

Section 4.55(2) Modification Application

Foundation Theatres

The Star, Pyrmont

Proposed MOD 20

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Appendix B	Traffic Impact Statement	Traffix
Appendix C	Preliminary Construction Traffic Management Plan	Traffix
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Appendix F	Demolition & Construction Waste Management Plan	PlanGen Consulting
Appendix G	Accessibility Report	CODEX
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Appendix I	ESD Report	WSP
Appendix J	Plan of Management	Foundation Theatres
Appendix K	Design Verification Statement	Altis

1.0 Introduction

The modification application, pursuant of Section 4.55 (2) of the *Environmental Planning and Assessment Act (EP&A Act)*, has been prepared on behalf of Foundation Theatres (the **Applicant**). This application seeks to modify Development Consent MP08_0098 (former Part 3A Approval) relating to 20-80 Pyrmont Street, Pyrmont (the **Site**).

The works relate to Levels 03–05 of the northern portion of the existing Sovereign Expansion project approved under previous Modification 14 and associated rooftop plant area. The proposal involves alterations and additions to the existing Sovereign Expansion structure (referred to as the Whale Tail). The key components of the modification include:

- Reconfiguration of Levels 03-05 to convert the existing food, beverage, and gaming areas into a new live entertainment venue to be operated by Foundation Theatres.
- Introduction of a new mezzanine level (Level 04), replacing the current void space.
- Construction of a new plant and rigging enclosure on Level 05, supporting the operational requirements of the proposed entertainment venue.

This is the 20th modification to the original DA.

The alterations and additions are predominantly internal only (with new plant to roof level), minor in nature and do not exceed the maximum building height or gross floor area for the site. The proposed development warrants approval from the consent authority in accordance with s4.55(2) of the EP&A Act 1979.

1.1 The site

The site is located at 20-80 Pyrmont Road, Pyrmont and is on land legally described as Lot 500 DP 1161507, Lot 301 and 302 DP 873212 and Lot 211 DP 870336.

The site accommodates The Star Complex. The site has a total area 39,206m² and is bound by Pirrama Street to the north-east, Jones Bay Road to the north-west, Pyrmont Road to the south-west, Union Street to the south and Edward Street to the south-east (as shown at **Figure 1**).



Figure 1 Aerial view of The Star (outlined red) and location of the proposed development outlined blue

1.2 Existing Development

The subject site is included within the Star Sydney complex which comprises a block between Jones Bay Road, Pirrama Road, Edward Street and Pyrmont Street.

The building was constructed 1995. It was developed as a major entertainment complex and underwent significant expansions and renovations over the years to enhance its facilities, including the addition of hotels, restaurants, bars, and entertainment venues.

Existing facilities on the site include a multi-storey entertainment facility, retail, gaming areas, restaurants and bars, the Sydney Lyric Theatre, 480 hotel rooms/serviced apartments across three towers and basement parking for up to 2,845 cars as shown in **Figure 2**.



Figure 2 The site as viewed from Pirrama Road (site location outlined red)

1.3 Surrounding Development

The surrounding Pyrmont Peninsula is undergoing substantial transformation, shifting from its historic role as a maritime industrial suburb with workers' housing to a contemporary mixed-use commercial and residential precinct. The area now accommodates a diverse range of land uses, including major commercial premises, restaurants and cafés, modern residential apartments, open spaces, and traditional terrace housing.

Both the NSW Government and the City of Sydney recognise this evolution, as reflected in the recently finalised Pyrmont Peninsula Place Strategy and the City's subsequent Ultimo–Pyrmont Planning Proposal.

The subject site is well served by public transport, with convenient access to light rail, bus services, and ferry connections from Pyrmont Bay Wharf. The nearby The Star Light Rail Station provides direct services to the CBD (via Central Station) and Dulwich Hill. The future Pyrmont Metro Station, located between Pyrmont Bridge Road and Union Street, will further enhance connectivity once operational. As part of the Sydney Metro West project, it will serve the broader Pyrmont Peninsula, including Darling Harbour, Blackwattle Bay, and the new Sydney Fish Market, and will provide fast, high-capacity links to the Sydney CBD.

2.0 Consent to be Modified

On 27 January 2009, the Minister for Planning approved MP 08_0098 for alterations and additions to the casino complex and a new hotel development on the (then) Switching Station Site, Pyrmont. Specifically, MP 08_0098 was approved for the construction of a new hotel and podium level extension on the Switching Station site and for alterations and additions to the casino building, comprising the following:

- Construction of a 10 storey hotel above a 3 storey podium containing ancillary retail, gaming and conference facility on the vacant Switching Station site;
- Additional basement car parking, to a maximum of 3,000 car parking spaces across the site, with access via the existing Casino complex car park;
- Re-development of the retail arcade through the ground floor level of the complex, linking Pyrmont Bay Park to the intersection of Union and Pyrmont Streets and to Jones Bay Road;
- The redevelopment of the eastern (Pirrama Road) frontage of the Casino building currently occupied by multiple external stairs, to contain additional restaurants, retail outlets, gaming space, other entertainment and tourist related facilities, a new entry and a driveway providing a new vehicular drop-off point to the Casino; and
- Works to the exterior of the existing Casino tower buildings.

This is the 20th MOD.

2.1 Status of Part 3A Project

On 24 January 2020, the Director of Key Sites Assessments under delegation from the then Minister for Planning and Public Spaces, declared the approved project to be State Significant Development (SSD).

Now that the project has ceased to be a transitional Part 3A project, it can be modified under section 4.55 of the EP&A Act.

In relation to section 4.55(2) modifications which contain a “substantially the same development” test, the consent authority need only be satisfied that the development to which the consent as modified relates is substantially the same development as the development authorised by the consent as last modified under section 75W (clause 3BA(6) of Schedule 2 to the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017). The last modification to be determined under section 75W was Mod 14 – therefore, the “substantially the same development test” is measured against the development as approved under Mod 14.

2.2 Previous Modification Applications

The former Part 3A Approval has been modified 19 times. The modification to MP08_0098 are listed in **Table 1** below.

Table 1 Summary of previous modification applications

Application Number	Determination Date	Decider	Modification Description
MOD 1	App3 March 2009	Executive Director	Changes to external signage, external artwork and lighting, public domain works, Sydney Water requirements and lot consolidation
MOD 2	Approved 25 March 2009	Director General	Changes to hotel height
MOD 3	Approved 6 April 2009	Director General	General Amendment to allow staged agreement process for excavation works
MOD 4	Approved 1 December 2009	Minister	Amend façade signage, consolidate porte coheres, reconfigure entry stairs, consolidate water features, relocate gaming entry point, increase the size of the entertainment deck
MOD 5	Approved 5 July 2010	Director	Internal and external alterations and amend hours of work
MOD 6	Approved 9 September 2010	2010 Director	Internal and external alterations and additions
MOD 7	Approved 29 July 2011	IPC	Ballroom expansion into multi use entertainment facility and internal and external changes

MOD 8	Approved 15 November 2010	Director	Enclosure of part of the Sovereign Room
MOD 9	Approved 13 October 2011	Deputy Director General	Internal changes to level 2 of the casino at the night club
MOD 10	Approved 16 December 2011	Deputy Director General	Cladding changes to the multi use entertainment facility
MOD 11	Approved 5 October 2012	Deputy Director General	Changes to permit to install and use music speakers on the Level 3 pool terrace of The Darling Hotel
MOD 12	Approved 14 October 2014	Secretary	Install and use speakers at the L1 Pirrama Road and L3 Pirrama Road entertainment area and permanent 24/7 use of L1 Pirrama Road gaming areas
MOD 13	Refused 20 November 2019	IPC	New hotel tower and apartments
MOD 14	Approved 4 October 2017	Minister	GFA increases for the Sovereign Expansion, internal upgrades to gaming, food and beverage areas, access and circulation space, consolidate existing approvals and conditions, continue 24 hour operation of certain spaces and speaker use, allow 24 hour internal construction works, permit a minor works schedule for the site
MOD 15	Approved 9 November 2021	Director	Removal and relocation of signage, installation of new signage, new awnings along the Pirrama Road frontage, replacement of external cladding on the crowns of The Star Grand Hotel and The Star Grand Residences, new plant and equipment screening, landscaping works and internal amendments to the darling hotel porte cochere.
MOD 16	Approved 17 March 2022	Director	Extend trial periods for the operation of unenclosed gaming areas on levels 1, 2 and 3 for an additional two years Minor façade changes on the upper floors of the star grand residences and the star grand hotel towers Expand balcony areas on level 17.
MOD 17	24/11/2023	Director	Conversion of an existing level 3 indoor gaming area fronting Pyrmont Street to an outdoor gaming area and extension to the trial period for external speakers and music.
MOD 18	Approved 24 Feb 2023	IPC	Alterations and additions to the Multi-Use Entertainment Facility to accommodate two new theatres and general refurbishment of the existing building.
MOD 19	Approved 19 April 2024	City Planning Unit	Section 4.55(1A) modification of consent to correct minor errors including those contained in conditions pertaining to the plan of management and hours of operation.

Mod 04, Mod 14 and Mod 18 are the most relevant to the proposal. These modification applications related to the development of the Sovereign Expansion and gaming area.

More recently, the Lyric Theatre development application was approved by the City of Sydney Council on 14 February 2024 (Foundry Theatre). This application is the latest proposal from Foundation Theatres, further expanding their presence on the site.

2.3 Engagement

The Applicant has engaged with the City of Sydney Council and the Department of Planning, Housing and Infrastructure (DPHI).

At the meeting held with the City of Sydney on 1 April 2026, the Council sought clarity on how the proposal satisfies the provisions of design excellence in accordance with the *Sydney Local Environmental Plan 2012* (SLEP 2012) and requested further detail regarding finishes and materials and maximum building height.

In addition, a meeting was held with the Department of Planning, Housing and Industry on 29 April 2026. The DPHI noted previous applications / modifications for the site.

2.4 Strategic Context

The purpose of this project is to respond to the increasing demand for additional entertainment space in Sydney. NSW is a world leader for arts, culture and entertainment and there is growing public demand for theatre experiences. As a result, more theatre spaces of various configurations are needed to meet demand and sure that Sydney continues to attract internationally renowned theatrical productions.

This modification seeks to reconfigure the under-utilised Sovereign Expansion to accommodate a new live entertainment venue that creates additional theatre space, supporting the vision and direction for this are in Pyrmont. **Table 2** demonstrates how the proposed development is consistent with the relevant strategic plans.

Table 2 Assessment of strategic context

Plan	Assessment
<i>The Greater Sydney Regional Plan 2056. A Metropolis of Three Cities</i>	The Greater Sydney Region Plan is the overarching strategy for growing and shaping the Greater Sydney Area. It sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. The Plan was adopted in March 2018 and seeks to reposition Sydney as a metropolis of three cities – the Western Parkland City, Central River City, and the Eastern Harbour City. The Plan is required to be updated every five years. The Plan provides 10 high level policy directions supported by 40 objectives that inform the District Plans, Local Plans and Planning Proposals which follow in the planning hierarchy. The most relevant objective to this modification is <i>Object 18: Harbour CBD is stronger and more competitive</i> which seeks to retain and strengthen Australian renown attractions including arts, entertainment, and cultural facilities. The proposed development seeks to bring new life to the existing ‘Sovereign Expansion’ site and respond to the increasing demand for additional theatre infrastructure in Sydney. Therefore, the proposed modification is compliant with the Greater Sydney Regional Plan.
<i>Eastern City District Plan 2056</i>	The Eastern District Plan (the District Plan) underpins the Greater Sydney Region Plan and sets the 20-year vision for the East District through ‘Planning Priorities’ that are linked to the Region Plan. Planning Priority 7 is of most relevance to the proposal which is related to ‘<i>Growing a stronger and more competitive Harbour CBD</i>’. The District Plan recognises the role entertainment and culture play in contributing to the economy and Sydney CBD’s international presence. As such, the proposed development compliments Planning Priority 7 through the provision of a modern entertainment facilities that can accommodate a range of entertainment and cultural needs for both the entertainment industry and the public.
<i>NSW Future Transport Strategy 2056</i>	The NSW Future Transport Strategy 2056 seeks to provide active transport options and encourage the use of non-car modes where possible. The proposed development seeks to create a new live entertainment venue in a highly accessible location and frequently serviced by the light rail and bus services along Pirrama Road, the future Sydney Metro Station (Pyrmont Metro Station) and ferry services along the Pyrmont Bay Wharf. The location of the proposed use is supportive of the NSW Future Transport Strategy 2056.
<i>Pyrmont Peninsula Place Strategy 2020</i>	The Pyrmont Peninsula Place Strategy (the Place Strategy) provides a 20-year framework that aims to unlock new jobs, new opportunities and a vibrant 24-hour culture. The Place Strategy takes action through 10 key directions as well as 5 ‘big moves’. It also identifies The Star as one of four key sites which are anticipated to have the greatest capacity to deliver economic growth in the Peninsula. Important to this modification is Big Move 2: <i>A vibrant 24-hour cultural and entertainment destination</i>. Big Move 2 seeks to enhance and deliver new entertainment, events and cultural spaces in the Peninsula and well as encouraging activities that can contribute to the 24-hour economy. The proposed development seeks to do both, through the delivery a new live entertainment venue that can appropriately operate during the later hours of the night and contribute directly and indirectly to the NSW economy. Additionally, the Star is located within the Darling Island sub-precinct which is envisioned to support 2,735 more jobs by 2041. The proposed development seeks to support this target as it will provide an

