



**ALTERATIONS AND ADDITIONS TO
STAR CITY CASINO COMPLEX,
PYRMONT & NEW HOTEL ON THE
SWITCHING STATION SITE**

***Proposed by SYDNEY HARBOUR
CASINO PROPERTIES PTY LTD***

MP 08_0098 (MOD 4)



Modification of Minister's Approval under section 75W
of the *Environmental Planning and Assessment Act*
1979

November 2009

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1. SECTION 75W MODIFICATION APPLICATION

This is a report on an application seeking to modify the Project Approval for alterations and additions to the Star City Casino complex and new hotel on the Switching Station site, bounded by Pirrama Road to the north-east, Union Street to the south and Edward Street to the east (see **Figure 1**). The modifications relate to the approved redevelopment of the eastern (Pirrama Road) frontage.



Figure 1: Site Location

1.1 Major Project Application

Project Application MP 08_0098 was approved by the Minister for Planning on 27 January 2009 and comprised the following:

- 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 3,000 car parking spaces across the whole site, to be accessed via the existing Casino complex car park;
- The redevelopment of the eastern (Pirrama Road) frontage; and
- Works to the exterior of the existing Casino tower buildings.

A copy of the Project Application approval is at **TAG C** and a copy of the assessment report is at **TAG D**.

The Department established a Design Review Panel (DRP) for the major project, comprising Keith Cottier (Consultant Architect), Peter Mould (Government Architect) and Margaret Petrykowski (Department of Planning Senior Urban Design Specialist) who were all members of the competition jury, which had been formed for the Switching Station Hotel site in accordance with the Director General's Requirements (DGR's). The final design was approved after it was modified to respond to concerns raised by the Department and the DRP regarding extent of glazing, appearance of the length of the façade, level of articulation and activation of the site. The DRP was not reconvened to review the current modification application as the modifications are

generally a further design response to issues previously raised by the DRP. However, the Department's Senior Urban Design Specialist, who was a member of the DRP, has been consulted.

1.2 Previous Modifications

MP 08_0098 MOD 1 was approved under delegation on 3 March 2009 to make minor amendments to the wording of conditions to provide greater clarity on what constitutes external art work and lighting to include video signage, and to alter the timing of compliance requirements.

MP 08_0098 MOD 2 was approved under delegation on 25 March 2009 to amend Condition B2 – Hotel Height, in order to clarify the hotel building height as indicated by survey information and to also include lift overruns as an exclusion to the height limit.

MP 08_0098 MOD 3 was approved under delegation on 6 April 2009 to amend Condition B4 – Sydney Metro Authority to allow a staged agreement process with Sydney Metro Authority in relation to excavation works in the vicinity of the rail tunnel easement.

1.3 Proposed Modification

On 21 August 2009, Urbis acting on behalf of Sydney Harbour Casino Properties Pty Ltd (the proponent), submitted an application to modify the Part 3A project approval pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

The modification relates to alterations and additions to the existing casino building on the Pirrama Road frontage. The proponent seeks to:

- Amend the facade design;
- Consolidate the construction of two porte cocheres to a single porte cochere;
- Reconfigure the entry stairs;
- Consolidation of the water features to a single location at the forefront of the site;
- Relocate the gaming entry point from arcade level to the main gaming level; and
- Increase the size of the external entertainment deck by approximately 682m².

The proposed modification will not result in any increase in total Gross Floor Area (GFA) for the site.

2. STATUTORY CONTEXT

2.1 MODIFICATION OF A MINISTER'S APPROVAL

The modification application has been lodged with the Director General pursuant to section 75W of the EP&A Act. Section 75W provides for the modification of a Minister's approval including *"revoking or varying a condition of the approval or imposing an additional condition of the approval"*.

The Minister has delegated her functions under section 75W of the EP&A Act where there have been less than 25 public submissions in respect of the modification and where the capital investment value (CIV) of the modifications involves development that has a capital investment value of less than \$50 million. Given the modifications proposed have a CIV of approximately \$88 million, the modification cannot be determined under delegation and requires the Minister's approval.

