhood Amenity a) Signs must be placed in clearly visible positions within the licensed premises requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. b) The management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management is to employ private security staff to ensure that this condition is complied with.		X	SEGL operates security on the premises 24 hours seven days a week. Any issues of patrons behaviour are covered under the Operational Management Plan.
		(15) No Spruiking Noise No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking generated within privately owned land must not be audible on Council's footpath adjoining the subject property.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.
		(16) Care of Building Surrounds In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the building must ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.		X	SEGL operates the premises in accordance with their lease obligations and requirements under the Casino Control Act 1992. This includes maintenance and management of the property. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy and it is necessary to incorporate this condition into MP08_0098.
		(17) Removal of Graffiti The owner/manager of the site must be responsible for the removal of all graffiti from the building within 48 hours of its application.		X	The intent of this condition is captured within the overall security plan and Operational Management Plan for the site. SEGL operates the site in line with obligations under the Casino Control Act 1992. The intent of this condition has been addressed and it should not carry forward to MP08_0098.
		(18) Noise - General a) The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria: i. The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.

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		ii. The LAeq,15minute noise level shall be adjusted for modifying factors in accordance with Part 4 of the Environmental Protection Authority (EPA) NSW Industrial Noise Policy. iii. The background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise. b) An LAeq,15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any commercial premises provided that; i. The LAeq,15minute noise level and the LA90,15minute noise level shall both be measured with all external doors and windows of the commercial premises closed; ii. The LA90, 15minute noise level shall be measured in the absence of noise emitted from the use but with the ventilation equipment (including air-conditioning equipment) normally servicing the commercial premises operating. iii. In this clause, the term “noise level emitted from the use” means the contributing noise level from the use in isolation to any other ambient noise and account must therefore be taken of the LAeq, 15minute when the use is not in operation. iv. In circumstances where this development application refers to a modification or addition to an existing use, the background noise level referred to in this clause pertains to the LA90, 15minute noise level measured in the absence of all noise from the site.			
		(19) Noise - Licensed Premises a) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. b) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. c) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am. d) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises.		X	Major Project Approval MP08_0098 has approved the casino and entertainment complex on site on a 24 hour, seven day per week basis. Conditions within the approval include F5 which regulates the use and sets limits on operational noise levels. The acoustic report concludes that the subject condition reflects the criteria outlined in Condition F5. For the purposes of clarity, this condition is not to be carried forward into MP08_0098 and that the site wide controls continue to regulate the use.
		(20) Acoustic Assessment Prior to Occupation Certificate A statement is required to be submitted to the Certifying Authority prior to Occupation certificate being issued that certifies the development or proposed use is capable of, complying with the design criteria and operating without causing a nuisance.		X	This condition relates to items which were required to be completed prior to the issue of an occupation certificate. The works have been completed onsite and the use is operational. The condition does not relate to the ongoing use of the premises and therefore should not be carried forward to MP08_0098.

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		(21) Complaints – Noise Should noise complaint be received by Council from a place of different occupancy (including commercial premises) and the complaint being substantiated by a Council Officer, the use of area concerned must cease operation until “attenuation works” are carried out so as that the premises complies with the relevant Noise conditions.		X	This condition is a duplication of Condition F1G contained within MP08_0098 which reads: F1G Complaints Handling <i>The Proponent shall operate a noise complaint handling procedure for the use of all outdoor speaker and amplification systems in accordance with the relevant Operational Environmental Management Plan (OEMP) including:</i> 1. The OEMP prepared by AECOM and dated 6 June 2012; 2. The OEMP 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; and 3. The OEMP 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. Should a noise complaint be received by Council and/or the Department that is substantiated, the speakers are to be decommissioned and music must cease until the noise emissions from the use of all outdoor speaker and amplification systems can comply with the noise criteria of Condition F5.
		(22) Intruder Alarm Intruder alarm/s associated with the development must operate only in accordance with the requirements of Clause 53 of the Protection of the Environment Operations (Noise Control) Regulation 2008 under the protection of the Environment Operations Act, 1997.		X	The Star operates CCTV and security of the premises, including recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy.
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.