	essential revitalisation to underutilised space that can support job growth in the entertainment, arts and culture industry. This proposal is entirely consistent with the strategic aims of the Place Strategy. The Star Entertainment Group Limited (The Star) were actively involved in the planning which has accompanied the Place Strategy. Council has since undertaken a review of the Strategy and are in the process of implementing additional / further change in the Ultimo Pyrmont Planning Proposal.
<i>City Plan 2036 – Local Strategic Planning Statement</i>	City Plan 2036 establishes a 20-year vision for land use planning in the city and establishes planning priorities and actions to achieve an overall vision. The Plan seeks to guide future changes to planning controls to support the delivery of infrastructure and services to meet the needs of the community. City Plan 2036 seeks to enhance the delivery of entertainment and arts within a vibrant city and support options that contribute towards the lively nightlife. The proposed modification seeks to deliver this vision set out in the LSPS through responding to the increasing demand for additional theatre infrastructure and highlight local and international talent to the community and visitors.

3.0 Proposed Modification to the Consent

3.1 Overview

The proposed modification comprises a new live entertainment venue across Level 03 and 04 with expansion of the existing mechanical plant on Level 05 to be operated by Foundation Theatres.

The proposed works also include a new mezzanine level on Level 04, replacing the existing void space, and the extension of the existing plant area and construction of a rigging enclosure on Level 05 with a maximum height of RL35.3m. The theatre will include a stage, rigging mechanisms, patron seating, bar and scullery and accessible spaces and back of house facilities.

The proposal will support the adaptive reuse of existing entertainment floor space within The Star complex and facilitate the operation of a new live entertainment venue.

3.2 Built Form and Land Uses

3.2.1 Level 03

Level 03 is proposed to accommodate the primary theatre and associated back-of-house facilities. The level will include theatre space and patron seating supported by a food and beverage service area, storage area, a cool room and back of house areas.

The proposed use is for an entertainment facility, defined as “*a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.*”.

Back-of-house facilities will include changing rooms and a green room for performers and event operations. Patron amenities are also proposed, including male and female bathrooms and one accessible bathroom.

The theatre layout will provide seven accessible seating spaces including additional spaces on Level 04, ensuring equitable access within the auditorium and supporting the inclusive operation of the venue.

Entry to this level is provided via a new external foyer. This area is currently open to the sky, however, a new awning will provide weather protection for the entry point.

The proposed fit out of Level 03 is shown at **Figure 3** below.

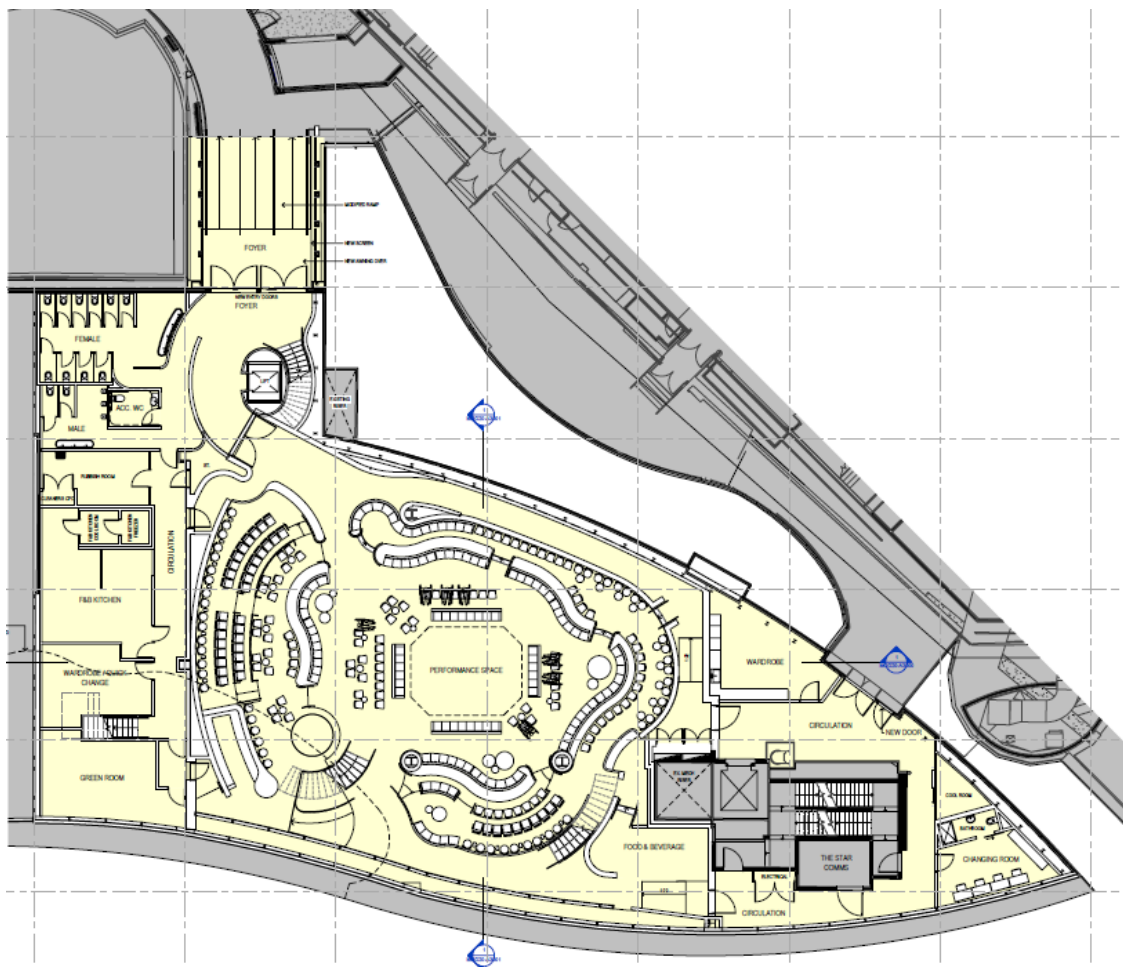


Figure 3 Proposed Level 03 fit out

3.2.2 Level 04

Level 04 is proposed to accommodate a mezzanine level associated with the theatre space, with capacity for up to 95 patrons. The mezzanine will provide additional audience viewing area and will support the overall operation of the Foundation Theatre.

The level will also include a food and beverage service area, storage areas and a cool room to support venue operations all ancillary to the main entertainment use. Back-of-house facilities are proposed, including changing rooms, a green room and shower facilities for performers and staff

Four office spaces are also proposed on Level 04, providing administrative and operational support for the theatre use. The proposed floor plan is shown at **Figure 4** below.

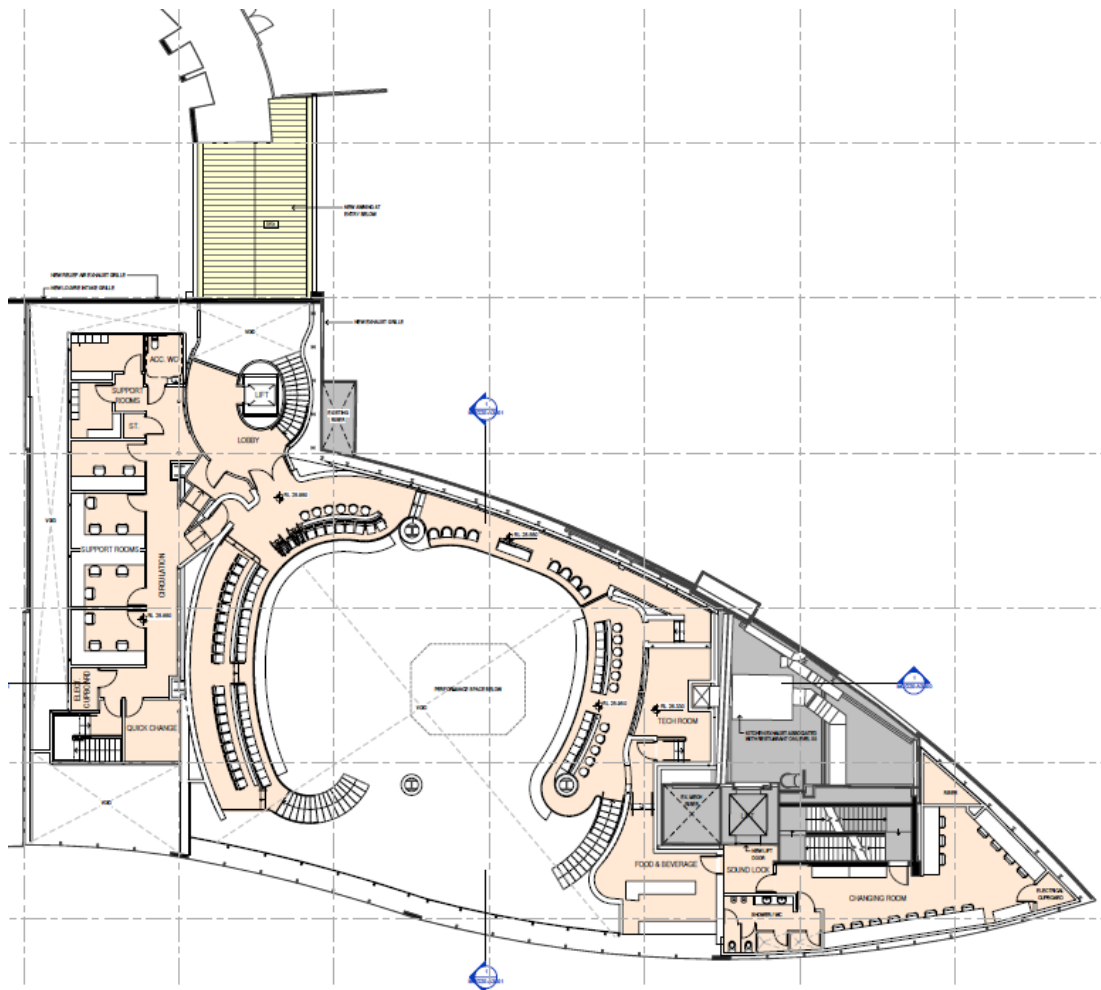


Figure 4 Proposed Level 04 fit out

3.2.3 Level 05

Level 05 is proposed to accommodate additional plant and service infrastructure associated with the operation of the Foundation Theatre. This includes air-conditioning services and associated mechanical plant required to support the theatre, patron areas and back-of-house functions.

The level will also include rigging infrastructure to support theatre operations, performances and technical production requirements. These works are ancillary to the primary theatre use and are appropriately located within the upper service level of the building. The proposed floor plan is shown at **Figure 5** below.