2.2 ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGR'S)

It was not considered necessary to notify the proponent of environmental assessment requirements, pursuant to section 75W(3) of the EP&A Act with respect to the proposed modification, as sufficient information was provided to the Department to consider the application, and the issues are not inconsistent with the DGR's issued on 30 June 2008.

2.3 CONSULTATION AND EXHIBITION

Under section 75W of the EP&A Act, a request for a modification of an approval does not require public exhibition. However, the Department formed the opinion that given the prominence of the

site and the scope of the modifications, the Environmental Assessment (EA) should be exhibited in accordance with section 75H(3) of the EP&A Act, and was exhibited for 31 days from 2 September 2009 to 2 October 2009.

The application was also placed on the Department's website in accordance with section 75X(2)(f) of the EP&A Act and clause 8G of the *Environmental Planning and Assessment Regulation 2000*. The application was also referred to City of Sydney Council (Council), Casino Liquor and Gaming Control Authority (CLGCA) and the NSW Roads and Traffic Authority who each lodged a submission. The CLGCA and the RTA raised no concerns with the modification and were generally supportive of the design changes. Council were also generally supportive of the design changes, however, raised issues regarding activation of the public domain, escalators, landscaping of the site, street trees, water feature and traffic. These issues are discussed further in Section 3 of this report. No public submissions were received.

3. CONSIDERATION OF PROPOSED MODIFICATION

3.1 FAÇADE MODIFICATIONS

The design of the Pirrama Road façade evolved during the assessment process of the major project. The approved façade design (see **Figure 2**) included:

- Three distinctive modules, thereby addressing concerns regarding the dominance of the previously proposed single glazed façade;
- Reduction in the width of the façade, thereby reducing the extent of the glazing;
- Greater articulation and reference to the surrounding context with a modulated form, increased solid materials and sandstone elements; and
- Separation of the single porte cochere into two to respond to concerns regarding activation and engagement of the site with the public domain given the proposed porte cochere extended the width of the façade.

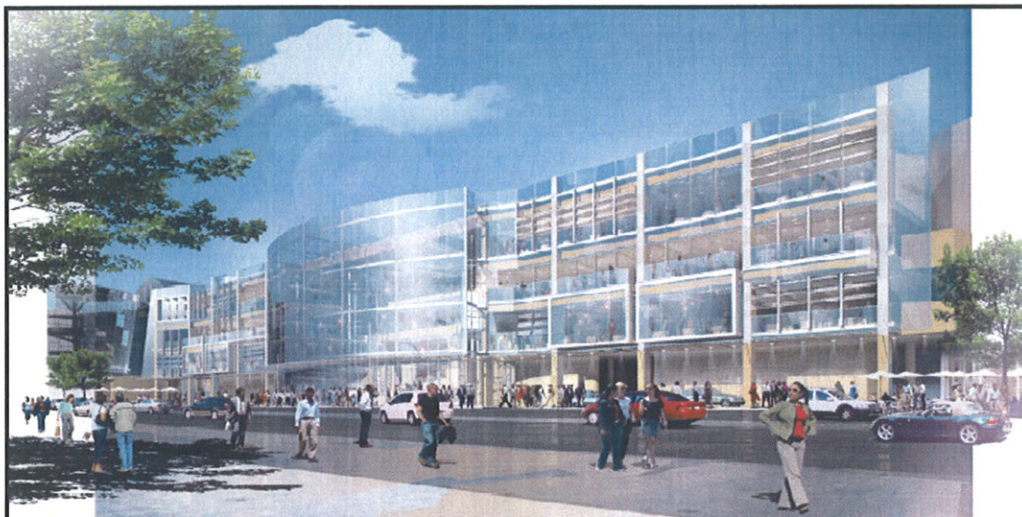


Figure 2: Approved Pirrama Road façade

The proposed modifications (see **Figure 3**) are a further design response to issues raised by the Department and the DRP during the assessment of the original major project application in relation to:

- Providing a distinct central entry element where the curvilinear façade concaves at the front of the existing glass cupola element;
- Maintaining reference to the surrounding context by utilising sandstone coloured masonry walls at ground level;
- Removing the glazed façade on the ground floor which allows for greater integration with the public domain, visual connection and activation of the ground floor; and
- Providing open and fixed glass panels (see **Figure 4**) along the entire façade to provide greater interest and articulation.