Application No.	Description	Condition	Recommendation		Justification
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D/2015/1826	Alteration and additions to 'The Star' casino, including the 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.	(2) Use of Temporary Marquee a) The use of the marquee must remain consistent with the conditions imposed on the use of the Sky Terrace in accordance with the Major Project approval 08_0098, as modified. b) The marquee must be removed from the Sky Terrace no later than 30 June 2017.	X		Modification 14 seeks an extension of time for the marquee to allow for use of the marquee until construction works commence on the sky terrace under Modification 14. There are no additional impacts associated with the use of the marquee which simply acts as weather protection. We propose to modify the condition and incorporate into MP08_0098 as follows; <i>Use of Temporary Marquee</i> <i>a) The use of the marquee must remain consistent with the conditions imposed on the use of the Sky Terrace in accordance with the Major Project approval 08_0098, as modified.</i> <i>b) The marquee must be removed from the Sky Terrace no later than 30 June 2017 upon commencement of works approved under Modification 14 which allow for the removal of the sky terrace.</i>
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.

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D/2016/48	Alterations and additions to the licensed premises known as 'The Star Casino', including the installation of a new lift and associated lobbies and the construction of a terrace areas adjacent to the approved Level 5 VIP guest lounge on the Pymont Street side of the Astral Hotel. The proposal also seeks consent to be able to undertake internal building works, including light weight demolition, on a 24 hour basis, Mondays to Sundays.	3) Maximum Capacity a) The maximum occupancy capacity (including staff, patrons and performers) is restricted to: i. VIP Lounge Terrace: 175persons ii. Business Conference Terrace: 48 persons b) The capacity for the terraces shall not exceed the maximum numbers at any given time. c) The manager/licensee is responsible for ensuring the number of persons does not exceed that specified above. d) A sign in letters not less than 25mm in height must be fixed at the main entry point to the premises alongside the Licensee's name stating the maximum number of persons, as specified in the development consent, that are permitted in the building. Details of the sign are to be submitted to Council's Health and Building Unit for approval prior to issue of a Construction Certificate. Note: Clause 98D of the Environmental Planning and Assessment Regulation 2000 requires a sign specifying maximum number of persons permitted in the building to be displayed in a prominent position for the following types of premises: a) entertainment venue, b) function centre, c) pub, d) registered club, e) restaurant.	X		This condition relates to the ongoing operation and is appropriate to incorporate into MP08_0098.
		4) Hours of Operation – Reviewable Condition The hours of operation for the premises are regulated by a reviewable condition as follows: a) The hours of operation of the Level 05 VIP Guest Terrace and Business Conference Terrace are restricted to between 10.00am and 10.00pm the following day Mondays to Sundays inclusive. Reviewable extended hours b) Notwithstanding (a) above, the use may trade between 06.30am and 11.00pm Monday to Sunday subject to review. c) The extended hours may be reviewed by Council at any time during the trial period. Such a review will occur in the event that offensive noise as defined under the Protection of the Environment Act 1997 is being emitted from these terraces has occurred and has not been satisfactorily resolved following a written request from Council. d) The operator of the premises will be given 14 days written notice that a review of this condition will take place, and in that time may submit to Council any information they wish to be considered to support the continuation of the extended trading hours. Council's review will be notified in accordance with Schedule 1 of the Sydney Development Control Plan 2012 and will consider any submissions received following public notification and/or exhibition. e) Following the initial review, further reviews may be undertaken at Council's discretion providing that at least 14 days' notice is provided to the operator.	X		This condition relates to the ongoing operation and is appropriate to incorporate into MP08_0098.