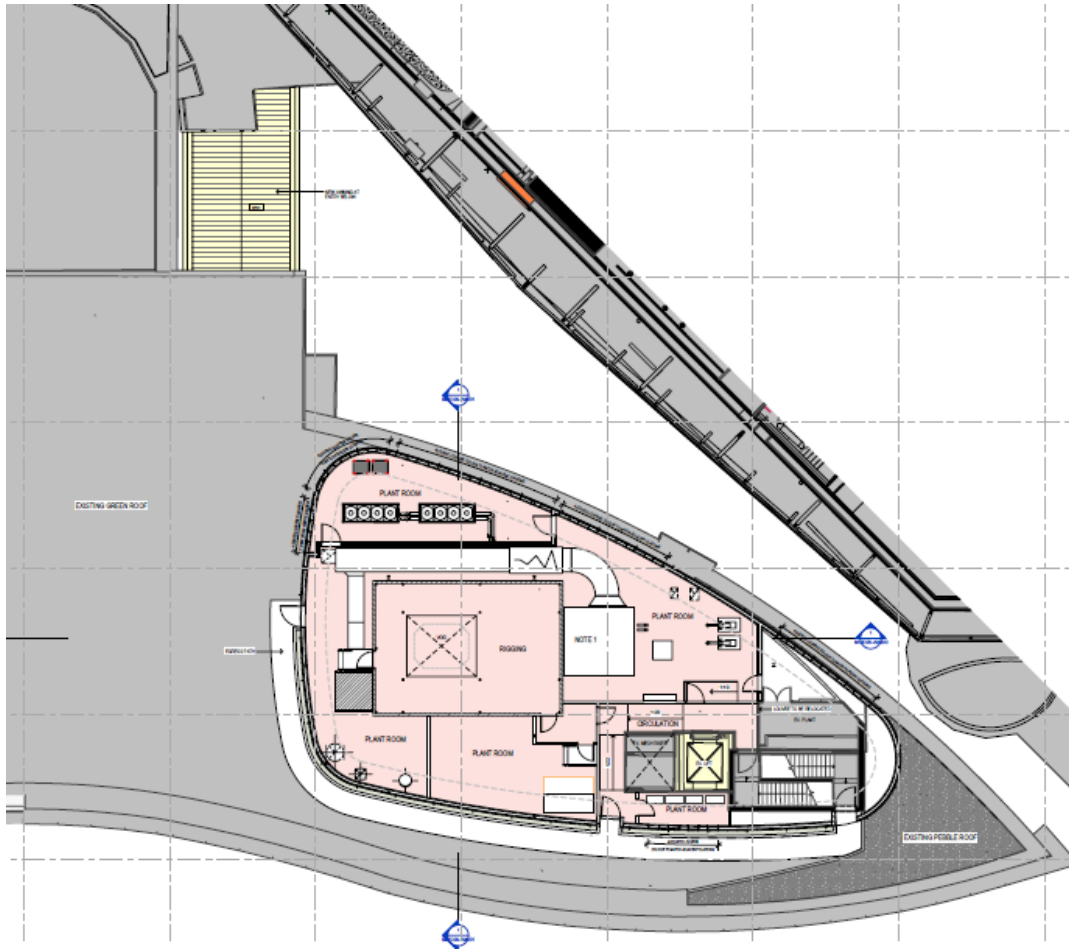


Figure 5 Proposed Level 05 plant and rigging

3.3 Materials and Finishes

The external finishes and colour palette of the extended plant and rigging enclosure will match the existing building to ensure the rooftop addition is visually integrated with the broader built form as shown in **Figure 6**. The proposed materials include aluminium fascia (silver riche coating), aluminium cladding (blue grey), and vertical aluminium blades (blue grey).

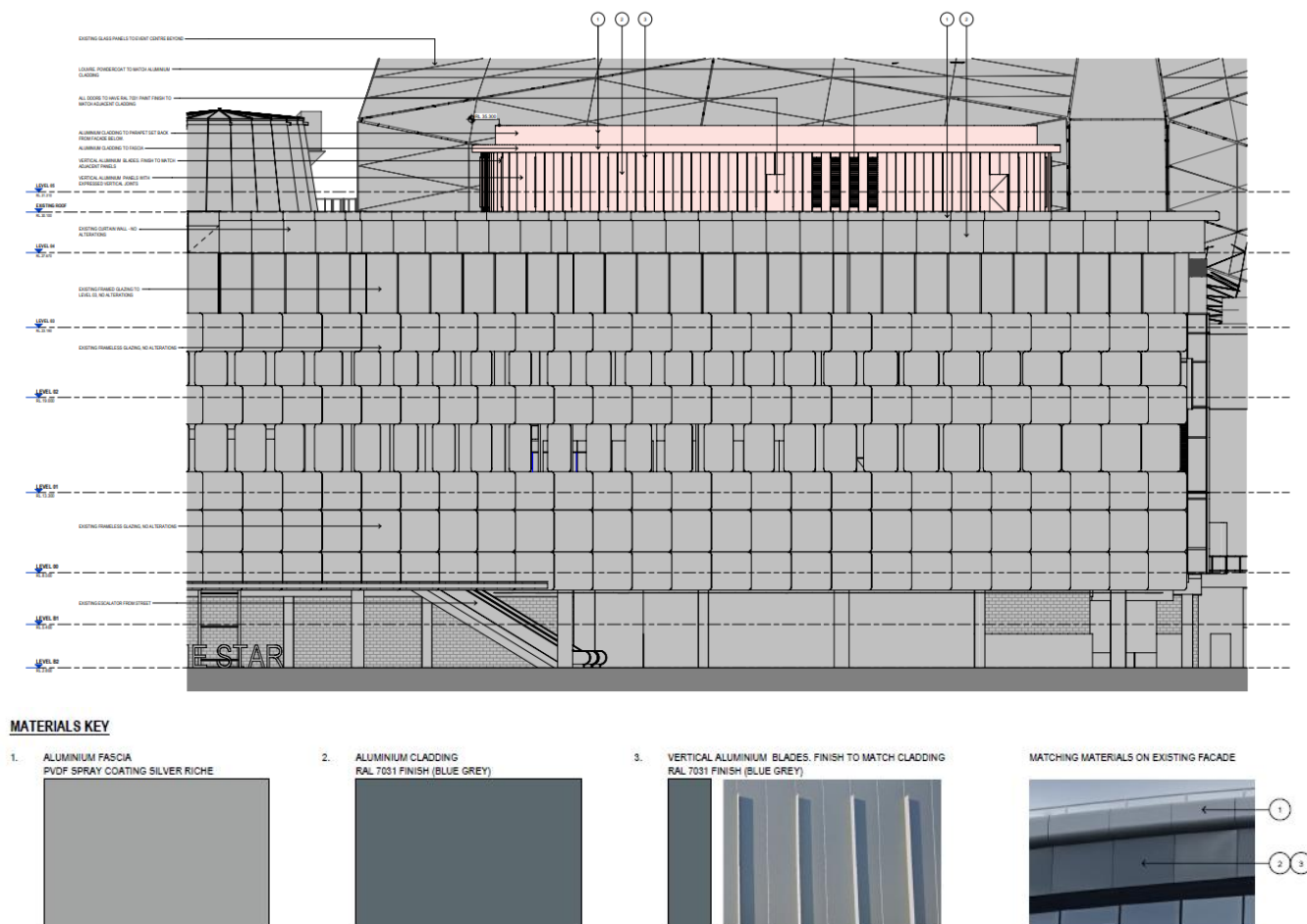


Figure 6 Proposed materials palette

3.4 Numerical Overview

The key numerical attributes of the proposed modification are provided in **Table 3** below.

Table 3 Numerical Overview

Component	Proposal
Site Area	39,206m ²
Gross Floor Area	GFA proposed for Level 03-05: 1427m ² Overall site GFA: 141,293m ²
Floor Space Ratio	Overall site FSR: 3.6:1
Maximum Height	RL 35.3m of proposed Level 05
Capacity	450 patrons 50 staff

3.5 Demolition Plan

The proposal includes minor internal demolition works for the fit out of Level 03-04. It is noted Level 04 is currently void space. The works will be contained within the existing building envelope and will not physically affect adjoining buildings.

External works include the removal and replacement of existing building services, together with the demolition of the existing plant room and construction of a new plant room.

All demolition, service removal and replacement works will be carried out in accordance with relevant Australian Standards, work health and safety requirements, waste management procedures and conditions of consent.

Demolition plans are included in **Appendix A**.

3.6 Tenancy Operation

The proposed live entertainment venue will have capacity for 450 patrons, plus 50 staff.

The tenancy is proposed to be used for performances Monday to Saturday 10am to 3am, Sunday 10am to 1am. However, will be open to staff 24hours as required.

A Plan of Management has been prepared by Foundation Theatres and is included at **Appendix A**.

4.0 Modifications to conditions

This application seeks approval from for modifications to Major Project approval MP 08_0098, comprising alterations and additions Level 03-Level 05 at The Star Complex for a new live entertainment venue. A description of the proposed modifications to conditions are listed below.

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in ***bold italic***.

Part A - A1 Development Description

Condition A1 Development Description

(1) Development approval is granted only to carrying out the development described in detail below:

- Construction of a 10 storey hotel above a 3 storey podium containing ancillary retail, gaming and conference facilities on the currently vacant Switching Station site;
- Additional basement car parking to a maximum of 3000 car parking spaces across the whole site, to be accessed via the existing Casino complex car park;
- Re-development of the retail arcade through the ground floor level of the complex, linking Pyrmont Bay park to the intersection of Union and Pyrmont Streets, and to Jones Bay Road;
- The redevelopment of the eastern (Pirrama Road) frontage of the Casino building currently occupied by large external stairs, to contain additional restaurants, retail outlets, gaming space, other entertainment and tourist related facilities, a new entry and a driveway providing a new vehicular drop-off to the Casino;
- Works to the exterior of the existing Casino tower buildings.
- Alterations and additions, including gaming area expansion, enclosure of the Level 3 terrace to facilitate a new restaurant, indoor and outdoor gaming areas, alterations to the Porte Cochere, and mechanical upgrades throughout the site; and
- Removal and relocation of signage, installation of new signage, new awnings along the Pirrama Road frontage, replacement of external cladding on the crowns of the Grand Star Hotel and the Grand Star Residencies, new plant and equipment screening, landscaping works and internal amendments to The Darling Hotel Porte Cochere; and

- Alterations and additions to the multi-use entertainment facility, replacing the Events Centre for:
 - a 1,550 patron Broadway-style and a 1,000 patron comedy and live entertainment theatre;
 - a new fly-tower and rigging loft;
 - a new dressing room complex fronting Jones Bay Road; and
 - the refurbishment of internal foyer and pre-event spaces.
- ***Alterations and additions, including a new live entertainment facility on Level 03-Level 05 adjacent to the Sovereign Expansion and extension of the existing mechanical plant and rigging enclosure on Level 05.***

(2) Development must be carried out consistently with the Statement of Commitments (attached Schedule 3) except as amended by the conditions of approval.

Reason: To ensure the development description aligns with the works approved under the modification application.

Condition A2 Development in Accordance with Plans

The development will be undertaken in accordance with the following drawings:

Table 4 Development Drawings

Drawing Number	Rev	Name of Plan	Date
A90B5	C	Existing Site Plan & GFA Diagram – Level B05	11.11.16
A90B4	C	Existing Site Plan & GFA Diagram – Level B04	11.11.16
A90B3	D	Existing Site Plan & GFA Diagram – Level B03	11.04.17
A90B2	F	Existing Site Plan & GFA Diagram – Level B02	11.04.17
A90B1	E	Existing Site Plan & GFA Diagram – Level B01	11.04.17
A9000	E	Existing Site Plan & GFA Diagram – Level 00	11.04.17
A9001	E	Existing Site Plan & GFA Diagram – Level 01	11.04.17
A9002	E	Existing Site Plan & GFA Diagram – Level 02	11.04.17
A9003	E	Existing Site Plan & GFA Diagram – Level 03	11.04.17
A9004	C	Existing Site Plan & GFA Diagram – Level 04	11.11.16
A9005	E	Existing Site Plan & GFA Diagram – Level 05	16.02.17
A9006	C	Existing Site Plan & GFA Diagram – Level 06	11.11.16
A9007	C	Existing Site Plan & GFA Diagram – Level 07	11.11.16
A9008	C	Existing Site Plan & GFA Diagram – Level 08	11.11.16
A9009	C	Existing Site Plan & GFA Diagram – Level 09	11.11.16
A9010	C	Existing Site Plan & GFA Diagram – Level 10	11.11.16
A9011	C	Existing Site Plan & GFA Diagram – Level 11	11.11.16
A9012	C	Existing Site Plan & GFA Diagram – Level 12	11.11.16
A9015	C	Existing Site Plan & GFA Diagram – Level 15	11.11.16
A9016	C	Existing Site Plan & GFA Diagram – Level 16	11.11.16
A9017	C	Existing Site Plan & GFA Diagram – Level 17	11.11.16
A9018	C	Existing Site Plan & GFA Diagram – Level 18	11.11.16