Figure 3: Proposed amended Pirrama Road façade



Figure 4: Model of glass panels in closed and open forms

In addition to addressing earlier concerns, the Department considers the curvilinear form of the proposed façade provides greater compatibility with other curvilinear forms on the site including the hotel buildings. The façade will also be responsive and flexible to the surrounding environment and will allow greater natural air movement along the whole facade. The modifications will not result in any additional Gross Floor Area (GFA).

The increased integration, visual connection and transparency at ground level will be further strengthened by the proposed conversion of the existing solid separation between the bus/light rail interchange and Pirrama Road to a glass separation. The Department considers that this will result in improvements to the safety and atmosphere of the interchange which currently does not integrate well with the remainder of the site.

The amended design removes the glazing at street level to reduce the dominance of glazing on the façade and does not extend the width of the façade. However, it is noted that on balance there is a minor increase in the level of glazing as the glazing removed from the ground floor is offset with additional panels on the balconies. The fixed open glass panels along Level 1 will ensure that

the façade will not present as a solid glazed wall from most view points. The small glass panels along the façade provides the building with a higher degree of transparency and reduced visual bulk. The Department's Senior Urban Design Specialist is also supportive of the modifications as they provide a generally more modern and refined design.

The proponent has also provided an addendum to the acoustic assessments, submitted with the environmental assessment of the major project application. The assessment concludes that the amended design will not result in any additional acoustic impacts provided the roof canopy is highly acoustically absorptive and the facilities will be managed in accordance with the required noise management plan. The Department recommends that Condition E1 Noise Control – Plant and Machinery be amended to include reference to recommendations made in the addendum regarding the design of the roof canopy.

The proponent has also provided an assessment of the potential solar glare impacts of the glazing along the façade. The assessment concludes that due to the reduction in large singular planes and the smaller glass panels, the operable nature of the panels, and the convex and concave form of the entire facade, the modifications will result in an improved outcome compared to the approved scheme.

Council is generally supportive of the façade modification as the façade is considered to be more expressive and provides greater articulation. The Department considers that the amended design will allow for greater integration with the public domain and increased activation of the site. Accordingly, the Department considers the amended façade design is acceptable.

3.2 PORTE COCHERES

The proponent also seeks to consolidate the construction of two porte cocheres into a single porte cochere. The original major project application consisted of a single porte cochere which extended the length of the façade. The proponent amended the design to provide two porte cocheres (see **Figure 5**) in response to concerns raised by the Department and DRP during the assessment of the original major project application regarding the porte cochere's length and its deactivation of the public domain. The two porte cocheres were approved and the northern-most porte cochere was only permitted to be used during special events.