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		5) Compliance with the Acoustic Report Prior to Construction and or Occupation Certificates a) All performance parameters, requirements, engineering assumptions and recommendations contained in the Noise Impact Assessment prepared by WSP Parsons Brinckerhoff, dated 15th January 2016 and referenced ACG1521300 must be implemented as part of the detailed design assessment and implemented into the design drawings prior to the commencement of the use of the premises in accordance with the requirements of (b) and (c) below and to the satisfaction of the certifying authority. b) Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant* (see definition below) to be in accordance with the requirements of the DA acoustic report set out below. Specifically, the consultant will prepare a written Acoustic Certification Report with reference to drawings, to the satisfaction of the Principal Certifying Authority which addresses the following requirements: i. For the purposes of certification of design and verification of construction, the following noise criteria will be in effect: a. NOISE – GENERAL Condition, part (a): ii. Day Period Project Specific Noise level LAeq, 15 minute 53 dB(A), iii. Evening Period Project Specific Noise level LAeq, 15 minute 51 dB(A), iv. Night Period Project Specific Noise Level (10pm – 7am) LAeq, 15 minute 50 dB(A) v. Section 4.1.1 Mechanical and Patron Noise Assumptions and Calculations in relation to design and capacity of the outdoor terrace area vi. Section 4.1.3 Noise reduction measures in design stage including attenuators for mechanical plant, noise barriers, acoustic louvres and acoustic absorption vii. No live entertainment, music or background music to be played within the outdoor VIP terrace or outdoor smoking area c) Prior to the issue of an Occupation Certificate, a suitable qualified acoustic consultant is to provide a written Acoustic Verification Report to the satisfaction of the Principal Certifying Authority that the development complies with the requirements set out in the Report and in (a) and (b) above. Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.		X	This condition relates to items which were required to be completed prior to the issue of an occupation certificate. The works are currently underway and will be completed onsite and prior to the determination of Modification 14. The condition does not relate to the ongoing use of the premises and therefore should not be carried forward to MP08_0098.

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		6) Plan of Management The use must always be operated / managed in accordance with the Operational Management Plan of Management, prepared by The Star, dated 15 January 2016 that has been approved by Council.		X	As part of the Statement of Commitments the proponent proposes to prepare an overall Operational Management Plan for the site prior to the issue of a construction certificate. The operational management plan will encompass the management commitments contained within the existing plan for the subject site, as well as the overall operation of the entertainment complex. The proponent proposes to surrender all consents issued by the City of Sydney prior to the issue of a construction certificate for Modification 14. The subject plan of management will therefore continue to operate and will be replaced by the overarching operational management plan. The plan should not be carried across to MP08_0098 Project Approval.
		(7) Copies of Consents and Management Plans A full and current copy of all current development consents for the operation of the licensed premises, the Plan of Management and the Security Management Plan must be kept on-site and made available to Police or Council Officers, or Special Investigator upon request.		X	As above the site is to be operated in accordance with the Operational Management Plan. We suggest that a new condition be included in Part F of MP08_0098 as follows; A full and current copy of the current development consent for the site and a full and current copy of the site wide Operational Management Plan and the Security Management Plan must be kept on-site and made available to relevant agencies.
		(8) Incidents – Recording and Notification The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises. The manager/licensee must also record in a designated register full details of any disturbance complaints made by a person to management, security or staff. Such recording must include the time, date, details of the complaint and complaint details if provided. Management must respond to any disturbance		X	The Star operates CCTV and security of the premises, including recording of any incidents, in accordance with their lease obligations and requirements under the Casino Control Act 1992. This condition is not to be carried forward to MP08_0098.

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		(9) Surveillance Cameras (a) CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to: i. principal entrance/s and exits; ii. all areas within the premise occupied by the public (excluding toilets); iii. staircases in multilevel premises; and iv. the area within a 10m radius external to the public entrance(s) to the premise. (b) Suitable and clearly visible signage shall be displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises". (c) All CCTV recording equipment and cameras shall be of high grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras. In this respect each surveillance camera shall be capable of recording a minimum rate of 10 frames per second and at high resolution. (d) CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD, USB or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required. (e) All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Licensee shall record this daily checking activity in the security/incident register book that meets the standards required by the Licensing Police and Council. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police. (f) All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour prior to opening and closing times of the premises. (g) The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage. When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce copies. (h) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.		X	The Star operates CCTV and security of the premises, including recording of any incidents, and management of patrons leaving the premises and wider neighbourhood area in accordance with their lease obligations and requirements under the Casino Control Act 1992. Accordingly, the intent of this condition has been addressed through SEGLs existing management policy.
		(10) Neighbourhood Amenity (a) (Signs must be placed in clearly visible positions within the outdoor terraces requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. The signage shall be in bold letters not less than 25mm in height on a contrasting background. (b) The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.		X	SEGL operates security on the premises 24 hours seven days a week. Any issue of patron behaviour is covered under the Operational Management Plan.
		(11) No Speakers or Music Outside Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.		X	The intent of this condition has been addressed through condition F1 which controls the site as a whole in terms of outdoor speakers and noise. It is therefore not necessary to carry this condition forward to MP08_0098.