A9019	C	Existing Site Plan & GFA Diagram - Roof	11.11.16
A07B4	B	Demolition Plan – Level B04	15.09.16
A07B3	B	Demolition Plan – Level B03	15.09.16
A07B2	D	Demolition Plan – Level B02	13.08.2021
A07B1	C	Demolition Plan – Level B01	15.09.16
A0700	F	Demolition Plan – Level 00	26.04.2021
A0701	D	Demolition Plan – Level 01	05.05.17
A0702	G	Demolition Plan – Level 02	28.03.2022
A0703	H	Demolition Plan – Level 03	28.03.2022
A0704	G	Demolition Plan – Level 04	28.03.2022
A0705	K	Demolition Plan – Level 05	28.03.2022
A10B4	D	Proposed Site Plan – Level B04	05.05.17
A10B3	E	Proposed Site Plan – Level B03	15.09.16
A10B2	I	Proposed Site Plan – Level B02	28.03.2022
A10B1	F	Proposed Site Plan – Level B01	28.03.2022
A1000	J	Proposed Site Plan – Level 00	28.03.2022
A1001	I	Proposed Site Plan – Level 01	28.03.2022
A1002	G	Proposed Site Plan – Level 02	28.03.022
A1003	H	Proposed Site Plan – Level 03	28.03.2022
A1004	G	Proposed Site Plan – Level 04	28.03.2022
A1005	K	Proposed Site Plan – Level 05	28.03.2022
A2000-1	F	Proposed Floor Plan – Level 00 – Part 1	05.05.17
A2000-2	E	Proposed Floor Plan – Level 00 – Part 2	05.05.17
A2001	D	Proposed Floor Plan – Level 01	05.05.17
A2002	E	Proposed Floor Plan – Level 02	05.05.17
A2003-1	E	Proposed Floor Plan – Level 03 - Part 1	05.05.17
A2003-2	D	Proposed Floor Plan – Level 03 - Part 2	05.05.17
A2004	B	Proposed Floor Plan – Level 04	15.09.17
A2005	D	Proposed Floor Plan – Level 05	11.04.17
A9100	E	Proposed GFA Diagram – Level 00	05.05.17
A9101	D	Proposed GFA Diagram – Level 01	11.04.17
A9102	B	Proposed GFA Diagram – Level 02	15.09.17
A9103	E	Proposed GFA Diagram – Level 03	05.05.17
A9104	B	Proposed GFA Diagram – Level 04	15.09.17
A9105	C	Proposed GFA Diagram – Level 05	14.02.17
A4010	C	Building Elevations – sheet 1	28.03.2022
A4011	D	Building Elevations – sheet 2	05.05.17
A4012	C	Building Elevations – sheet 3	05.05.16

A5010	C	Building Sections – sheet 1	05.05.17
A5011	C	Building Sections – sheet 2	23.01.17
A5012	C	Building Sections – sheet 3	15.09.16
A5013	C	Building Sections – sheet 4	05.05.16
A5014	C	Building Sections – sheet 5	05.05.17
A0010	B	Photomontage & Finishes Schedule	15.09.16
A0011	C	Photomontage & Finishes Schedule	23.01.17
A0012	B	Photomontage & Finishes Schedule	15.09.16
A0013	D	Photomontage & Finishes Schedule	05.05.17
A0014	B	Photomontage & Finishes Schedule	15.09.16
A0015	E	Photomontage & Finishes Schedule	05.05.17
A7010	A	Internal elevations – ELS building and porte cochere	23.01.17
A3000	C	SELS building scope of works	05.05.17
A7018	4	Premium Departure Lounge – floor plan	16.02.17
A7019	2	Premium Departure Lounge - elevations	18.08.16
A6411	3	Water Feature Details	01.02.17
MOD14-A92B2A	A	Existing Site Plan – Level B2	04.06.2017
MOD14-A9200A	A	Existing Site Plan – Level B2	04.06.2017
MOD14-A9201A	A	Existing Site Plan – Level 01	14.09.2017
MOD14-A9202A	A	Existing Site Plan – Level 02	14.09.2017
MOD14-A9203A	B	Existing Site Plan – Level 03	14.09.2017
MOD14-A9204A	A	Existing Site Plan – Level 04	04.06.2017
MOD14-A9205A	A	Existing Site Plan – Level 05	04.06.2017
MOD14-A9216A	A	Existing Site Plan – Level 16	04.06.2017
MOD14-A9217	A	Existing Site Plan – Level 17	14.06.2017
MOD15-A0000	H	Cover Sheet	05.10.21
MOD15-A0001	J	Site Plan	13.08.21
MOD15-A0002	J	Overall Elevations	05.10.21
MOD15-A1010	J	Pirrama Road	13.08.21
MOD15-A1030	J	Edward St Entry	05.10.21
MOD15-A1031	I	Edward St Entry	05.10.21
MOD15-A1040	J	Pymont St	13.08.21
MOD15-A1050	G	The Darling Check-In Upgrade	13.08.21
MOD15-A1060	J	Level 5 Plant Room Screening	13.08.21
MOD15-A1061	H	Level 5 Plant Room Screening	13.08.21
MOD15-A1070	G	Building Signage	13.08.21
MOD16-A0001	F	Cover Sheet	29.07.21
MOD16-A0011	F	Site Plan	29.07.21

MOD16-A0012	F	Overall Elevations	29.07.21
MOD16-A1001	F	Level 17 Plan	29.07.21
MOD16-A1002	F	Grand Hotel Elevation	29.07.21
MOD16-A1003	F	Grand Hotel Elevation	29.07.21
MOD16-A1011	G	Type 1 - Balcony 1	03.03.22
MOD16-A1012	G	Type 1 – Balcony 3	03.03.22
MOD16-A1013	G	Type 2 – Balcony 2, 4, 5 & 6	03.03.22
MOD16-A1014	G	Type 3 – Pit 80 Balcony	03.03.22
MOD18-A0000	A	Cover Page	28.03.2022
MOD18-A0001	A	Site Analysis Plan	28.03.2022
MOD18-A0002	A	Shadow Diagrams – 21 June	28.03.2022
MOD18-A0003	A	Shadow Diagrams – 21 Dec	28.03.2022
MOD18-A0004	A	Height Plane Sections	28.03.2022
MOD18-A0005	A	Height Plane Plans	28.03.2022
MOD18-A0006	A	Height Plane 3D Views	28.03.2022
MOD18-A0706	A	Demolition Plan – L06	28.03.2022
MOD18-A0707	A	Demolition Plan – L07	28.03.2022
MOD18-A1006	A	Proposed Site Plan – L06	28.03.2022
MOD18-A1007	A	Proposed Site Plan – L07 – Gallery Level	28.03.2022
MOD18-A1008	A	Proposed Site Plan – L08 – Grid Level	28.03.2022
MOD18-A1009	A	Proposed Site Plan – 09 – Roof Level	28.03.2022
MOD18-A1101	A	Proposed Plan – L02 – Orchestra Pit	28.03.2022
MOD18-A1102	A	Proposed Plan – L03 - Stalls	28.03.2022
MOD18-A1103	A	Proposed Plan – L04 – Circle Lobby – Lower Circle	28.03.2022
MOD18-A1104	A	Proposed Plan – L05 – Live Room Lobby – Main Auditorium Circle	28.03.2022
MOD18-A1105	A	Proposed Plan – L06 – Live Room Upper – Forestage Grid	28.03.2022
MOD18-A1106	A	Proposed Plan – Lower Ground Gallery	28.03.2022
MOD18-A1107	A	Proposed Plan Upper Loading Gallery and Grid	28.03.2022
MOD18-A1108	A	Proposed Plan - Roof	28.03.2022
MOD18-A2110	A	Proposed Elevations	28.03.2022
MOD18-A2111	A	Proposed Elevations	28.03.2022
MOD18-A3000	A	Sections	28.03.2022
MOD20-A0000	A	COVER PAGE	03.06.2026
MOD20-A0001	A	SITE ANALYSIS	03.06.2026
MOD20-A0703	A	DEMOLITION PLAN- L03	03.06.2026
MOD20-A0704	A	DEMOLITION PLAN- L04	03.06.2026
MOD20-A0705	A	DEMOLITION PLAN- L05	03.06.2026
MOD20-A10B2	A	PROPOSED LEVEL B2 PLAN OVERALL	03.06.2026

<i>MOD20- A10B1</i>	<i>A</i>	<i>PROPOSED LEVEL B1 PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1000</i>	<i>A</i>	<i>PROPOSED LEVEL 00 PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1001</i>	<i>A</i>	<i>PROPOSED LEVEL 01 PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1004</i>	<i>A</i>	<i>PROPOSED LEVEL 04 PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1003</i>	<i>A</i>	<i>PROPOSED LEVEL 03 PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1002</i>	<i>A</i>	<i>PROPOSED LEVEL 02 PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1005</i>	<i>A</i>	<i>PROPOSED LEVEL 05 PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1009</i>	<i>A</i>	<i>PROPOSED ROOF PLAN OVERALL</i>	<i>03.06.2026</i>
<i>MOD20- A1101</i>	<i>A</i>	<i>PROPOSED LEVEL 03 PLAN</i>	<i>03.06.2026</i>
<i>MOD20- A1102</i>	<i>A</i>	<i>PROPOSED LEVEL 04 PLAN</i>	<i>03.06.2026</i>
<i>MOD20- A1103</i>	<i>A</i>	<i>PROPOSED LEVEL 05 PLAN</i>	<i>03.06.2026</i>
<i>MOD20- A3000</i>	<i>A</i>	<i>PROPOSED SECTIONS</i>	<i>03.06.2026</i>
<i>MOD20- A3001</i>	<i>A</i>	<i>PROPOSED SECTIONS</i>	<i>03.06.2026</i>
<i>MOD20-A4010</i>	<i>A</i>	<i>PROPOSED ELEVATIONS - WHOLE SITE</i>	<i>03.06.2026</i>
<i>MOD20- A4011</i>	<i>A</i>	<i>ELEVATION</i>	<i>03.06.2026</i>

Reason: The amendments are proposed to ensure the approved plans reflect the modified development.

A3 – Development In Accordance with Documents

The development will be undertaken in accordance with the following documents:

...

As amended by the Section 4.55(2) Modification Application report prepared for MP08_0098 MOD 18 by Planning&Co dated 25 May 2026 and the following documents:

- 1. Acoustic Report prepared by Acoustic Studio dated 8 May 2026**
- 2. Access Report prepared by Codex dated 4 May 2026**
- 3. Operational Waste Management Plan prepared by PlanGenConsulting dated May 2026**
- 4. Construction Waste Management Plan prepared by PlanGenConsulting dated May 2026**
- 5. Traffic Impact Statement prepared by Traffix dated 17 April 2026**
- 6. Preliminary Construction Traffic Management Plan prepared by Traffix dated April 2026**
- 7. Plan of Management prepared by Foundation Theatres dated 22 April 2026**
- 8. Fire Engineering Statement prepared by WSP dated 15 April 2025**
- 9. BCA Assessment Report prepared by Codex dated 6 May 2026**

Reason: The amendments are proposed to ensure the approved documents reflect the modified development.

5.0 Statutory Context

Table 5 below outlines the consistency of the development, as proposed to be modified with the relevant legislation and environmental planning instruments.