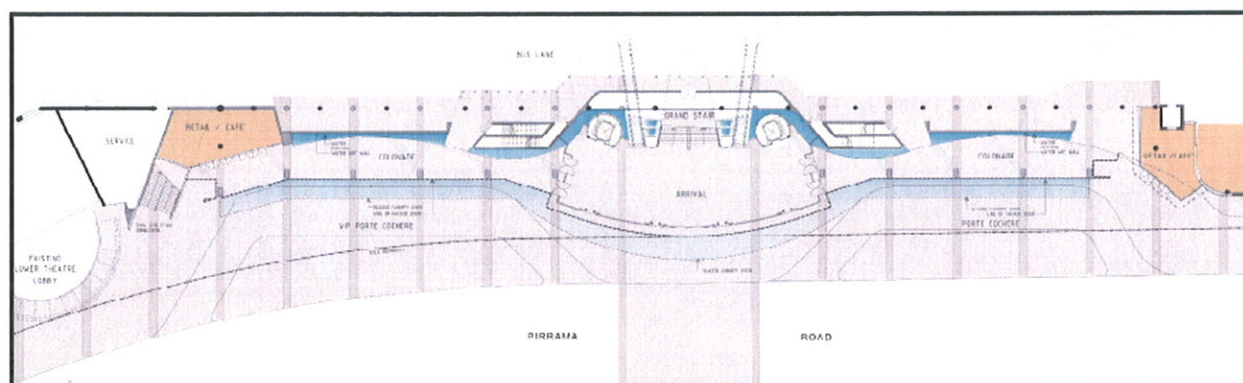


Figure 5: Approved design - two porte cocheres

The proposed single porte cochere (see **Figure 6**), is a further design response to issues previously raised by the Department and the DRP, as outlined above. The porte cochere is a single porte cochere that is considerably shorter than that proposed in the original major project application, thereby allowing further activation of the public domain. The Department's Senior Urban Design Specialist is also supportive of the modifications as the public domain interface has been simplified. The deletion of the second porte cochere will also reduce pedestrian vehicle conflicts and improve pedestrian amenity.

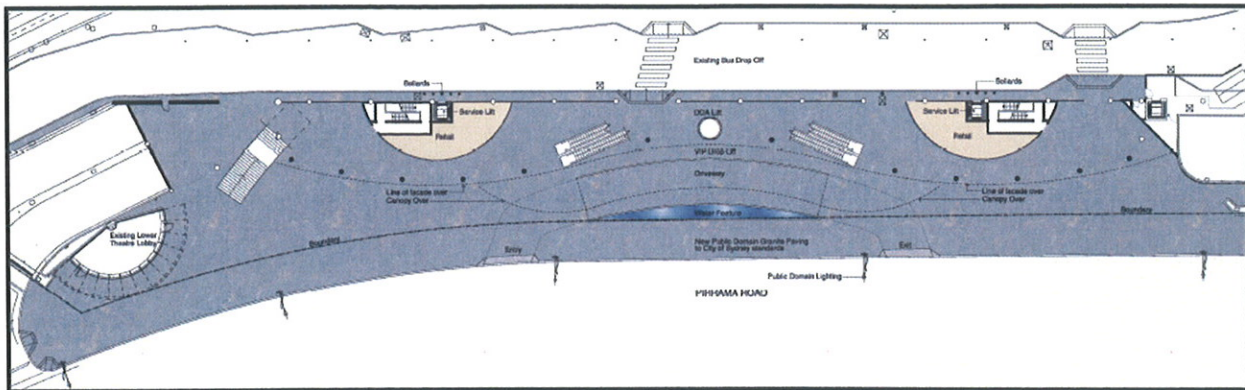


Figure 6: Proposed amended design - single porte cochere

The RTA did not raise any concerns regarding traffic impact and the proponent's traffic assessment confirms that the consolidation into one porte cochere will not have any adverse impact on traffic flows. Council is supportive of the design change as it removed the number of vehicle crossovers across the footpath resulting in improved pedestrian amenity. Council requested an additional condition be imposed regarding signage for porte cochere traffic movement. The proponent in their response to submissions has accepted the Council's proposed condition. The Department recommends an additional condition be imposed regarding Traffic Management Signage to ensure safe operation of the porte cochere and to protect pedestrian amenity.

3.3 ACCESS AND CIRCULATION

The proponent also proposes to modify the configuration of the entry stairs/escalators of the approved design (see **Figure 5**) to delete the stairs, provide dual escalators, separate the escalators and relocate the fire stairs to behind the retail pods to minimise their dominance on the ground floor (see **Figure 6**). The amended design also reconfigures the escalators to allow people entering the site to have unobstructed views to the upper levels.

The reduction in the size of the entry stairs and escalators element allows the retail pods to be relocated in a more centralised and prominent location that is closer to the public domain, which will promote greater activation of the entry space. The removal of the structures from the central entry point also allows for greater transparency through the site. The Department's Senior Urban Design Specialist is also supportive of the modifications as it improves the street interface. The Department considers that this will provide a more active frontage and stronger engagement with the public.