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		(12) Noise - General (a) The emission of noise associated with the use of the premises including the cumulative operation of any mechanical plant and equipment, and air conditioning shall comply with the following: i. The LAeq, 15 minute noise level emitted from the use must not exceed the project specific noise level for that receiver as determined in accordance with the NSW EPA Industrial Noise Policy. Noise must be measured in accordance with the Industrial Noise Policy and relevant requirements of Australian Standard AS 1055-1997 Acoustics–Description and measurement of environmental noise. ii. Project specific noise levels shall be determined by establishing the existing environmental noise levels, in complete accordance with the assessment LA90, 15 minute / rating LA90, 15 minute process to be in accordance with the requirements for noise monitoring listed in the NSW EPA Industrial Noise Policy and relevant requirements of Australian Standard AS1055-1997 Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise. iii. Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable. (b) An LAep, 15 minute noise level emitted from the use must not exceed the LA90, 15 minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any habitable room of any affected residence or noise sensitive commercial premises provided that; i. Where the LA90, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal- Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead ii. The LAeq, 15 minute noise level and the LA90, 15 minute noise level shall both be measured with all external doors and windows of the affected residence closed; iii. The relevant background noise level (LA90, 15 minute) is taken to mean the day, evening or night rating background noise level determined in complete accordance with the methodology outlined in the NSW EPA Industrial Noise Policy and Australian Standard AS1055.1997 Acoustics – Description and measurement of environmental noise. iv. Background noise shall be established in the absence of all noise emitted from the use but with the ventilation equipment normally servicing the affected residence operating. Background noise measurements are to be representative of the environmental noise levels at the affected location. v. Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable. Internal Noise measurements are not to be corrected for duration.		X	An acoustic assessment of the site including all noise related conditions contained in this document has been under taken by WSP/PB and is included at Appendix E. Appendix B of the report includes a full review of the conditions included in this table. The report concludes; that this condition reflects the criteria outlined in Condition F5 which controls site operations. This condition is not to be incorporated into MP08_0098 as it duplicates the function of Condition F5.

Application No.	Description	Condition	Recommendation		Justification
			Retain/Modify	Not to be adopted into MP08_0098	
		(13) Noise - Entertainment Venues (a) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 7.00am and 12.00 midnight when assessed at the boundary of any affected residence. (b) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the boundary of any affected residence. (c) Notwithstanding compliance with (a) and (b) above, noise from the use when assessed as an LA10, 15 minute enters any residential use through an internal to internal transmission path is not to exceed the existing internal LA90, 15 minute (from external sources excluding the use) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use between the hours of 7am and 12midnight. Where the LA10, 15 minute noise level is below the threshold of hearing, Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226: 2003- Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead. (d) Notwithstanding compliance with (a), (b) and (c) above, the noise from the use must not be audible within any habitable room in any residential use between the hours of 12.00 midnight and 7.00am. (e) The LA10, 15 minute noise level emitted from the use must not exceed the background noise level (LA90, 15 minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises. Note: The LA10, 15 minute noise level emitted from the use is as per the definition in the Australian Standard AS1055-1997 Acoustics – Description and measurement of environmental noise. The background noise level LA90, 15 minute is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver. It is to be determined from the assessment LA90 / rating LA90 methodology in complete accordance with the process listed in the NSW EPA Industrial Noise Policy and relevant requirements of AS1055.1997.		X	The acoustic assessment concludes that; <i>this condition reflects the criteria outlined in Condition F5. This condition is not to be incorporated into MP08_0098.</i>
		Schedule 1B		X	Conditions contained in Schedule 1B of the consent relate to works/items that are required to be completed prior to the issue of a construction certificate. As the works have been completed onsite in accordance with the consent and the use is fully operational, the conditions in Schedule 1B are no longer relevant and do not need to be incorporated into the MP08_0098 Project Approval.
		Schedule 1C		X	The conditions in Schedule 1C of the consent relate to the construction phase of the development. The conditions also provide for works/items that need to be completed prior to the occupation of the use. The works have been completed and are shown on the existing site plans submitted with Modification 14. The requirements of the conditions contained in Schedule 1C have been satisfied and it is not necessary to carry these conditions across to the MP08_0098 Project Approval.