Table 5 Modification's consistency with applicable legislation and planning instruments

Plan	Assessment
<i>State Environmental Planning Policy (Planning System) 2021</i>	The proposed modification does not alter the approved developments consistency with this instrument.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Clause 2.102 - Development near proposed metro stations The proposed modifications will not have an adverse impact on the new Pyrmont Metro Station. The proposed alterations and additions are located on Level 03-05 of The Star. As well a Construction Traffic Management Plan (Appendix C) has been prepared to manage construction impacts. Clause 2.121 - Traffic generating development Clause 1.121 applies to a new premises of a relevant size or capacity or the enlargement, or extension of an existing capacity, being an alteration or addition of the relevant size or capacity. As the proposed modification involves a reduction in total patron capacity with no identified increase in traffic generation, it is not considered to be traffic generating development.
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	While the proposal is within the Sydney Harbour Catchment, and within 100 metres of a natural water body within the Sydney Harbour Catchment, the proposal is consistent with the provisions of Part 6.2 and Division 3 of Part 6.3 of the SEPP as the majority of the works are internal within the existing building envelope. In accordance with the Biodiversity and Conservation SEPP, the proposal: • Will not detract from the health of the surrounding environment or ecology; • Will not impact accessibility to the foreshore or the working harbour; and • Will not impact the surrounding ecology or the protection and maintenance of the surrounding catchment, foreshore, waterways and islands of Sydney Harbour. For the above reasons, the proposed modification is compliant with the Biodiversity and Conservation SEPP.
<i>Sydney Local Environmental Plan</i>	Clause 2.3 - Zone objectives and land use table The site is zoned E2 Commercial Centre. The proposed use is defined as: entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club. In the E2 Commercial Centre, Entertainment Facilities are permitted with consent. As such the proposed modification remains consistent with the permissibility of the zone. Furthermore, the modification remains compliant with the objectives of the E2 zone as: • The modification will increase the provision of entertainment facilities on a strategically located site, contributing to the vibrancy of the Pyrmont locality. • The site remains to be in an accessible location and provides ease of access to those that use public transport. Clause 4.3 - Height of building (HOB) The existing mechanical plant on Level 05 is built to RL 35.3 per Area C of part 6.63 in the SLEP 2012. The proposed expansion of the mechanical will not increase the maximum building height beyond this and in accordance with clause 6.63 of the SLEP 2012, the proposed maximum building height complies with the height permitted for Area C as discussed below. Clause 4.4 – Floor Space Ratio A maximum floor space ratio of 4.22:1 or 165,449m² is permitted. The most recent modification to the State Significant Development Consent relating to the site (MP08_0098MOD18) approved a GFA of 140,929m² across the site, equating to an approved floor space ratio of 3.59:1.

Mod 18 was approved with a maximum GFA of 140,929m², equating to an approved floor space ratio of 3.59:1.

The proposed development will increase the GFA by 364m², equating to 141,293m² (3.6:1 (existing GFA across Level 03-05 is 1,063m², the proposed GFA is 1,427m²).

The proposed development complies with the maximum FSR standard for the site.

Clause 5.10 – Heritage Conservation

There is a local heritage item situated within the northwest corner of the site Former Pyrmont Power Station Administrative building (42 Pyrmont Street) including interiors (ref: I1259).

The proposed development will not impact the setting or character of the heritage item as it is located at the north-western corner of the site, with the proposed external works limited to a minor portion of the Level 05 roof which already contains mechanical plant.

5.21 – Flood Planning

The site fringes are identified as being subject to flooding, including along Edward Street and Pirrama Road adjacent to the Sydney Lyric Theatre.

As the proposal only comprises works to the existing Level 03-05 and are above the flood planning level, it will not increase flood risk on the site.

Clause 6.7 - Entertainment and club floor space

The site is located in the Ultimo-Pyrmont precinct and not Central Sydney.

This provision does not apply – however we note that, for this proposal, the additional built area is largely confined to plant areas which is not counted towards GFA.

Clause 6.21C – Design Excellence

Clause 6.21C applies to development that involves external alterations to an existing building. Although the proposal is a modification to an approved development consent, the nature and scale of the works ensure that the design quality of the building is maintained and, in several respects, enhanced. The proposed changes are predominantly internal and remain fully contained within the existing built envelope, ensuring no adverse impacts on the streetscape, public domain, or surrounding properties. The proposed development continues to exhibit design excellence, as:

- *Refined Level 05 plant enclosure -*
The existing irregular plant enclosure is replaced with a more coherent and architecturally integrated form. The new enclosure adopts the established 'whale tail' geometry of the building, improving visual unity and reinforcing the original architectural intent. This refinement results in a cleaner, more deliberate skyline profile.
- *Minimal external change -*
External alterations are confined solely to the Level 05 plant area. All other components of the modification relate to internal reconfiguration, ensuring the building's outward appearance remains largely unchanged.
- *Consistency with existing built form -*
Amendments to Levels 03–05 do not introduce new uses or intensify activity beyond what is already approved. Instead, they optimise internal layouts to support FTs operational needs while respecting the building's established form and function.
- *Minor and internal GFA increase -*
The modest increase in GFA results exclusively from converting an existing void at Level 04 into a mezzanine. This 364m² addition represents approximately 0.3% of the total GFA, is entirely internal, and has no visibility from the public domain. No GFA is added at Level 05.
- *No change to building height -*
The proposal does not increase the building's overall height or exceed the height control. The plant enclosure remains at RL 35.3m (approximately 33m above ground level), consistent with the approved envelope.
- *Improved public-domain presentation -*
The revised plant enclosure adopts a more coherent façade treatment and geometry that aligns with the building below. This results in a more resolved and visually recessive form, reducing bulk and improving the building's contribution to the public realm.
- *Reduced visual prominence -*

-
- View analysis confirms that the existing enclosure is more visually dominant than the proposed refined form. The new design integrates seamlessly with the ‘whale tail’ envelope, reducing visual clutter and enhancing architectural legibility.
 - *Appropriate foreshore visibility* -
While the enclosure remains visible from limited points along the foreshore, its setback from Pirrama Road and its modest scale within the broader urban context ensure that it does not alter the area’s visual character. The proposal results in no meaningful change to the perceived bulk or silhouette of the building.

The proposed modification maintains and enhances the architectural integrity of the building. By refining the plant enclosure, limiting external changes, and ensuring all additional GFA is internal and visually contained, the development continues to achieve design excellence as required under Clause 6.21C. The proposal results in a more cohesive, visually integrated, and contextually appropriate built form with no adverse impacts on the public domain, neighbouring properties, or key view corridors.

Clause 6.21D – Competitive Design Process

Clause 6.21(D) of the SLEP 2012 establishes a mandatory precondition that must be satisfied at the time of granting development consent. The clause provides that:

“Development consent must not be granted... unless a competitive design process has been held...”

The statutory trigger for the clause is therefore the granting of development consent. In determining whether this requirement applies to the current application, it is necessary to consider the legal status of a modification under s4.55 of the EP&A Act 1979.

Section 4.55(4) provides:

“The modification of a development consent in accordance with this section is taken not to be the granting of development consent under this Part...”

This provision is decisive. A modification is not a new grant of consent; it is an alteration to an existing consent already lawfully granted. As a result, LEP provisions that apply only at the point of granting consent - such as clause 6.21(D) – are not triggered when the consent authority is determining a modification application.

This interpretation is consistent with established planning practice and the operation of other LEP clauses tied to the grant of consent, including clause 4.6. Such clauses do not retrospectively apply to modifications because the statutory precondition (the granting of consent) has already occurred.

Accordingly, as a s4.55 modification is not the granting of development consent, the precondition in clause 6.21(D)(1) is not triggered, and the clause has no application to the current proposal. This approach is consistent with the assessment of MOD 18, to which clause 6.21(D) was also correctly found not to apply.

Clause 6.63 - Part of Star Casino at 20-80 Pyrmont Street, Pyrmont

The site is in “Area C” in accordance with clause 6.63 and the maximum building height is RL 35.3m. The clause requires the development ‘not be used for the purposes of residential accommodation.’

The maximum building height of the plant enclosure is RL 35.3m. From ground level, the maximum building height is 33m and the proposed development is for entertainment facilities, consistent with existing uses on site.

In accordance with the Pyrmont Peninsula Design Guidelines, the site is located within the Pyrmont Point locality.

As discussed in **Section 6.2**, the proposed development complies with the maximum building height in clause 6.63, does not propose residential accommodation and is consistent with the Pyrmont Peninsula Urban Design Report.

Sydney Development Control Plan 2012

The site is located within the Pyrmont Point locality.

The proposal is in keeping with the nature of existing uses on the site and the proposed hours of operation remains consistent with the existing approvals for The Star.

In summary, the proposed modification application remains consistent with the relevant provisions of the SDCP 2012 as:

- The site is located within the Pyrmont Point Locality and the proposed development is in keeping with the character and design principles of the area, replacing an existing food and beverage and gaming area with a new live entertainment venue to promote activity
-

while ensuring the external works to Level 05 remain minor and have no significant impact on the character.

- The modification application involves alteration and additions of an existing space within The Star and has been well considered to ensure the operation will not adversely effect other nearby tenancies or adjoining uses. This has been detailed in the Plan of Management and supporting technical studies at **Appendix J**.
 - The proposed modification will maintain existing waste management procedures as outlined in the Operational Waste Management Plan at **Appendix E**.
 - Despite the technical non-compliance with the relevant parking controls, the Traffic Impact Assessment at **Appendix B** determines there is existing capacity on site for car parking and the site benefits from good public transport links, providing efficient and sustainable access to the facility for patrons and staff.
-

6.0 Substantially the same development

The proposed modification is substantially the same development as that originally approved, for the purposes of section 4.55(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

The proposed works are primarily internal, and do not alter the fundamental nature, purpose or operation of the approved development, which remains part of The Star's established entertainment, hospitality and event precinct.

The modification primarily relates to the conversion of approved food, beverage and gaming-related floor space within the Sovereign Expansion approved as part of Mod 14, into a new live entertainment venue to be operated by Foundation Theatres.

The works include internal reconfiguration across Levels 03 and 04, the introduction of a mezzanine level, associated theatre infrastructure, and rooftop plant and rigging facilities required to support the theatre space.

The development as proposed to be modified is substantially the same development as that which was originally approved as:

- The 'Sovereign Expansion' is an existing food, beverage and gaming-related floor space. Following the proposed works, the space will operate exclusively as an entertainment facility, consistent with established uses on site. Accordingly, the proposal does not constitute a change of use beyond what is already lawfully occurring on the site.
- External modifications to the built form must be understood within the broader context of the site, which is substantial in scale and represents the largest landholding within the Pyrmont Peninsula. When viewed in this context, the proposed alterations are comparatively minor. They involve an extension of the existing plant area at the northern end of the Whale Tail on Level 05, intended to screen associated rigging and building services. The addition has been designed to integrate seamlessly with the established architectural form of the levels below and will utilise the same material palette.
- The proposed increase in floor space is a result of the reconfiguration of the existing Level 04 void. This area will accommodate additional seating, bar facilities and back-of-house functions associated with the new live entertainment venue. The increase represents only 0.3% of the site's total gross floor area and the development remains fully compliant with the applicable FSR development standard.
- The proposed extension of the Level 05 mechanical plant and rigging enclosure will maintain the existing RL 35.3 m height, ensuring full consistency with the established built form and the maximum building height permitted under clause 6.63 of the SLEP 2012.
- Environmental impacts remain to be unsubstantial and managed as outlined in the sections below.

7.0 Assessment of Environmental Impacts

7.1 Bulk and Scale

The proposed modification will not result in any unreasonable bulk or scale impact. The works are predominantly contained within the existing building envelope and relate primarily to the internal reconfiguration of the premises to

accommodate the new live entertainment venue, including associated plant, services and rigging infrastructure required to support entertainment venue operations on Level 05.

The additional mechanical plant on Level 05 is set back from the Pirrama Road frontage, significantly reducing visibility and ensuring it does not present as a visually dominant addition. The design of the new structural components responds to the existing building geometry and will be visually integrated with the established built form of The Star.

As shown in **Table 6** and **Figure 7**, the proposal results in only a modest increase in GFA, arising from internal alterations including the fit-out of Level 04, which currently functions as a void. This space will be repurposed to provide additional seating, bar facilities and back-of-house functions associated with the entertainment venue. The increase (362m²) represents approximately 0.25% of the site's total GFA (141,292m²) and remains fully compliant with the applicable FSR development standard of 4.22:1 (165,449m² GFA).