Council are supportive of the changes, however, have requested further consideration of reducing the escalators to single escalators to reduce their dominance of the entry area. In their response, the proponent has identified that the dual escalators are required to provide adequate access and egress functions given the anticipated number of people on the site and for maintenance requirements given the escalators are the main access point with the deletion of the stairs.

Council also raised concerns about the functionality of the retail pods, given their nominated use as retail pods, their size and their ability to provide adequate seating around the pods to support any café or food & beverage premises. The proponent has provided additional plans in their response to submissions which demonstrate adequate seating can be provided while maintaining adequate circulation for any food & beverage premises. Given the existing approval allows for food & beverage, the Department considers that both retail and food & beverage uses would be suitable and can be accommodated in the amended retail pods.

The proponent is also seeking to relocate the gaming entry point from retail level to the main gaming level. The relocation of the access to the gaming floor provides a lobby area before entering the gaming areas which separates the circulation space from the gaming areas. This

allows the circulation space to continue to upper levels as it does not traverse gaming areas, where it previously only provided direct access to the gaming areas. The Department considers that the modification to the entry point will improve the pedestrian environment on the retail level, provide a more formal entry point to the gaming areas on the main gaming level and improve circulation to upper levels.

The proposed modifications to the layout and access points result in minor changes in GFA for uses on some of the levels, however, the overall amount of GFA is unchanged.

Accordingly, the Department considers the modifications relating to reconfiguration of the stairs, escalators and entry points are acceptable.

3.4 PUBLIC DOMAIN & LANDSCAPING

Council has identified several issues regarding the public domain and landscaping including removal of trees, dominance of hard paving, relocation of street trees and has requested a number of conditions be imposed to address the issues including the provision of a detailed public domain plan and landscape plan. The proponent in their response to submissions accepted the proposed conditions.

Council is also generally supportive of the relocated water feature as it provides a visual separation, however, raised concerns over its potential to conflict with the porte cochere and its encroachment on the public domain. The Department has reviewed the drawings submitted with the response to submissions, which demonstrate the water feature will not encroach onto the public domain, and does not consider that the water feature would have an adverse impact on the porte cochere.

Council has also recommended a number of construction conditions regarding works within the public domain and adjoining the public domain. The Department recommends the conditions be imposed, where appropriate.

3.5 EXTERNAL ENTERTAINMENT DECK

The proponent also seeks to increase the size of the external entertainment deck by approximately 682m². The external deck is not calculated as GFA, therefore the increase will not result in any additional GFA. The proponent does not propose that there will be any additional patrons using the deck or any modification to approved activities to be conducted on the deck in accordance with findings of the acoustic assessment of the deck for the original major project application.

The Department accepts that there will be no additional impacts arising from the expanded deck. However, given the increase in the deck's patron capacity, the Department considers it appropriate that an additional condition should be imposed to manage the number of patrons on the deck at all times. The Department recommends a condition be imposed that limits the amount of patrons to a maximum of 1,000 patrons during the day and 600 patrons at night, which is consistent with the acoustic assessment of the major project application and existing operational noise management plan.

4. CONCLUSION

The Department has reviewed the proposed modifications and public authorities' responses. The Department's Senior Urban Design Specialist, who was a member of the DRP, advised that she supports the proposed amendments. Conditions requested by Council have been incorporated in the Instrument of Modification Approval, where relevant. As the proposed modifications will provide improved public domain outcomes and will not result in any additional environmental impacts the Department considers the modifications are acceptable.

5. RECOMMENDATION

It is recommended that the Minister for Planning:

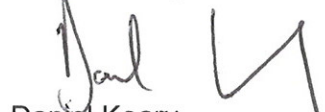
- (a) **Consider** the findings and recommendations of this report; and
- (b) **Approve** the modification, subject to conditions, under section 75W of the *Environmental Planning and Assessment Act, 1979*; and
- (c) **Sign** the attached Instrument of Modification Approval (**TAG B**).

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