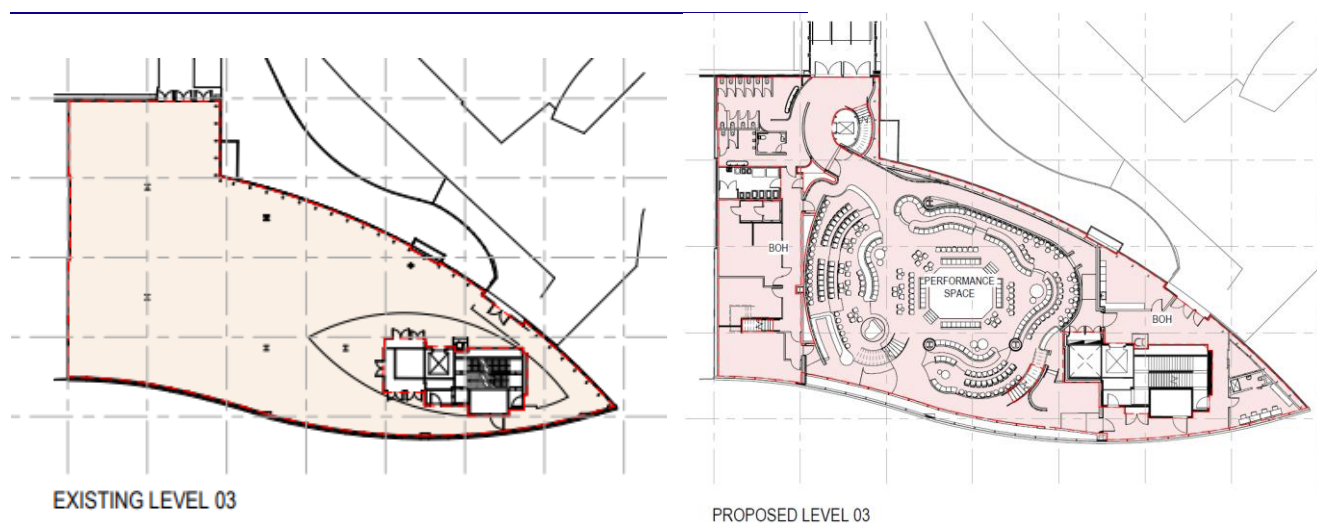
Because the additional GFA is created entirely within the existing building volume, it does not contribute to any perceivable change in external bulk or scale.

Having regard to the existing scale, architectural form and entertainment-focused character of The Star, the proposed modification is considered acceptable with respect to bulk, scale and the modest addition of floor space within the existing building form.

Where the existing mechanical plant is proposed to be extended and reconfigured on Level 05, the new form will allow for integration with the built form below and does not add any additional bulk as discussed in the sections below.

Table 6 Level comparison of existing and proposed GFA

Level	Existing GFA	Proposed GFA
Level 03	1063m ²	976m ²
Level 04	0m ²	451m ²
Level 05	0m ²	0m ²
Total	1063m ²	1426m ²
Additional GFA		363m ²
Site total	140,929m ²	141,292m ²



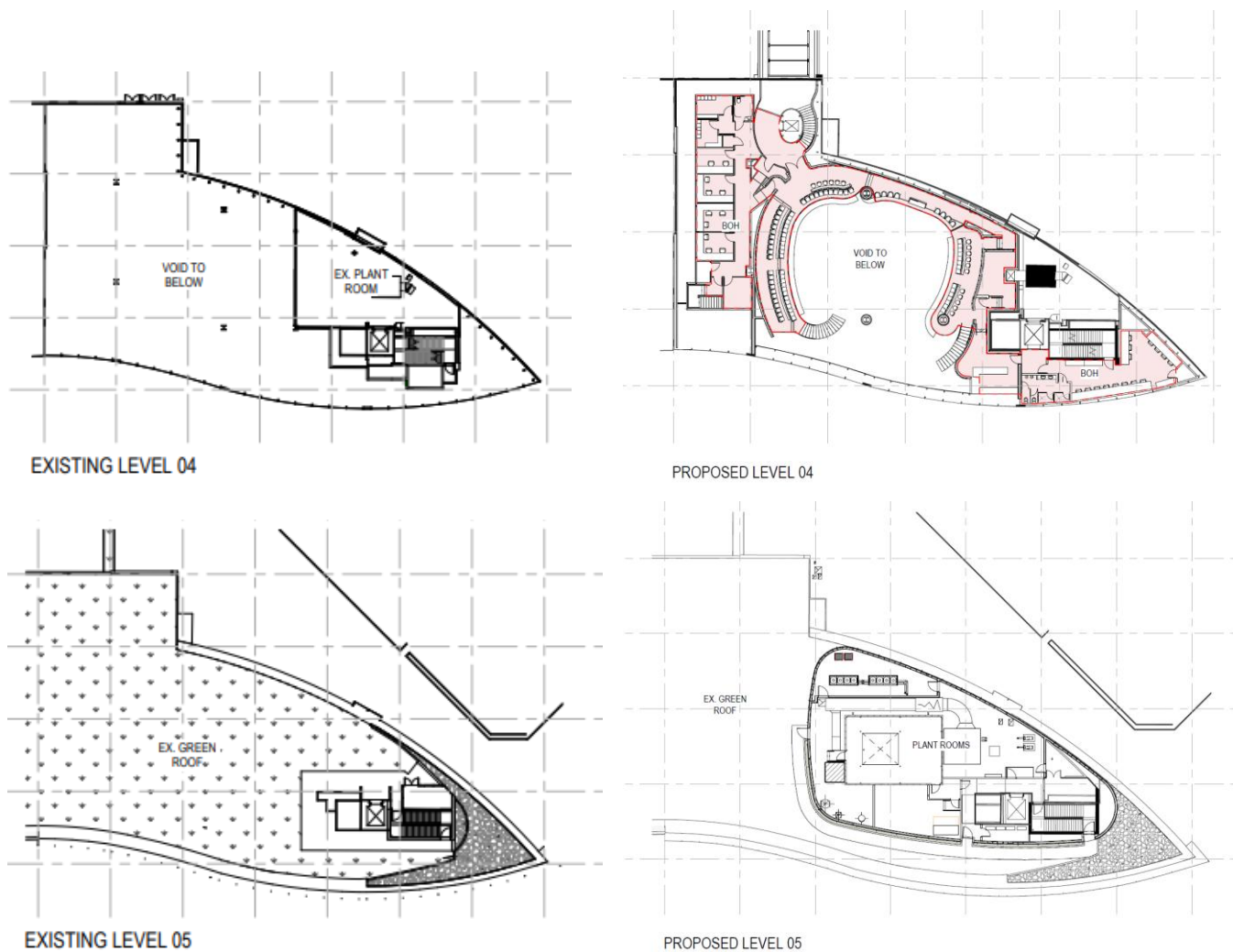


Figure 7 Existing and proposed GFA plans

7.2 Building Height

The site is subject to a maximum building height of 28m under the SLEP 2012. The existing development already exceeds this control. However, clause 6.63(4) of the SLEP 2012 permits a maximum height of RL 35.3 m for land identified as “Area C” on the Key Sites Map (refer to **Figure 8**), provided the additional height is not used for residential accommodation and is consistent with the Pyrmont Peninsula Urban Design Report.

The proposed works do not involve residential accommodation. The reconfiguration of the existing mechanical plant on Level 05 is proposed to a maximum height of RL 35.3m, which is consistent with both clause 6.63(4) and the height of the existing mechanical plant as shown in the height plane diagrams for the existing and proposed development at **Figure 9** and **Figure 10**.

The proposed development remains consistent with the Pyrmont Peninsula Urban Design Report, noting that it primarily relates to the internal fit-out of Levels 03-05. In particular:

- The proposed live entertainment venue adopts a refined architectural language that integrates with the existing podium and avoids unnecessary visual bulk. Lightweight, recessive materials complement the Foreshore Area context, while glazing and materials reflect the existing built form on the levels below, reducing visual massing and maintaining the established character of Pyrmont.
- The new venue is contained entirely within Levels 03–05, ensuring the scale remains consistent with surrounding built form. Sightlines to nearby heritage items are preserved, and the design avoids intrusion into their visual curtilage.
- The modification does not alter the external building envelope and results in no additional overshadowing of public spaces, residential dwellings, or apartments.

- The proposal aligns with The Star’s broader sustainability strategy.

In accordance with clause 6.63 of the SLEP 2012, the proposed development complies with the non-residential maximum building height and remains consistent with the existing mechanical plant height on the site.

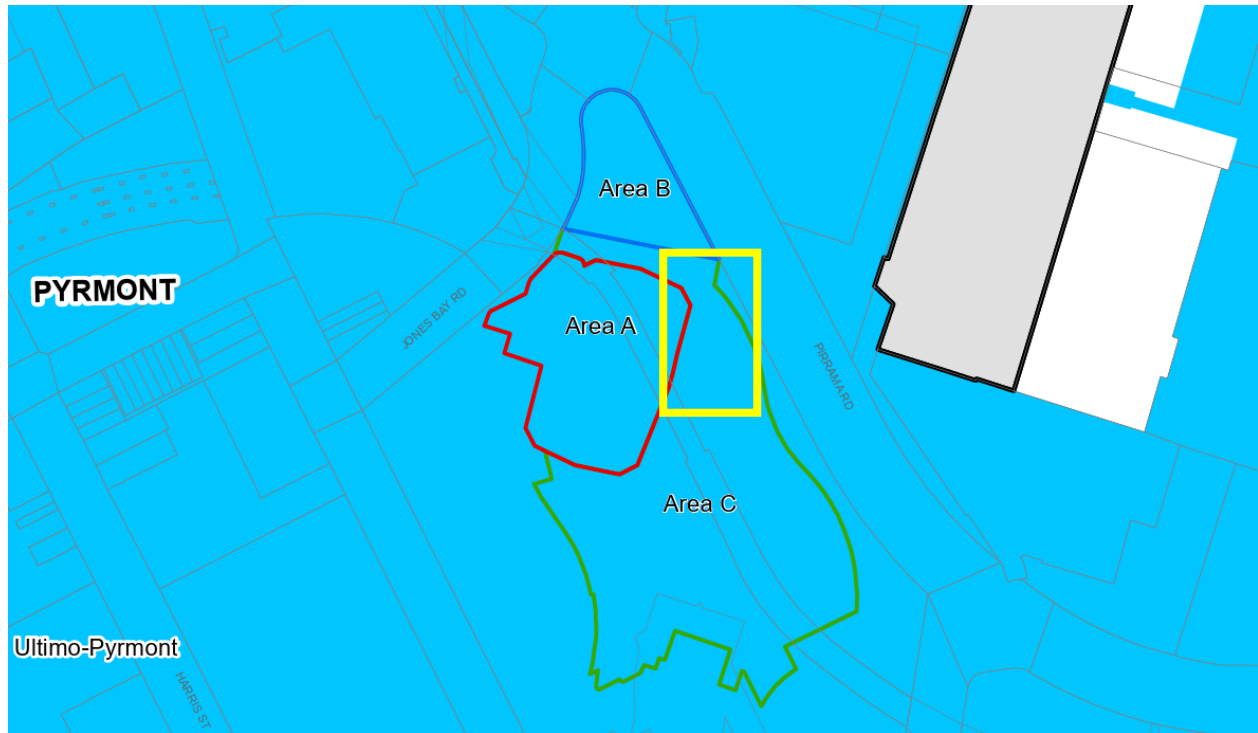


Figure 8 Locality and Site Identification Map Key Sites Map Foreshore Building Line Map (site location outlined yellow)

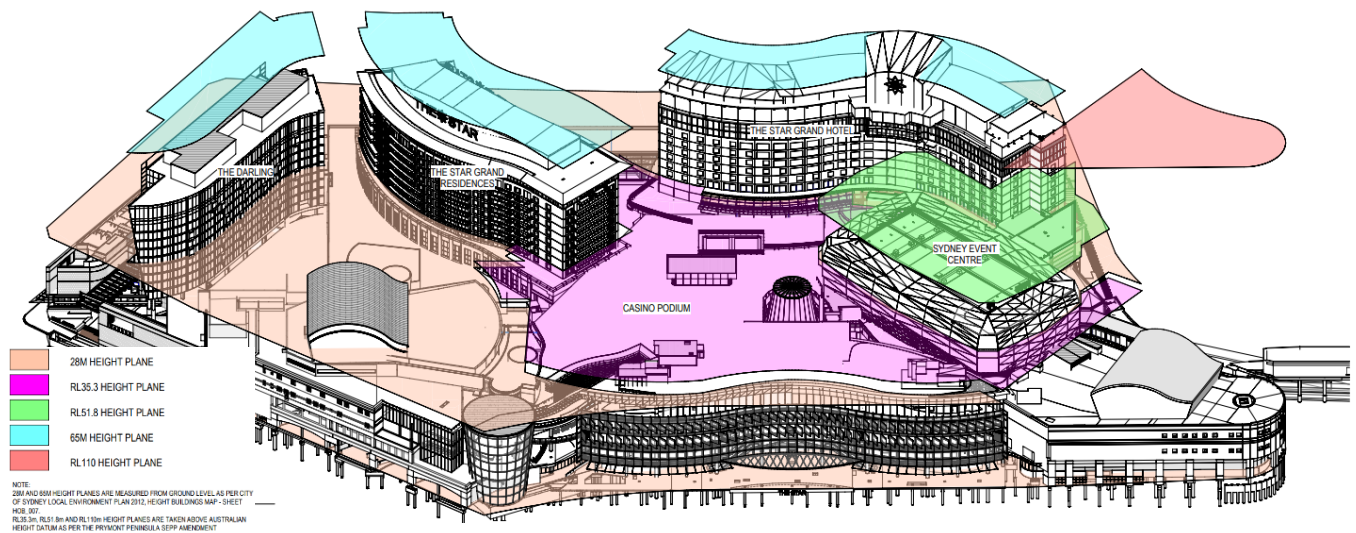


Figure 9 Height plane diagram – existing built form

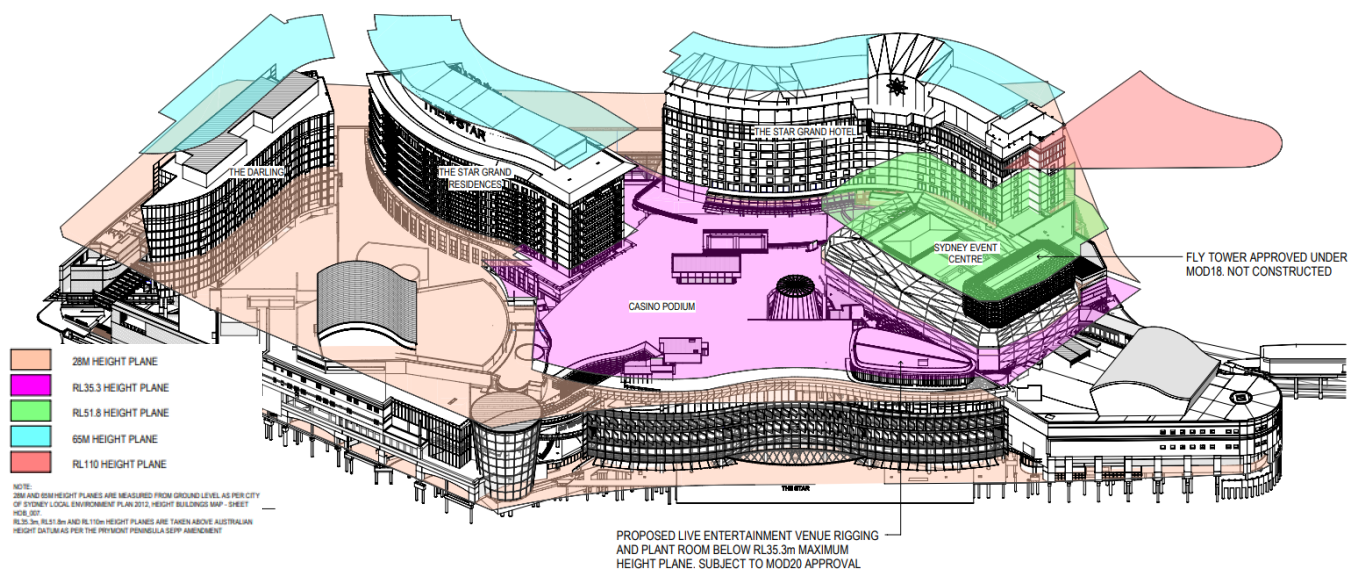


Figure 10 Height plane diagram – proposed built form

7.3 Overshadowing

Shadow diagrams prepared by Altis (**Figure 11-16**) for 21 June between 9am and 3pm demonstrate that the additional shadow generated by the proposed works is limited in extent, duration and overall impact.

At 9am on 21 June, the existing plant enclosure already casts shadow across part of the Level 05 rooftop. The open space on the level below - including areas associated with the Sydney Event Centre - currently receives only filtered sunlight due to the surrounding built form. The proposed extension would introduce only a minor increase in shadow over a portion of the Sydney Event Centre terrace at this time. The shadow analysis confirms that solar access to this area is already constrained, and the incremental shadowing would be negligible within the existing context.

By 3pm on 21 June, the existing plant enclosure casts shadow across the rooftop of the Sovereign Expansion. The additional shadow resulting from the expanded mechanical plant area falls solely onto rooftop areas and does not extend into the public domain.

Overall, while the proposal results in a marginal increase in overshadowing, the additional shadow is localised, contained to rooftop areas, and does not materially affect adjoining properties, public open space, or the public domain.

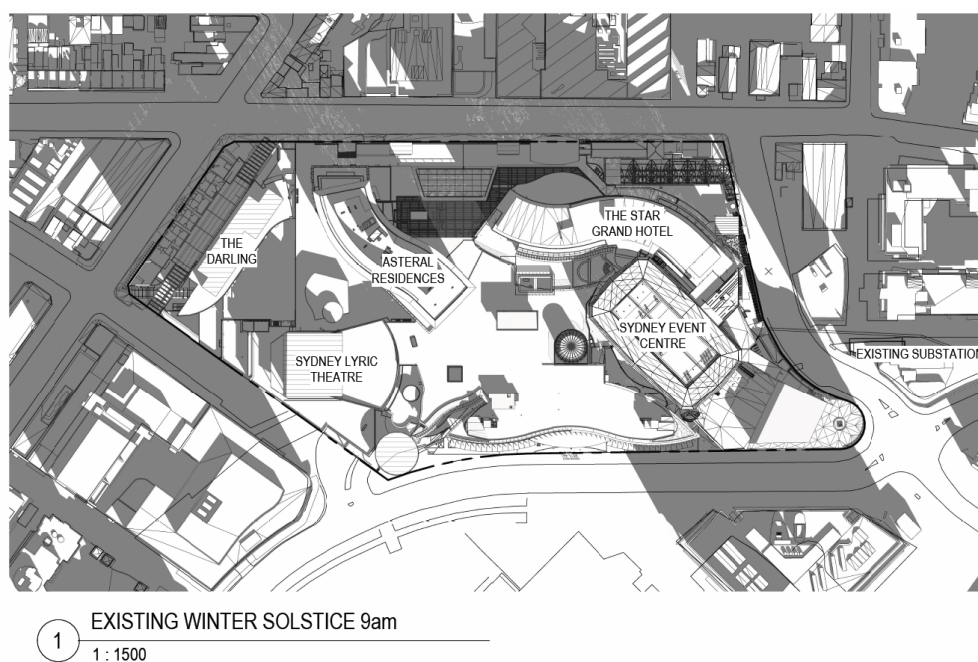
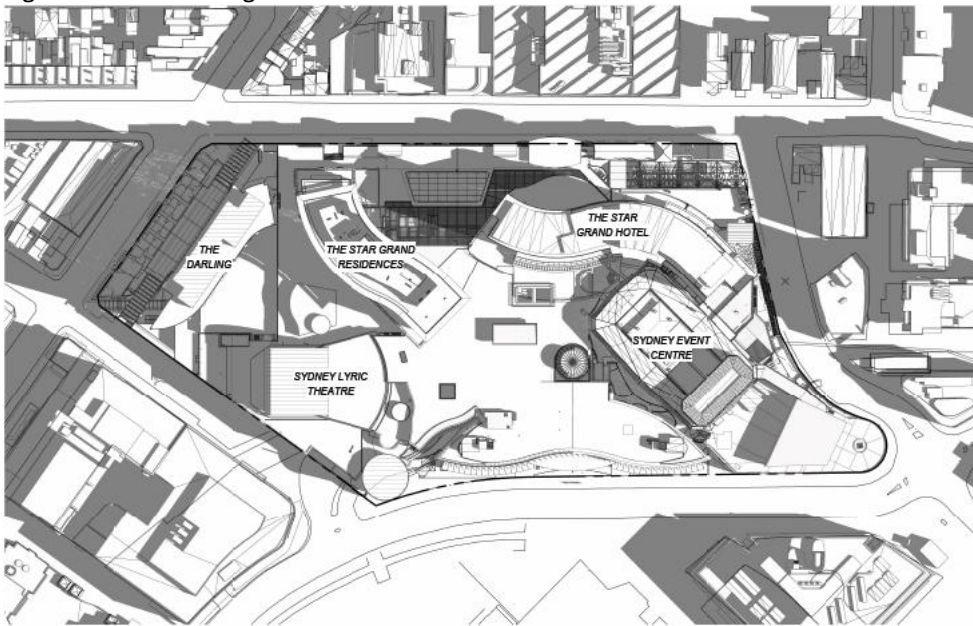


Figure 11 Existing shadow – June 21 9am



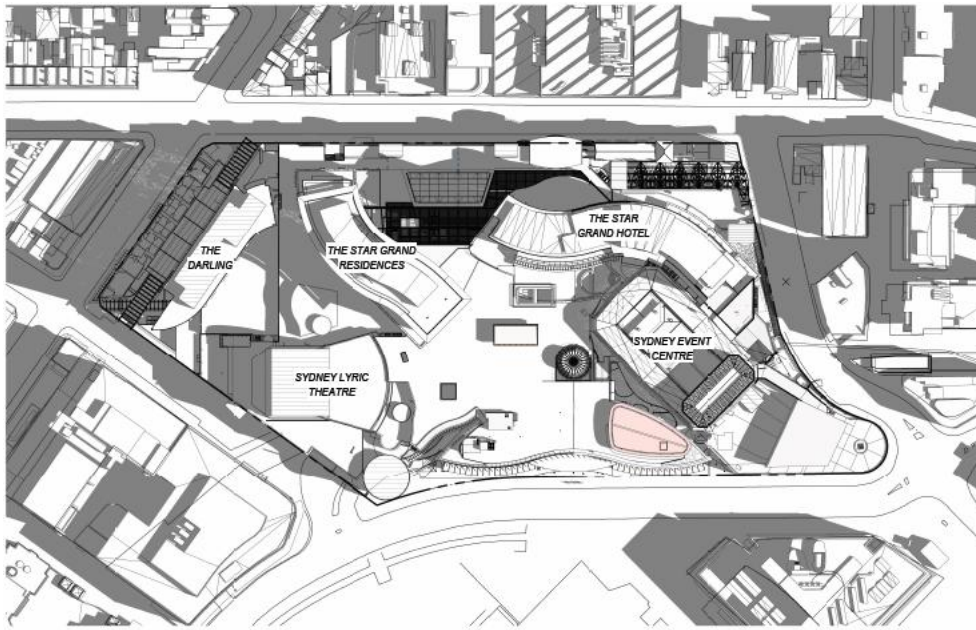
2 PROPOSED WINTER SOLSTICE 9am
1: 1250

Figure 12 Resulting shadow – June 21 9am



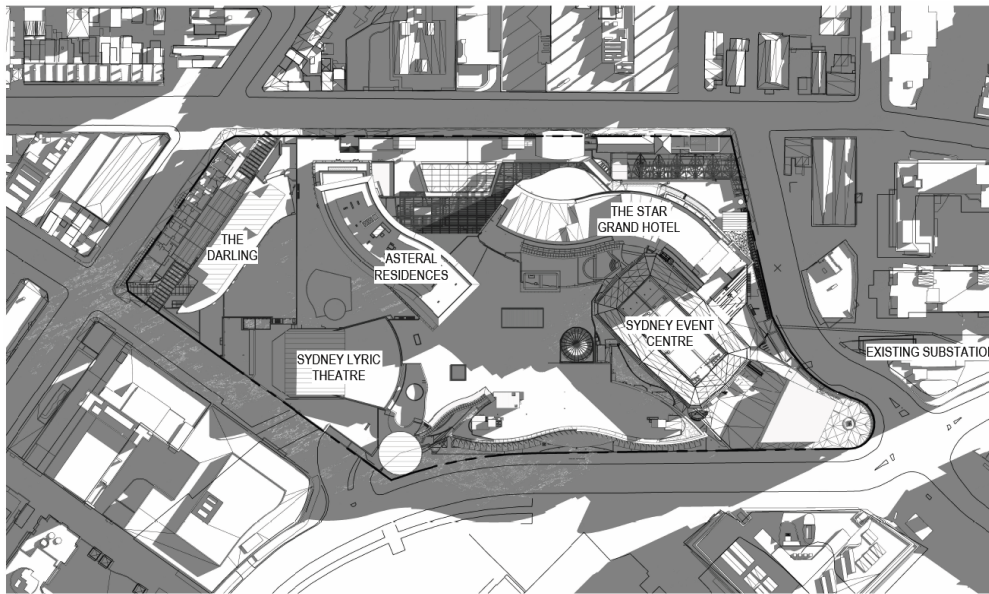
3 EXISTING WINTER SOLSTICE 12pm
1: 1250

Figure 13 Existing shadow – June 21 midday



4 PROPOSED WINTER SOLSTICE 12pm
1:1250

Figure 14 Resulting shadow – June 21 midday



3 EXISTING WINTER SOLSTICE 3pm
1:1500

Figure 15 Existing shadow – June 21 3pm

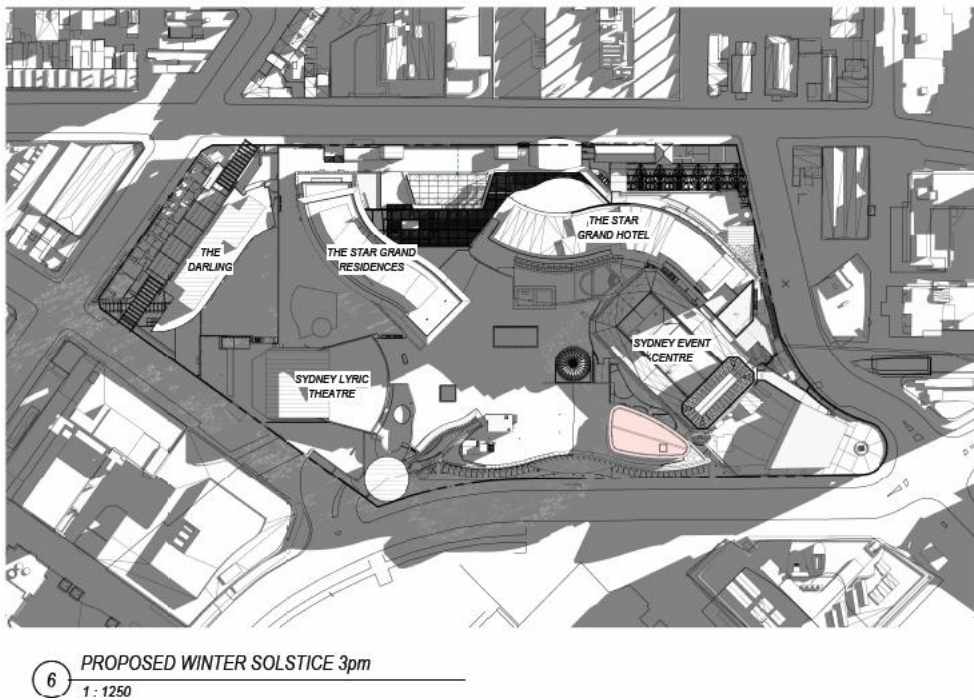


Figure 16 Proposed shadow – June 21 3pm

7.4 Visual Impact

The proposed modification will not result in any unreasonable visual impact. The external works have been designed to adopt a consistent architectural theme with the existing site, ensuring a cohesive built-form outcome. Internal works are minor and will have minimal external effect.

The rooftop development represents an improvement to the existing plant space, providing upgraded ancillary servicing amenities and rigging equipment. The plant room has been designed to reflect the architectural character of the broader site, including the materials and finishes utilised on the levels below, ensuring a visually integrated addition.

The proposed materials, finishes, and colour palette have been selected to complement the existing building, allowing the rooftop addition to read as a seamless extension of the established built form rather than a visually dominant or unrelated structure. This approach maintains the visual integrity of the Star complex.

Given the scale and complexity of the existing Star development, the limited extent of external change, and the setback and integrated design of the rooftop elements, the proposal is considered acceptable from a visual impact perspective.

The analysis prepared by Altis and shown in **Figure 17-21** below considers locations within the surrounding public domain where the expanded mechanical plant may be visible. These include two viewpoints at the northern and southern ends of Pyrmont Bay Park, and two viewpoints at the southern and northern ends of The Promenade at Darling Harbour. From other angles, the proposed addition would not be visible.

In summary:

- **Viewpoint 1** - The expansion is most visible; however, visual consistency is maintained through matching materials and finishes. Any perceived bulk or scale is minimal and largely imperceptible.
- **Viewpoint 2** - The expansion is visible, but existing development at the rear obscures much of the form, making it not easily discernible.
- **Viewpoints 3 and 4** - From the Promenade at Darling Harbour, the proposal is obscured by intervening built form including buildings, marina wharfs, boats, and the existing Sydney Entertainment Centre complex. The addition is therefore largely imperceptible.

While these locations identify limited visibility of the proposed addition, the form and materials demonstrate that it has been appropriately integrated into the existing built form and replaces a structure that is incongruent with the architectural style.



VISUAL CORRIDOR TO CITY

Figure 17 Viewpoint locations





Figure 18 Viewpoint 1 – existing and proposed rooftop plant



Figure 19 Viewpoint 2 – existing and proposed rooftop plant



Figure 20 Viewpoint 3 – existing and proposed rooftop plant



Figure 21 Viewpoint 3 – existing and proposed rooftop plant

7.5 Traffic & Parking

A Traffic Impact Assessment has been prepared by Traffix and is included at **Appendix B**.

The site in its current form is conveniently located, in relation to both Public Transport and Road Infrastructure. The site has two major frontages including; Pirrama Road to the North & Pyrmont Road to the South. Public Transport for the site includes Light Rail Services, Bus Services, Future Metro Services, Ferry Services – all these services are within walking distance and operate daily.

The SLEP 2012 includes a maximum parking rate for entertainment facilities (clause 7.9(5)) as follows:

*(5) **Places of public worship and entertainment facilities** The maximum number of car parking spaces for a building used for the purposes of a place of public worship or an entertainment facility is whichever of the following provides the greater number of spaces—*

(a) 1 space for every 10 seats, or

(b) 1 space for every 30 square metres of the gross floor area of the building used for those purposes.

The maximum number of car spaces required for the proposed use is 42 spaces (1 space per 10 seats). However, given the nature of the proposed development and the site's strategic context, the proposal does not include the provision of additional parking. This is appropriate as:

- The approved MUEF redevelopment reduced the patron capacity of the existing venue from 4,000 patrons to 2,550 patrons and the Foundry Theatre was approved with a capacity for 540 patrons. The proposed increase of an additional 415 patrons remains less than the previously approved maximum of 4,000 patrons for the site.
- The existing parking provision at The Star will ensure sufficient parking is available at all times.
- The site's location allows various public transport options to access the development.

As such, given the proposed modification maintains an overall reduction in patrons and staff numbers, the traffic volumes are expected to remain as is or be reduced further. On this basis, the existing car parking arrangement is appropriate. Further discussion is provided in **Appendix B**.

7.6 Acoustic

A Noise and Vibration Impact Assessment has been prepared (**Appendix D**) to assess the potential operational and construction noise impacts associated with the proposed modification application.

During the operation of the premises, Acoustic Studio determined the loudest noise emissions would be from external mechanical plant, patronage to the site, events within the premises and vehicle movements. To ensure compliance with the relevant criteria, Acoustic Studio have recommended:

- Music and patron noise / activity from the New Live Entertainment Venue performance space are managed in accordance with the Noise and Vibration Impact Assessment, dated 8 May 2026.
- Acoustic louvres are provided for the rooftop chiller plant room.
- Emergency system / plant tests are carried out during the day.
- During any night-time (10pm-8am) use of the loading dock, potential for noise impact should be minimised by employing operational management controls such as minimising truck idling at the loading dock / loading dock entry.
- Acoustic doors are provided for all New Live Entertainment Venue external doors, and doors should remain closed during high noise-level events.
- An operational Sound Management Plan is prepared, followed and updated as required.

In addition, construction noise and vibration impacts have also been assessed based on the preliminary construction staging and indicative plant requirements. The assessment confirms, construction noise and vibration can be mitigated through the use of localised acoustic screening. This will ensure the predicted worst case construction noise level at the worst affected receiver is managed and mitigated to ensure compliance. Further discussion is provided in **Appendix D**.

7.7 Additional Matters

An assessment of impacts relating to the modification has been undertaken by the relevant specialist consultants as set out in **Table 7** below.

Table 7 Summary of technical assessments

Consideration	Consultant	Summary	Reference
Waste Management	PlanGen Consulting	Operational waste will be managed in accordance with the existing procedures on site. Construction waste management will be managed by each subcontractor on site, which will be required to adhere to the Construction Waste Management Plan.	Appendix E and Appendix F
Operational Management	Foundation Theatres	The venue will operate in accordance with the Plan of Management (PoM). The PoM establishes the procedures for patron management, staffing, security, emergency	Appendix J

		response, complaints handling, cleaning, waste, deliveries and general venue operations. The PoM will ensure the entertainment venue operates in a safe and orderly manner while minimising potential impacts on surrounding land uses, the public domain and the broader Star complex.	
Access	Codex	The Access management report has been prepared in accordance with the BCA/NCC 2022, Disability Access to Premises Standards, DDA, and relevant AS 1428 standards. The report confirms the proposal is capable of complying with the relevant standards.	Appendix G
Fire Engineering	WSP	The proposal has been reviewed based on an indicative egress population of 500 persons, comprising floor occupants, mezzanine occupants and staff. WSP confirm the design can meet the Performance Requirements of the BCA through fire engineering analysis and Performance Solutions.	Appendix H
Sustainable Development Report	WSP	As outlined in the Sustainable Development Report and in accordance with the Sustainable Buildings SEPP, the project will incorporate energy efficient features within the internal fit out (heating and lighting). WSP confirm the project meets the relevant planning requirements in relation to sustainability and within the context of the adaptive reuse of the building on Level 03-05.	Appendix I

8.0 Justification of the Modified Project

The proposed modification application is for alterations and additions to the existing Levels 03–05 of the Star complex at 20-80 Pyrmont Street, Pyrmont. In accordance with s4.55(2) of the EP&A Act, the DPHI may modify the consent as:

- The modified development is consistent with the relevant strategic plans and documents, specifically the Pyrmont Peninsula Place Strategy which identified The Star Complex as one of four key sites that have the greatest capacity to deliver economic growth in the Peninsula and deliver significant cultural infrastructure. Further, project is in line with ‘Big Move 2: A vibrant 24-hour cultural and entertainment destination’ and the intents of the Darling Island sub-precinct which is envisioned to support 2,735 more jobs by 2041
- The proposed modification remains to be of minimal environmental impact that can be appropriately managed. Technical specialist reports have been prepared and demonstrate that the modification can be present minimal and manageable environmental impacts; and
- The proposed modification application is substantially the same development as development for which consent was originally granted, as:
 - Levels 03-Level 05 is an existing food and beverage and gaming venue. The proposed modification will not introduce new land use to the site, but rather increases Foundation Theatres existing presence and replaces gaming facilities with an entertainment venue.
 - The proposed height and FSR increases are not substantial in the context of the broader site and remain compliant with the SLEP 2012 development standards.
 - The proposed addition will not result in adverse overshadowing or view impacts on the public domain.
 - The proposal exhibits design excellence and the Level 05 addition integrates appropriately with the existing built form of the levels below, replacing an incongruent structure.
 - Environmental impacts remains to be unsubstantial and managed in accordance with advice from specialists.

9.0 Conclusion

The proposed modification seeks alterations and additions to the existing Levels 03-Level 05 Sovereign Expansion food, beverage and gaming areas within the northern Whale Tail of The Star Sydney.

In accordance with Section 4.55(2) of the Environmental Planning and Assessment Act 1979, the DPHI may modify the development consent where the proposal constitutes *substantially the same development* as that originally approved. In this case, the proposal satisfies the statutory requirements because it:

- remains substantially the same development as that to which consent was originally granted
- continues to comply with applicable statutory plans and policies
- maintains the approved built form envelope, without increasing maximum building height or exceeding the approved FSR
- involves modifications that are ancillary in scale and consistent with the intent, purpose and environmental impacts of the original approval

On this basis, the proposal clearly meets the statutory test under Section 4.55(2), as the development remains substantially the same as the development for which consent was originally issued.

Accordingly, it is recommended that the DPHI support the proposed modification.